

Tuesday 25 September 2018

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

RECOGNITION OF VISITORS

Madam SPEAKER - Honourable members I welcome grades 8 and 9 from the King Island District High School.

Members - Hear, hear.

QUESTIONS

Royal Hobart Hospital - Accommodation for Young Psychiatric Patients

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.03 a.m.]

Last week we saw patients seeking treatment for mental ill health forced to sleep on the Emergency Department floor because of a lack of beds. We saw a whistleblower claiming young Tasmanians are dying because they cannot access mental health services. Now it has been revealed that for the past six months a 15-year-old girl has been held in seclusion at the Royal Hobart Hospital's adult psychiatric ward. Why do you not provide adequate resources and staff to provide quality care for mental health patients in Tasmania?

ANSWER

Madam Speaker, I thank the member for the question. It is very important that we focus on what is best for the community and what is best for individual patients who need our services at a time of need. If you look at the way in which the Leader of the Opposition has asked the question she is asking me about a specific case of a specific person, a child in our care. The Government is not in a position, and should not be in a position, to give individual commentary on individual cases. We are not allowed to do that. We cannot do that.

Ms White - Nobody asked you to. Do not deflect.

Mr Bacon - Why won't you provide adequate resources and staff?

Mr FERGUSON - It would be wrong to do that. It would be a breach of privacy and confidentiality to publicly discuss any individual patient.

Ms O'Byrne - Nobody asked you to.

Madam SPEAKER - Order.

Mr FERGUSON - and by the way there can be consequences for doing so including for members opposite bringing into this place -

Mr O'BYRNE - Point of order, Madam Speaker. Section 45 - relevance. The question was very clear. It relates to the resources and staff for quality care to mental health patients in Tasmania. The minister in his answer is reflecting on the motivations of the Labor Party which is inappropriate.

Madam SPEAKER - I accept that, Mr Byrne, but it is not a point of order. I ask the minister to stay to the relevance of the question.

Mr FERGUSON - Madam Speaker, I have done that and I will continue to do that. For the Leader of the Opposition to bring into this House, a public place, commentary on an individual case needs to be very carefully considered by members of this House and it should not happen. If the Leader of the Opposition has concerns, there are ways for her to raise those and ensure that they are responsibly responded to.

The Government is committed in this area. We are making long overdue progress exactly so that we can provide the facilities that young people need in Tasmania. Madam Speaker, did you know that in Tasmania we have never had inpatient psychiatric services for children anywhere in Tasmania in any dedicated facility ever in our history? In all the years that Tasmania has been providing care we have never had those services. We have never had those facilities and we are now building them.

Ms O'Byrne - Really?

Mr FERGUSON - Yes, really. We are building them right now in Hobart in the south of the state. We are building them right now in the north of the state. We saw commitments made by members opposite in this area that were never honoured. This Government, only in our first term of office, has them now being built. Now, in our second term, we are about to open them.

We should never see children's psychiatric care, especially individual cases, being brought onto the floor of the parliament for public discussion. It is reprehensible. It is the case that there has been reporting on a particular case which is concerning to me. I have responded to that in a very responsible way bearing in mind the accountability that I have to be responsible in this area. I am always concerned if ever there are individual instances where people cannot get the medical care they need. I do not accept it if the Leader of the Opposition is suggesting otherwise.

In any case this is a circumspect comment which is not about the individual case, I make that clear - I am able to say that my office has been in discussions with the Chief Psychiatrist and where there are complex cases, indeed very heart-rending cases, I am able to assure the House that the Chief Psychiatrist does have clinical oversight and opportunity to review and that he has not raised with me any concerns in this area about inappropriate treatment being given.

Hospitals - Employment of Psychiatric Emergency Nurses

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.08 a.m.]

The tragic story of a 15-year-old girl being held in seclusion at the adult psychiatric ward of the Royal Hobart Hospital has again highlighted the unacceptable lack of beds and services for children and adolescents suffering mental ill health in Tasmania. Last week a whistleblower from the child and adolescent mental health service provided a stark warning when they said, and I quote:

Children will keep dying and very highly qualified professionals will be burned out and not work if the system does not change.

The Australian Nursing and Midwifery Federation has been calling on your Government to fund a psychiatric emergency nurse at the North West Regional Hospital but you have refused. They have also asked for your Government to fund a psychiatric emergency nurse at the Launceston General Hospital but you have put so many restrictions around the terms of the contract that no-one has applied.

Will you now reconsider and urgently act to fund a psychiatric emergency nurse at both the Launceston General Hospital and the North West Regional Hospital and match the commitment that Labor made at the state election?

ANSWER

Madam Speaker, mental health has a great commitment by this Hodgman Liberal majority government and we have the policies to prove it. I am surprised the Leader of the Opposition would ask the Government to match Labor's mental health policy. If we did that we would be doing 25 per cent of our commitment. Our Government does not have a \$25 million mental health policy. We have a \$95 million mental health policy and, importantly, we promised 25 additional beds while Labor has promised just 10 and could not say where they would be.

I note in the question that the Leader of the Opposition again raises an individual case of a 15-year-old child, which I have already responded to. I also heard in the question a claim around the lack of inpatient service for children needing psychiatric care. Where was the care from Labor when they were in office? In 2009 the then minister for health, Lara Giddings, said it would be at least 12 months before the new paediatric mental health and adolescent unit was completed. In 2009 Labor held out hope that just a year after that there would be a service. We are now building the facility Labor never got around to.

Ms White - What happened after that, nearly a decade ago? Is that the best you've got? Take some responsibility for this. What about the psychiatric emergency nurses?

Mr FERGUSON - You want to change the subject and you do not like your history.

Ms White - It was the question!

Madam SPEAKER - Order.

Mr FERGUSON - We are building the facilities and when they are open they will provide wonderful services to young people.

Ms WHITE - Point of order, Madam Speaker, going to relevance. The question was about whether the minister would fund psychiatric emergency nurses at the North West Regional Hospital and the Launceston General Hospital. If you could draw his attention to answering the question I would be grateful.

Mr FERGUSON - Madam Speaker, on that point of order I remind you and others that I am answering parts of the question that was asked. I am happy to get onto the psychiatric emergency nurses.

Madam SPEAKER - Thank you, let us proceed.

Mr FERGUSON - If Labor is uncomfortable with their failure in this area they ought to say sorry to Tasmanians. We are now building those facilities. I wish I could open them tomorrow. They are currently being built in the south -

Mr O'BYRNE - What about the nurses?

Madam SPEAKER - Order, Mr O'Byrne.

Mr FERGUSON - and in the north and when they are finished we can all celebrate a service that is long overdue for Tasmanian families. I look forward to that day. Stop politicking about it.

In relation to psychiatric emergency nurses - PENs - this Government came to the rescue for a PEN service at the Royal Hobart Hospital that the previous government left unfunded. We addressed that and stopped it from closing. The O'Byrne ministry in this area allowed the federal funding knowing it was coming to an end but did not provide an assurance it would be continued. We did that in one of our first budgets. I reject the allegation of the Leader of the Opposition in relation to the PEN service in the north because we have recently agreed to a 12-month trial at the Launceston General Hospital around this model.

Recruitment processes are progressing, I am advised, and we should allow that to occur. I reaffirm that we secured the future of the psychiatric emergency nurse at the Royal Hobart Hospital. We are always willing to look at service gaps and service improvements, just as we inserted ourselves in and provided a \$3.2 million additional support package to the Child and Adolescent Mental Health Service, which we heard about on the news - very sad stories. Rather than politicking around very sad cases - and our hearts go out to families -

Members interjecting.

Madam SPEAKER - Order. I know it is frustrating. Order on the frontbench.

Mr FERGUSON - The Government is always willing to do more so we can support families. Labor's politicking on mental health is hypocritical, unhelpful and helps zero Tasmanians.

China Trade Delegation - Timing

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.14 a.m.]

Welcome back from your extended trip to China. Can you explain to Tasmanians why the trade mission, which gave you an excuse to avoid parliament for a week, was not scheduled in the six-week winter break or even in the most recent two-week gap between sittings? We have seen happy snaps of you on the Great Wall last week instead of in here, representing the people of Tasmania. Why did you prioritise cosyng up to a totalitarian regime, which has no respect for human rights or freedoms and, according to the United Nations and Human Rights watch, is imprisoning and systematically destroying the culture of more than a million Uyghur and Kazakh Muslims in northern China?

ANSWER

Madam Speaker, I am delighted to be back. Whilst I was away I was able to keep an eye on what was happening in this place. Insofar as their behaviour and conduct and performance of members opposite was concerned, I did not miss much. In fact, it was obvious to me that some of you could not stay in here and do your job properly because your behaviour was so disorderly and inappropriate you were ejected from this place.

I strongly defend this Government being very active and proactive in supporting our trade sectors, supporting the growth in our economy and supporting Tasmanian businesses, which were part of this delegation.

Ms O'CONNOR - Point of order, Madam Speaker, under standing order 45. I asked the Premier to explain his position on the Uyghur and Kazakh Muslims being incarcerated in the north of China.

Madam SPEAKER - As you would appreciate, I do not believe that is a point of order. I ask the Premier to put his mind towards the question.

Mr HODGMAN - Indeed I am, Madam Speaker. I am justifying the importance of this Government, and any good government, supporting the growth in our economy for Tasmanian exports. With the delegates who were there as part of the trade mission, we were supporting to open up new market opportunities, to capitalise on our great strategic advantages and to keep Tasmania's economy in its largest trading region the strongest in the country. Our international export growth has been much higher than other states and the national average.

Ms O'CONNOR - Point of order, again under standing order 45. The Premier needs to explain to the people of Tasmania why he did not go to China in the winter break or in the two-week break between sittings.

Madam SPEAKER - That is just a repeat of the question. I ask the Premier to draw his attention to the question.

Mr HODGMAN - Madam Speaker, it was a multifaceted question and I am responding to each element of it.

It is true to say this is a matter of priority for the Tasmanian Government and as the Premier, Minister for Trade and Minister for Tourism, supported by the Minister for Primary Industries and Water, we were part of a trade mission that was announced at the start of this year and planned over the course of this year and has coincided with other opportunities to gain greater access to markets that are important to meet with key stakeholders and key distribution partners in our tourism sector and make sure that Tasmania is competing with every other state as effectively as we can.

Ms O'Connor - You are such a weak leader.

Madam SPEAKER - Ms O'Connor, you are on warning.

Mr HODGMAN - I urge members opposite when they fire up their advisory committee to talk to some of the delegates who were part of this to understand how valuable it was to them. I encourage also the increasingly hysterical Leader of the Greens - who is making Pauline Hanson

look balanced, I have to say, with some of her comments about our major trading partner in China - to talk to some of the stakeholders and delegates who went on this trip.

You talk about cowardice. Is it true that you were invited by the Tasmanian Polar Network, who were part of the trade mission, to meet with them last week to understand our perspective but were too gutless to do so, so you put it off?

Ms O'CONNOR - Point of order, Madam Speaker. The Premier has wholly misled the parliament. I am meeting with the Tasmanian Polar Network today. I did not put them off. I said we would organise a meeting. Do you have to come in here and tell complete untruths? Take it back.

Madam SPEAKER - That point is accepted. Please proceed, Premier.

Mr HODGMAN - I have the guts to put Tasmania first and make sure that our time, effort and investment is -

Madam SPEAKER - Premier, it would be wise if you retracted that statement.

Ms O'Connor - Could the Premier please withdraw that false and misleading statement?

Ms Archer - No - denied.

Madam SPEAKER - Ms Archer, I do not need feedback from you either, thank you. Ms O'Connor, please tell me what you were saying.

Ms O'CONNOR - The Premier has said that I refused to meet with the Tasmanian Polar Network, a lie that was stated by the Deputy Premier last week. I am meeting them today at lunchtime. He needs to withdraw that false and misleading statement..

Madam SPEAKER - I think it is more an error in commentary, but you might like to fix that, Premier.

Mr HODGMAN - The member has confirmed the fact that she was not willing to meet with them last week while she took the opportunity in this place, and indeed today, to make claims which are unfounded in substance. I make the point - talk to some of the people who were part of the trade mission who have benefited greatly from it and who are part of an economy that is one of the strongest performing in the nation and part of an export sector and a tourism visitor economy that is the best performing in the country.

This is why our trade mission was critical to supporting this growth. If nothing else, you see how positively everyone else views Tasmania from a trade mission like this; our products, the state as a destination and as a place that is open for good, sustainable, sensible development. The only criticism and complaints we hear are from members opposite. They are the only people who are complaining about Tasmania's strong economic growth; our strong rate of growth in exports, our strong trade with Asian countries, including China -

Ms O'CONNOR - Point of order, Madam Speaker, this is becoming tedious. The Premier has answered no part of the question we asked. Why did he not schedule the trade mission for another time when parliament was not sitting?

Madam SPEAKER - As you would be aware, Ms O'Connor, I am not able to put words in the mouth of the Premier. I draw the Premier's attention to the fact that we are now over five minutes, 40 seconds. I am trying to keep a stricter time line today, thank you.

Mr HODGMAN - I explained how these trade missions are assembled. They cannot happen over a matter of weeks. They take a lot of planning, a lot of stakeholders, a lot of government officials, a lot of delegates and a lot of interaction with those destinations we are visiting to make sure it is scheduled in such a way that it delivers the best possible benefit for Tasmania. I will always put Tasmania's interests first. My attendance on this trade mission was an example of doing that.

Asia Trade Mission - Jobs and Investment

Mr HIDDING question to PREMIER, Mr HODGMAN

[10.21 a.m.]

Will the Premier outline the results of the Hodgman majority Liberal Government's Asia trade mission and the importance of creating jobs and investment for Tasmania?

ANSWER

Madam Speaker, I thank my parliamentary secretary for his interest in this matter. I am pleased to be back after what was a productive trade mission that was all about more opportunities to sell Tasmania's produce into Asian markets, more tourists spending more money in Tasmanian businesses and, further, establishing our state as the Antarctic gateway of our nation, and more educational exchanges.

Tasmania's economy is one of the strongest performing in the country and it is our commitment to keep it that way. This Government is committed to maintaining this strong position and doing what is necessary to stay ahead of the pack, and to strengthening and enhancing our trade relations. Sustaining a strong economy and putting our Budget back into strong shape, as it is, is important because it allows us greater capacity to invest more into our schools, into our education system, into our health system and our hospitals and to essential services that Tasmanians need. Strengthening our trade position, as we will do through a new trade strategy through supporting our exporters to access new trade markets and through trade missions like this one, is all part of our plan.

I encourage those who question the importance of this work to talk to some of the delegates who participated in it because they were very positive about the investment we have made and about the impact it had. As was reported in the *Mercury* last Sunday -

Houston's Farm chief executive Richard Hopkins has hailed Tasmania's two-week trade mission through Asia as the most valuable international engagement his business has enjoyed.

Mr Hopkins said the potential opening in the valuable but difficult-to-access Chinese market was made available thanks largely to a memorandum of understanding the Tasmanian Government signed with Win-Chain.

The CEO of Fruit Growers Tasmania, Mr Stuart Burgess, similarly welcomed the opportunities created for Tasmania's fruitgrowers through the trade mission. The Chairman of the Tasmanian Polar Network, Mr Richard Fader, who the Leader of the Greens will finally meet with today, said, 'The recently held Premier's trade mission to China has delivered outstanding opportunities for growth in the Tasmanian Antarctic sector.'

The trade mission covered Hong Kong, China, Malaysia and Singapore and, among other key outcomes, facilitated important business connections with customers, key tourism market partners and agents, including: a strong presence at Asia's largest fruit and vegetable trade show; opening of a new agreement with China's largest fresh produce platform to support pathways into markets for our exporters; launching of new products in the massive Chinese market for our products here, like Springvale Wines and Wellington Water, which is sourced from Burnie's DewSouth; securing of two visits from the Chinese icebreaker *Xue Long* that will provide about \$2.5 million for our local economy; promotion of our renewable energy expertise, further opportunities for development in that sector; and delivered new educational exchanges.

The mission involved more than 50 meetings; engagements over around 13 days with many industry leaders and businesses that have existing and planned trade investments in Tasmania and meetings with senior government officials. There is a very positive perception of what Tasmania has to offer, notwithstanding the carping, complaining and negativity of members opposite. The rest of the world actually sees this as a positive place to be and my Government is firmly committed to ensuring we keep it that way, notwithstanding that negativity.

I accept it may be relatively uncommon for a member to miss parliamentary sittings but, from what I saw from the opposition parties, I did not miss much because it was business as usual: more stunts and highly inappropriate behaviour. Members were ejected from this place but it was business as usual for this Government, I can assure you, because we got on with the job, notwithstanding my temporary absence, of delivering our agenda. Ten bills - four in this place and six in the other - passed through the parliament. We were delivering positive results for our state. This is also, without doubt, a great period of opportunity for Tasmania.

Yes, it is different from what it was under Labor and the Greens. Yes, Tasmanians are more optimistic. Yes, we are forward-looking and outward-reaching and we are proudly promoting our state to the rest of the world, which is not something members opposite can speak to. It is our commitment to continue to proudly promote our state on any international stage that supports Tasmanian business, our cultural advancement and Tasmania heading in the right direction under a majority Liberal Government.

Health - Mental Health Beds

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.27 a.m.]

Why will you not address the urgency of the desperate situation around the severe lack of mental health beds in the state? You saw the situation with your own eyes at the Royal Hobart Hospital when you were there last week. Ms Shepherd from the ANMF said -

It is extremely challenging to be able to provide quality care to patients in [Department of Psychiatry] at the moment and certainly we have raised on numerous occasions the need for additional staff.

Ms Shepherd said that the THS had acknowledged the Department of Psychiatry is about five full-time equivalent staff short but you have now knocked back three business cases that have been submitted for staff to be appointed on a fixed-term basis. Will you act today to properly staff the Department of Psychiatry based on the recommendations of nurses on the frontline?

ANSWER

Madam Speaker, the Government has a \$95 million investment and a plan for mental health that means more services for Tasmanians across the state. That is our commitment. It is a real commitment. It is not in the budget and Ms White asked me in her earlier question to match Labor's promise. If we were to do that, we would take \$70 million out of mental health and we are not doing that.

We acknowledge and thank our staff for the important work they do. I am aware of claims being made around vacancies and I might need to come back to the House with some firm numbers. I am advised that there are a small number of vacancies, which are being recruited. It is a smaller number than that which has been circulating in the media but I am happy to update the House at a later time, if necessary. We are absolutely committed in this area.

I would like to see Labor come on board with our plan and support the \$95 million upgrade for mental health across the state. It is shamelessly hypocritical of Labor to be trying to play wedge politics on mental health. It was also the case in 2009. The health minister at the time, Lara Giddings, said it would be a bit more than 12 months before we would have those facilities in place. Well we are now nearly 10 years down the track and the politics being played is around facilities for young people. We are building those facilities right now. In our plan, which we published before the election and unlike the Labor Party, we committed to build those facilities and to staff them. Labor did not even make that commitment, not in any one of the seven versions of rewrites of Ms White's infamous health policy.

I again remind members opposite that it was reported in *The Examiner* in May 2009 in a story written by Alison Andrew where she wrote, 'The lack of mental care for kids is shameful.'. She pointed out that in that year, 38 children, some as young as 10 years of age had been admitted to adult wards in that previous year, including at the Wilfred Lopes Centre.

We are building the facilities. Some may ask why have we not got them sooner? A good question, but they are now being built. We are committed to it to the point that unlike Ms White and the Labor Party, we are committed as well to staffing them, to opening them and to making them available. We are totally committed in this area.

In Labor's desperation - and it has to be described as desperation - to play on the fears of the community, particularly vulnerable families who are struggling with mental illness with their children, they are not helped by any of this. If the Leader of the Opposition was concerned about this she might rein in her shadow health minister who, last Friday, declared that the Government's commitment to rebuild the Peacock Centre should not go ahead; she actually declared that it was not appropriate. I could not believe it: Labor is now opposing us rebuilding the Peacock Centre and opening 15 additional beds, just as the family bequest would require.

You want to have a good look at yourselves because now the Labor Party is opposing the opening of more services for Tasmanians. How can they, with any credibility, be taken seriously on mental health when they are actively working against the Government building and opening more facilities for our community?

Child and Adolescent Mental Health Beds

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.32 a.m.]

You have spent nearly five years in the job now as Health minister and there are still no dedicated child and adolescent mental health beds in Tasmania. You reference a plan to build beds but it is years away and you have to admit that. Will you look at immediately and urgently opening and staffing child and adolescent mental health beds now, not in two years time?

ANSWER

Madam Speaker, the question speaks for itself. Labor is embarrassed about its history and is trying to obstruct the Government. Those facilities are not two years away. Why would you say that? Those facilities are now less than one year away from completion allowing for some time for commissioning. To say that they are two years away is a complete fabrication and is offensive. Once again, the party is opposing the rebuild of the Peacock Centre, and opposing 15 extra beds on that site. It is shameful, and considering it was the person sitting next to her, Michelle O'Byrne, who was at that time the minister for health, who described inpatient psychiatric beds for children as a priority project in 2010. Madam Speaker, as far as I am concerned, that is a bad history.

The future is much more positive, it is much better, and I do not want to see Labor playing politics on children's mental health. They failed in government, they are clearly failing in Opposition, and -

Ms O'Connor - That is pretty rich coming from you.

Mr FERGUSON - Sorry?

Ms O'Connor - I remember; a bit rich coming from you playing politics with adolescent mental health.

Mr FERGUSON - We are building the facilities right now.

Ms O'Connor - I remember.

Mr FERGUSON - We are building the facilities right now and, Ms White, through you, Madam Speaker, I say, get on board with our plan. It is a positive plan; it is \$71 million more than your alternative, even in any of your seven rewrites. I know you feel ashamed that you have been outgunned on mental health but the community is not served by the politics. We are building the facilities; we have committed to staffing the facilities. Do not prey on the fears of vulnerable families.

Uyghur and Kazakh People - Claims of Human Rights Abuses

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.34 a.m.]

Are you aware of the extreme human rights abuses being inflicted on the Uyghur and Kazakh people living in East Turkestan? Recent reports are that 1 million people have been incarcerated with an estimated 13 million living in fear as a result of the Chinese Government - of which you are so fond - brutally forcing them to renounce their Islamic faith, culture and language through arbitrary mass internment with surveillance cameras in people's homes and the official policy of removing Uyghur children from their parents. The Chinese Government is using physical and psychological torture to erase weaker culture and force allegiance to the CCP. Human Rights Watch and the Australian National Imams Council and the UN High Commissioner for Human Rights have all condemned the Chinese Government's gross human rights violations and called for action from political leaders.

After a fortnight being feted by Communist Party cadres do you have the courage to speak about their brutal treatment of Muslim minorities?

Madam SPEAKER - I remind Ms O'Connor that international law is not a speciality of this House but I will allow the Premier to answer it if he wishes.

ANSWER

Certainly, Madam Speaker, I will address this question because it is important. Whilst I am aware of issues relating to human rights and matters which are more appropriately concerned with the affairs of the national parliament and its government, I am conscious of those matters but also very conscious of the fact that Asia is the source of around 80 per cent of Tasmania's exports. The largest trading partner we have is China. It is the largest source of international tourists, and it is the largest source of international students. They are an important trading partner and that is reflected in the business that is conducted between local Tasmanian operations, our institutions and government agencies and our national authorities and their relevant departments.

Dr Woodruff - A million people locked up.

Madam SPEAKER - Order, Dr Woodruff.

Mr HODGMAN - It is not uncommon for governments to ensure that we do what we can in addition to matters of concern relating to affairs in other countries but to support the exchange of trade -

Ms O'Connor - I bet you did not mention them.

Madam SPEAKER - Ms O'Connor, second warning.

Mr HODGMAN - and of cultural and educational opportunities, and to improve the lives of Tasmanians and Tasmanian businesses. That is why we go on trade missions like this. It is why we do enter into MOUs and agreements to improve relations.

The hypocrisy of the Greens, who have previously been a member of a government that struck MOUs - and there is one that was struck under a former government at a time when human rights concerns were as prevalent as they are now - but oh, no, no, they were not then. These issues were not relevant -

Dr Woodruff - Say the word, Uyghur.

Madam SPEAKER - Dr Woodruff, order. Warning number one.

Dr Woodruff - Bob Brown speaking out on Tibet.

Madam SPEAKER - Warning number two, Dr Woodruff.

Mr HODGMAN - back when the Greens were part of a government that struck MOUs. The hypocrisy of it. You were quite happy when you were in government to be part of a government that had positive trade relationships with China, that struck MOUs, and that wanted to support advancements in areas like the Antarctic. You have spent the last week being highly critical of the Tasmanian Government supporting local businesses that are assisting our logistical capacities at the nation's Antarctic gateway. It is completely hypocritical and the hysterical and shrill antics of the Leader of the Greens makes Pauline Hanson look balanced.

Ms O'CONNOR - Point of order, Madam Speaker. Shrill is a word that is often used by male members in relation to female members. I ask the Premier not to use that kind of language in here.

Madam SPEAKER - Thank you. I am sure the Premier will take that on board.

Mr HODGMAN - If the member takes offence I will withdraw. I believe the undertones of the language that has been used by the Leader of the Greens over the last little while, not just the last week in this parliament, makes Pauline Hanson look balanced. It is negatively impacting on people from China who come to live in Tasmania to enjoy our way of life and be part of our community.

Dr Woodruff - Like the Uyghur.

Ms O'CONNOR - Point of order, Madam Speaker. Standing Order 144 - Offensive words against a member. Pauline Hanson would not be in this Chamber defending Muslim minorities. I ask you to withdraw that statement.

Mr HODGMAN - Honestly, the Leader of the Greens can give it out but she cannot take it. Again, if she takes exception to that I will withdraw. However, I will also alert the Leader of the Greens to some observations from others about the sort of language and the narrative that she has been indulging in over the last week. The Multicultural Council of Tasmania, which the member would ordinarily support, said this, and I quote:

Recent contributions by some politicians singled out all migrants from particular backgrounds as posing a threat to good order and the strength of our democracy. Multiple studies have shown that when politicians use racial difference as a root cause for supposed threats, vilification and discrimination experienced by those members in the community immediately increases. MCOT strongly encourages all participants in this debate to remember this and debate facts -

Dr WOODRUFF - Point of order, Madam Speaker. I am not sure how this has any relevance to the question about whether the Premier accepts the atrocities which are occurring in China.

Madam SPEAKER - It is not a point of order.

Mr HODGMAN - I have addressed that issue and am now pointing to the fact there are people from China living in our state, wanting to enjoy a better life here, and you are making them feel miserable. They feel 'angry and hurt' by comments the Leader of the Greens has made. That is why I make the comments I do about her mode of operation on this matter but she has also made very damaging comments to people in Tasmania that this Government wants to support, who we are the beneficiaries of as a multicultural community and who are part of Tasmania's business, education and cultural strengths.

We have seen the true underbelly of the Greens exposed. Who would have ever thought we would see this lack of diversity, lack of tolerance and lack of appreciation for people from China who come to live in Tasmania from the Leader of the Greens? That is what we have seen.

Family Violence - Legislation

Mr BROOKS question to ATTORNEY-GENERAL, Ms ARCHER

[10.41 a.m.]

Can the Attorney-General please update the House on what progress has been made on the Government's election commitment to create a new crime of persistent family violence?

ANSWER

Madam Speaker, I thank the member, Mr Brooks, for his question and ongoing interest in this area. Family violence is a serious issue affecting too many Tasmanians. This Government is committed to keeping Tasmanians safe, including by improving the protection and safety of victims and children of family violence and the way our justice system deals with family violence perpetrators.

In line with this commitment, today I will be introducing the Family Violence Reforms Bill which introduces into the Criminal Code the new crime of persistent family violence. As with our nation-leading Safe Homes, Safe Families response to family violence, this crime leads the way in recognising the true impact of family violence on victims.

For victims stuck in a cycle of abuse and violence, the traditional application of laws does not reflect their reality. Family violence offences can occur over a lengthy time. Victims can spend months and even years under the control of a violent, abusive partner and can be the victim of a range of offences, ranging from emotional and economic abuse to serious sexual assault. Such offending can be unreported for some time, with victims too scared to speak out. Family violence can have short- and long-term physical, emotional, psychological and financial effects. The impacts on victims can be devastating and long-lasting. In such circumstances, victims can find it difficult to recall specific details of individual offences. This can make it very hard for prosecuting authorities to approve individual offences and can lead to charges being greatly reduced. In such cases, sentences do not reflect the true gravity of an offender's conduct.

It is plain that charging offenders with individual offences is not sufficient and does not reflect the suffering of such victims. In recognition of this, the new offence of persistent family violence, which has been modelled on other continuing offences in Tasmanian law, is being created. To prove such an offence, prosecutors would need to establish that three unlawful acts have occurred without the need to prove exact dates or circumstances. In addition, other abuse suffered can be admitted generally as part of the offence. Rather than dealing with individual acts in isolation, this new offence will allow courts to take into account the full extent of an abusive relationship.

In addition, the bill makes a number of other important reforms to Tasmanians laws. Appearing in court can be an intimidating experience for victims of family violence. One area that can be particularly challenging is where the alleged perpetrator of family violence can cross-examine the victim. This bill expands the existing protections and includes additional circumstances in which self-represented family violence offenders are prevented from cross-examining their victims. The bill also strengthens Tasmania's crime of maintaining a relationship with a young person.

These amendments are consistent with the recommendations of the royal commission and make clear that for such a crime, as will also be the case for the new crime of persistent family violence, it is the relationship itself that should be the focus of the courts and not individual acts.

With our reforms, we are continuing our clear focus on protecting victims of crime. I urge those opposite to follow our lead, recognise the will of the community and support our reforms. It has been disappointing that, with our recent focus on keeping the community safe through a number of proactive initiatives, all those opposite have managed is a weak, ill-informed complaint about prison capacity. Tasmanians deserve better from the Opposition. If Labor cannot bring themselves to support our positive policies, it is incumbent upon them to come up with some policies of their own.

On this side of the House, we are delivering on our plan to keep Tasmanians safe.

Opposition members interjecting.

Madam SPEAKER - Order.

Ms ARCHER - Do not come in here and start making mistruths about prison capacity and expect people to think you have policies. On this side of the House we are delivering on our plan to keep Tasmanians safe. I am very pleased to be tabling this important legislation today that fulfils our election commitment and, most importantly, stands up for the most vulnerable in our community and provides them with protection and support through our judicial system.

Safe Pathways - Auditor-General's Findings

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.46 a.m.]

The Public Accounts Committee has now published a report by the Auditor-General looking into the scandal around the for-profit, out-of-home care provider Safe Pathways, which found that not all of its staff had obtained essential working with vulnerable children checks, and that registrations had been subject to poor staff recruitment, training and support. Safe Pathways was

also non-compliant in case management and documentation matter and in its inadequacy of complaints management processes.

The findings of the Auditor-General are damning. The first complaint regarding Safe Pathways was received by your department on 6 May 2016. *Four Corners* first reported on the Safe Pathways debacle on 14 November 2016. Your department did not terminate the contract with Safe Pathways until July 2017, more than 12 months after the initial complaint was made. Why did it take so long for you to act when the welfare of very vulnerable children was potentially at risk?

ANSWER

Madam Speaker, I thank the member for her question. It may be instructive for us to revisit the conclusions of the report the Leader of the Opposition referred to as damning, which summarised thus:

Based on the evidence obtained during the course of our initial assessment, we concluded:

- there have already been a significant number of reviews on OOHC SCPs to date
- problems are known to DHHS and a performance audit at this point in time is unlikely to uncover new information
- DHHS has outlined a plan to make improvements which, if implemented properly, address the recommendations made across the various reviews

The state Government welcomes the release of the Auditor-General's report into special care packages. As noted in the report, a number of internal and independent reviews into out-of-home care have taken place within Child Safety Services since 2014. The Government is responding to those reviews and has already made a number of significant system and practice improvements to strengthen the protections for vulnerable children.

Of the nine recommendations from the internal report into Safe Pathways, the department is working to implement all of them. This Government has already implemented more rigorous contracting arrangements with service providers. We have appointed a child advocate, who is providing a greater voice to children in out-of-home care regarding the quality of and decisions made about their care. We have established the serious events review team, which is aimed at identifying practice and systems gaps and developing a program of improvement. Clinical practice consultants and educators are providing direct mentoring and support to staff across the state to strengthen practice. A new standards and performance unit has also been established in Communities Tasmania to continuously measure and improve performance across the department.

The Government also recently announced an additional \$24 million over four years, which includes the appointment of an additional 25 child safety officers and other frontline staff. In the 2017-18 State Budget we made an investment of \$1 million over four years for the Commissioner for Children and Young People to provide independent systemic monitoring of out-of-home care in Tasmania. This Government is investing significantly to redesign the child safety system through Strong Families, Safe Kids to better support families before they get into crisis, to close the gap for these young people and their families and give them the positive future they deserve. Our election

commitments also included a range of actions aimed at supporting and improving outcomes for children in out-of-home care through a number of additional supports for children, young people and families, as well as a focus on strengthening permanency arrangements.

A key component of the Strong Families, Safe Kids redesign -

Ms O'BYRNE - Point of order, Madam Speaker, and it does go to standing order 45, which will give you some pleasure. The minister has been answering the question for some time. The question is: why did it take so long to act when the welfare of very vulnerable children was at risk? It would be helpful if the minister would address it.

Madam SPEAKER - That is not a point of order. I accept that the minister will address the question if he can, please.

Mr JAENSCH - I am outlining the range of responses undertaken and when and the budget commitments to them as evidence of what has happened, which goes directly to the question.

The Opposition does not want to hear this and I know many of the things we have implemented are addressing deficiencies in the system we inherited from them. I note the Auditor-General's report acknowledges the work that is underway, acknowledges that it addresses the findings of various reviews into the deficiencies of the child protection out-of-home care system that existed in Tasmania and acknowledges the work being undertaken to address those deficiencies. With your blessing, Madam Speaker, I will continue and conclude my answer.

A key component Strong Families, Safe Kids is to better support families before they get into crisis and before they enter the statutory system. Through our redesign process, the Government has delivered an investment of \$1.15 million for a 12-month trial of intensive family engagement services. This service is specifically designed to work with families with complex needs and these are the sorts of cases that may have previously ended up under the special care packages arrangements the Auditor-General's report was specifically focused on. This is directly relevant to the question. The Government has recently extended this trial with an additional investment of \$7.5 million over three years. Not least of all, we have also made commitments to extend the maximum duration of out-of-home care for young people from 18 years up to 21 years in cases where it is needed and wanted.

Together, these initiatives will increase the capacity and effectiveness of our system, strengthen our responses and contribute to better outcomes for these vulnerable children and young people.

Ms White - Oh, there is another page to go.

Madam SPEAKER - I draw your attention to question time. We are running out of time, Mr Jaensch.

Mr JAENSCH - I can keep answering this question all day because there is so much great work going on. The circumstances that led to the cases investigated by the Auditor-General were serious and we take them very seriously. We do our own internal reviews; we look at all reports written into these matters over time. I have given you evidence that the Government has engaged in a very deep and heavy investment into reforming the system of care for these young people.

Short Stay Accommodation - Regulations

Mr SHELTON question to MINISTER for HOUSING, Mr JAENSCH

[10.54 p.m.]

Can the minister please update the House on the Hodgman majority Liberal Government's legislation to ensure compliance of its short stay accommodation regulations?

ANSWER

Madam Speaker, the Hodgman Liberal Government is committed to the sharing economy and its benefit to Tasmanians. Our Government recognises the sharing economy makes a significant economic and social contribution to our state and is a strong supporter of the short stay accommodation sector.

The economy in Tasmania is now one of the fastest growing economies in Australia, underpinned by record levels of investment, population growth and visitor numbers. Our economic growth is double the national average and population growth is the highest it has been in nearly eight years as more people than ever choose Tasmania as the place to live, work and raise a family. Tasmania's jobless rate remains well below the decade average.

In addition, Tasmania continues to be a must-see destination, with 1.28 million people visiting the state in the year ending March 2018. During this period visitors spent a record \$2.37 billion in the state. Tourism is one of our state's greatest competitive strengths and supports 38 000 direct and indirect jobs.

The Tasmanian Government recognises that many Tasmanians have embraced the sharing economy. They are listing their properties online or using these sites when travelling within Tasmania. It is important to acknowledge the sharing economy has been vital in supporting recent growth in visitor numbers, providing alternative accommodation options during peak periods and in regions where traditional accommodation options are limited.

The short stay sector undoubtedly presents new challenges. It is important to recognise that the sharing economy is just one factor affecting tourism and housing capacity in Tasmania, among many others. Population growth, increases in student numbers and the demand for skilled labour have influenced the building sector's capacity to respond quickly to demand. The Government has introduced a range of measures to address these issues.

The Government introduced nation-leading regulations for the short stay accommodation sector, which provide an exemption from requiring a planning permit for properties that are the owner's primary place of residence and for up to four bookable rooms. Planning permits are still required where secondary residences, shacks and investment properties are offered for this purpose, as has been the case for a number of years.

However, we accept there is significant concern in the community, in local government sectors and the tourism and hospitality industries when it comes to compliance with these rules. In response to this, we announced we would develop new legislation to address compliance with our existing short stay regulations. This week, I will release the draft short stay accommodation bill 2018 for public consultation. The bill proposes measures to ensure compliance with visitor accommodation

planning permit requirements, support enforcement by planning authorities and allow a better understanding of the impact of visitor accommodation on the broader housing market.

Mr O'Byrne - Who enforces it? The planning authorities, the councils. You create a problem and you flick it off to the councils to fix.

Madam SPEAKER - Mr O'Byrne, second warning. Second, you already have one.

Mr JAENSCH - The proposed legislation will require visitor accommodation providers to provide online listing platforms with permit and/or other specified compliance information when requesting a new online listing and to update existing online listings of visitor accommodation in Tasmania. It will require online listing platforms to collect and publish permit and/or other specified compliance information for all online listings of visitor accommodation in Tasmania. It will introduce penalties for visitor accommodation providers who knowingly make a false declaration or fail to provide permit and/or other specified compliance information for an online listing of visitor accommodation in Tasmania.

It will introduce penalties for online listing platforms that fail to publish permit and/or other specified compliance information for such visitor accommodation. It will require the sharing of permit and/or other specified compliance information by online listing platforms with the Crown and for the Crown's use of that information for the purposes of compliance enforcement planning and policy development and for the sharing of that information by the Crown with the relevant planning authorities. It will provide a limitation on how Government can use that specified compliance information to protect the privacy of individual short stay accommodation owners.

The draft bill proposes to serve two important purposes; to ensure everyone is playing by the rules and to paint a clear picture of home sharing across Tasmania. This approach will ensure there is meaningful data to fully understand the short stay accommodation sector and the intent of the legislation is to require anyone listing an investment property on an online platform to show evidence that they have the permits they are supposed to have.

It is important that those who benefit from this economy are doing the right thing, and these steps will ensure the checks and balances are in place when it comes to short-stay accommodation so that Tasmanians and visitors alike can continue to share in its benefits and be confident in its regulation. I encourage everyone to have their say when this draft bill is released this week.

Safe Pathways - Auditor-General's Report

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[11.00 a.m.]

The Auditor-General's investigation into the Safe Pathways scandal has now shown extraordinarily sloppy and unprofessional management of contracts awarded by this Government to a for-profit provider entrusted to care for some of Tasmania's most vulnerable children. The Auditor-General's report highlights the failings of your department to manage a multimillion-dollar contract for the care of vulnerable Tasmanian children in out-of-home care that resulted with the damning finding from the department from one review that there was 'limited evidence that six children received care that was aligned to their therapeutic plans'. The department's own self-assessment identified it needed to improve its practices including monitoring of providers,

complaints processes, child support officer and carer interactions and governance of funding arrangements.

The comments from the CEO of Safe Pathways in response to the Auditor-General's report are as damning as the report itself, with the CEO stating:

Throughout the review process we frequently requested information regarding the specific nature of complaints about the department's concerns about our operations. We failed to receive any formal advice or communication about the outcome of the report or the specific allegations against us.

Given that the department expended nearly \$20 million on special care packages to care for vulnerable children in out-of-home care in 2016-17, what confidence can the people of Tasmania have that these contracts are being appropriately managed by you?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for her very long question.

Mr Bacon - Nowhere near as long as your answer last time.

Mr JAENSCH - I am tempted to finish giving the answer I gave earlier on which I ran out of time.

Mr Bacon - Because you didn't answer the question last time.

Madam SPEAKER - Order, Mr Bacon.

Mr JAENSCH - Madam Speaker, I again acknowledge the conclusions of the Auditor-General's report and the confidence expressed that the number of reviews undertaken have raised issues that are being addressed. There is a program of work underway that will substantially improve the areas of deficiency identified if they are implemented properly over the forward work program that has been identified.

We know that sadly there will always be a need to bring some children into out-of-home care. When we bring children into care we always seek the most appropriate placement for that child's individual needs and circumstances, which may be very specific to that child and require specialised customised care for those young people. Many of these children have experienced significant trauma in their lives and have a range of complex behavioural health and disability needs that cannot be met in their family -

Mr Bacon - So there is limited evidence that six children -

Madam SPEAKER - Mr Bacon, you have your first warning.

Mr JAENSCH - in family-based care arrangements. For these individuals, specialist providers are used to respond to their individual therapeutic needs. Due diligence processes are undertaken with all providers of out-of-home care services and where concerns are raised regarding a child in care, there are well established processes to assess those claims and prioritise the safety of those children. All and any allegations are always investigated fully.

As the Auditor-General's report has found, our department is committed and invested into reviewing every case, report and recommendation to continuously improve the administrative systems as well as the provision of care directly to our young and vulnerable people. There is no more important task for us as a community than protecting our children, which is why the Hodgman Government is redesigning our child protection system that failed for so long under the previous Labor-Greens government.

Vulnerable Children - Funding Agreement Language

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[11.05 a.m.]

The Auditor-General's report reveals Safe Pathways had to repay the Government a total of \$842 903, money it was granted but failed to spend on vulnerable children in its care by not providing adequate food or shelter, or in some cases even essential clothing such as underwear. WLF Accounting and Advisory undertook a review of each special care package managed by Safe Pathways and it is this review where this non-expenditure was revealed. WLF also stated:

Language utilised under the SCP funding arrangements included to provide the services for the child, and this language has contributed to the assumption that the funds provided were for the agreed services and were not subject to acquittals.

Has the language used in the funding agreement been updated to ensure money provided for special care packages is used to provide care to vulnerable young people in out-of-home care?

ANSWER

Madam Speaker, I thank the member for her question. I will go back to the record and check on the details of the question the member has asked regarding specific aspects of our management systems. I note that our Department of Health and Human Service at the time undertook a performance review of the services provided by Safe Pathways following a number of complaints related to children in their care. The outcomes of that review will not be released because we need to avoid any information being released contrary to the identity of the child; statutory confidentiality requirements.

The findings of the performance review led to a series of recommendations which were incorporated into the department's Strategic Plan for Out-Of-Home Care 2017-19. Some of the recommendations from the Safe Pathways report align to the themes of broad improvements to out-of-home care and reports such as that produced by the Commissioner for Children and Young People who undertook a review of young people in out-of-home care and the recommendations of that report -

Mr O'BYRNE - Point of order, Madam Speaker, on relevance. The question talks about the language used in the funding agreements. The minister on a number of occasions has stood up and basically read out question time briefs unrelated to the question asked. Could the minister inform the House about the language relating to these agreements? This is at the heart of the problem we are trying to get to.

Madam SPEAKER - It is not a point of order but I ask the minister to address the question as best he can.

Mr JAENSCH - Thank you, Madam Speaker. I am addressing this in a way that ensures anybody listening to this can fully appreciate the gravity of the situations that have been raised and the Government's absolute commitment to responding to all findings and concerns raised about past practices.

In my first sentence in response to this question I advised that I would seek advice as to the specific language of agreements and management arrangements -

Mr Bacon - How could you not know? You spent the whole question time telling us it is all in hand.

Madam SPEAKER - Order, Mr Bacon.

Mr JAENSCH - and to the extent that that is information I can share, I will look into it and respond.

Overall, we acknowledge that in the past there have been issues raised. These are not new. Sadly, there will always be young people with complex needs coming into the care of the state. We will use every experience and every case to learn and continuously improve our management and administration and the level of care that is offered to young people.

I am comforted by the findings of the Auditor-General's report that he is satisfied the Government has responded to findings of previous reports and has programs in train to address the recommendations from those reports. We will keep working to improve the care, the management and the administration of care for our most vulnerable people.

Women - Equal Representation on Boards and Committees

Mr BROOKS question to MINISTER for WOMEN, Mrs PETRUSMA

[11.09 a.m.]

Can the minister please outline how the Hodgman majority Liberal Government is moving towards its target at 50 per cent representation of women on government boards and committees by July 2020?

ANSWER

Madam Speaker, I thank the member for Braddon for his question.

Members interjecting.

Madam SPEAKER - Order. Ladies, please allow the minister to address the question.

Mrs PETRUSMA - Madam Speaker, all members of the Hodgman Liberal Government are committed to creating a more inclusive Tasmania that empowers and enables women and girls to fully participate in our economic, social, political and community life through policies and actions

that increase financial security, leadership and participation, safety, health and wellbeing and gender equity for women and girls. We want to encourage, develop and facilitate more women into the important role of leadership by ensuring that more women have the skills and knowledge necessary to be considered for appointments to boards.

Ms O'Connor - Well, ditch Eric Abetz. As long as he is there, women will not have a chance in your party.

Madam SPEAKER - Order, Ms O'Connor.

Mrs PETRUSMA - This commitment includes developing strategies and programs that result in more women on our boards and monitoring the success of these strategies and programs.

On 1 July 2015, the Government released Tasmania's very first Women on Boards Strategy 2015-2020. This strategy outlined the Government's commitment to a target of 50 per cent representation of women on Tasmanian government boards and committees by July 2020. At the time, women represented only 33.8 per cent of all board positions. As at 31 August 2018, I am delighted to say that the percentage of board positions held by women is now at 42.6 per cent. This represents an increase of over 26 per cent in the ratio of women board members and an increase of nearly 9 percentage points in the number of board positions held by women since 2015.

As part of our Women on Boards strategy, to help break down barriers for women who apply for board positions, we partner with the Australian Institute of Company Directors to offer scholarships of \$50 000 per annum for women to undertake AICD courses under the Government Board Diversity Scholarship Program. These scholarships give Tasmanian women the opportunity to learn the governance and leadership skills they need to serve as emerging leaders and to support them to become board ready, including potentially on government boards and committees. To date, 58 scholarships have been awarded for women to participate in AICD courses.

I am delighted to announce that applications for the 2018-19 scholarships will open today. The scholarships will offer Tasmanian women the opportunity to undertake the AICD's Foundations of Directorship Course as well as a six-month tailored program of events and activities. The Tasmanian Government is especially seeking applications from women who face the most barriers to professional development opportunities and leadership roles including board and committee appointments. Tasmanian Aboriginal women, women with disability and women from migrant and refugee backgrounds and women working in science, technology, engineering, mathematics and medicine areas are all strongly encouraged to apply.

I take this opportunity to highlight the Tasmanian Honour Roll of Women. Nominations for the next induction close on 28 September so over the next three days, we encourage Tasmanians to continue nominating exceptional women and women's organisations who have served their community and made an impact at a local, state, national or international level. All the women who have been inducted onto the honour roll so far have made significant and long-lasting changes in their communities or in their professional environment. Previous inductees have included scientists, nurses, activists, artists, authors, business women and other hardworking professionals and community volunteers, including yourself, Madam Speaker.

We encourage people to get their applications in for the Tasmanian Honour Roll before 28 September.

Time expired.

TABLED PAPERS

Parliamentary Standing Committee on Subordinate Legislation - Reports

Mr BROOKS presented the following reports of the Parliamentary Standing Committee on Subordinate Legislation.

The annual report for 2017-18; and the Public Health (Infringement Notices) Amendment Regulations 2017.

Reports received.

CONSTITUTION AMENDMENT (HOUSE OF ASSEMBLY ELECTORAL BOUNDARIES) BILL 2018 (No. 4)

NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018 (No. 28)

SURVEILLANCE LEGISLATION AMENDMENTS (PERSONAL POLICE CAMERAS) BILL 2018 (No. 29)

Bills agreed to by the Legislative Council without amendment.

FAMILY VIOLENCE REFORMS BILL 2018 (No. 39)

First Reading

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

GAS INDUSTRY BILL 2018 (No. 40)

GAS (CONSEQUENTIAL AMENDMENTS) BILL 2018 (No. 42)

GAS SAFETY BILL 2018 (No. 41)

First Reading

Bills presented by **Mr Barnett** and read the first time.

MATTER OF PUBLIC IMPORTANCE

Vulnerable People

[11.20 a.m.]

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

That the House take note of the following matter: vulnerable people.

I bring to the notice of the House the dire state of affairs facing vulnerable Tasmanians in this so-called golden age. The challenges facing Tasmania's most vulnerable people have never been more desperate. In this so-called golden age we have an ageing population, increased rates of chronic disease: asthma, diabetes, mental health issues including suicide and self-harm, a burgeoning obesity epidemic and the percentage of daily smokers in Tasmania has remained unchanged since 2010. In this situation where 74 000 Tasmanians live below the poverty line and the number of homeless people on any one night in Hobart is estimated to be 1600 people or more, how can this Government claim that we are living in a so-called golden age?

The Government has invested a woeful \$8 million to \$9 million out of a massive \$750 million in its Health budget to address preventative health measures under the Healthy Tasmania initiatives; a woeful \$1.8 million over four years for smoking; and \$3.5 million for healthy eating and physical activity measures. How is it that the Government can claim to be taking Tasmania to the next level, as the first line in the Government's Budget claims? If I hear one more time about the height of the K block building being the tallest building in the whole of the Hobart CBD, as if this is supposed to address all of Tasmania's public health issues, I will have to scream.

We know that the Royal Hobart Hospital has 32 mental health beds, 10 short of the national standard, with no dedicated psych wards for mentally ill young people. The Government has promised an additional 25 beds for mentally ill young people in Hobart, with 10 at Mistral Place at 25 at the Peacock Centre. Although in this very question time the minister was asked to address questions about this and claimed that these beds, or at least some of them, are less than one year away, he is yet to be accountable as to the exact number of beds, and where and when they will be. There is a short-term crisis in relation to mentally ill young people in Tasmania and this Government has no plan to address it.

The College of Psychiatrists, the AMA and the Royal Hobart Hospital Staff Association put this Government on notice more than a year ago about K block being unsuitable for mentally ill patients. They called for an immediate injection of funding to provide interim support for managing the acute psychiatric bed crisis at the Royal Hobart Hospital, yet there is no interim plan. Patients are being forced to sleep on the floor of the Royal Hobart Hospital in the emergency department. Adults who are acutely mentally ill are being forced to stay five, six, seven or more days in the emergency department, an area that is patently unfit for acutely mentally unwell people. We have staff on stress leave, they are overworked, short-staffed - there are vacancies - and the psych workforce is below the national average, resulting in threats to accreditation, and so it goes on.

Although I am aware of my age, and at the risk of younger members not understanding the reference, I am reminded of the guitarist Nigel Tufnell in the 1984 cult mockumentary *This is Spinal Tap*. Mr Deputy Speaker, you may be just a bit too young to understand this reference, but in the rockumentary Nigel Tuffnell is proudly showing the presenter his room of guitars and amplifiers with volume knobs marked zero to 11. He proudly says:

You know when you go on stage and you want just a little bit more, what do you do? This one, this amp, goes up to 11. It's one louder, isn't it?

The presenter of the mockumentary then says to him, 'Why isn't the 10 setting simply set a little bit louder? Recalibrate it', and he thinks about that for a second and says, 'But this one goes up to 11', as if that is the answer.

I am reminded of this example because this is a minister and a government that thinks that simply dressing up Tasmania's health system can hide the failures of the system; failing children and young people with mental ill-health, failing people with disabilities, failing children in out-of-home care, and failing people who are homeless and sleeping rough and struggling to afford a house with a public housing waiting list at a record level.

This Government is failing Tasmania's most vulnerable people, and why? Because just like Nigel Tufnell, this Government thinks that by dressing up and talking about a budget of \$x million and K blocks of record heights within the CBD it will resolve the problem and fool Tasmanians and public health professionals that it is addressing systemic failures rather than acting to address the ageing health workforce; or properly paying public servants, especially in the face of competition for those same public health professionals to move interstate; or addressing issues about workforce distribution, particularly in rural and regional areas; or addressing integrated care and measures to bring together primary health care, community and acute care services to get in the same room to understand the issues and why people are falling between the gaps.

I call on this Government to respond to this short-term crisis. Why won't this Government look at introducing and funding psychiatric emergency nurses, as called for by the ANMF? Why will it not establish, as Labor planned to do, child and adolescent outreach mental health teams in each region? Why will it not look at some of these novel problems to address these systemic failures and address the problems particularly of children and young people? Those with mental ill-health, those with disabilities, those in out-of-home care, those facing homelessness and falling through the cracks, Tasmania's most vulnerable people, are being failed by not just one minister but many ministers across this Government. It is not good enough.

Time expired.

[11.28 a.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Mr Deputy Speaker, I thank my colleague, Ms Standen, for bringing this matter of public importance on today. Rarely a day goes past in this place where we are not talking about vulnerability in our community, disadvantaged people who are disenfranchised and left behind in what the Treasurer describes as the golden age.

Today we have had raised in parliament the matter of a young person in seclusion in the Royal Hobart Hospital. We have also examined in some detail the Auditor-General's report which followed the allegations surrounding the for-profit provider Safe Pathways and the political mishandling of that situation. Too often the vulnerability of people can be exacerbated by poor policy and bad politics.

I understand that the Minister for Health did not want to go into any details this morning about a particular young person who is currently inside the Department of Psychiatric Medicine at the Royal Hobart Hospital. I respect that, but there are significant questions to be answered about the circumstances surrounding this young person's lengthy stay in an adult psychiatric unit. As I understand it, this young person was admitted to the DPM in April this year, so it is now five months that this adolescent has been in an adult psychiatric unit and the information we have been given is that the young person is behind locked doors a significant part of the time because of those significant behavioural issues. Under the Mental Health Act, that is a form of permanent seclusion and the minister should tell the House whether this young person, who is under seclusion, was reported under the act as being in secluded circumstances.

While it is not appropriate and it is not necessary to go into specific details of this young person's situation, nothing I heard this morning from the minister gave real reassurance that this young person is receiving the very best of psychiatric and therapeutic support in there.

Mr Ferguson - Ms O'Connor, I did say the Chief Psychiatrist has oversight of these types of concerns.

Ms O'CONNOR - Has the Chief Psychiatrist reported to you directly on the circumstances surrounding this young person who has been in the psychiatry unit for five months?

Mr Ferguson - I have answered that without any reference to an individual case.

Ms O'CONNOR - It is a very disturbing report, minister, that a young person could spend this length of time in an adult psychiatric unit, which clinical professionals would agree is not the most therapeutic environment for this young person. We recognise there are no current, effective adolescent inpatient facilities in Tasmania and there is a lack of trained specialist staff. Psychiatric emergency nurses have a role to play. My understanding of the circumstances surrounding this young person is that part of the reason they have been in seclusion is because of a lack of trained specialist psychiatric emergency staff. It would be most helpful if the minister could respond to that concern.

Vulnerability comes in many forms and children are among the most vulnerable in our community. It is a matter of concern and interest the Auditor-General has released their report, which followed a damning *Four Corners* program on children in out-of-home care in Australia. They interviewed staff who had worked for an organisation called Safe Pathways, which was a for-profit provider. According to the Auditor-General's examination, the first complaints received by the department about the children in the care of Safe Pathways came in May 2016 and a sequence of complaints followed that initial complaint through to November 2016. This is a matter the Greens repeatedly raised in parliament. It was not until almost a year later that Safe Pathways' contract was terminated.

It raises the question, which has not been dealt with either in the Auditor-General's report or in any response from the minister, of the appropriateness of placing vulnerable people in the care of for-profit providers. When a business model has as its primary concern the making of profits, you have to question why governments are providing public funds to providers that prioritise the making of profit over the services they deliver. It is the Greens' strong view that when it comes to the support, services and the care of vulnerable people and in this case we are talking about children, there is no place for for-profit providers.

You can see that in the Auditor-General's report, in the request for proposal selection panel, a number of providers to deliver out-of-home care services were being interviewed and assessed. Concerns were raised about Safe Pathways' capacity to deliver, given they had no experience in Tasmania, yet government made the decision to engage this for-profit provider anyway. It transpired to be a most terrible mistake.

Time expired.

[11.35 a.m.]

Mr JAENSCH (Braddon - Minister for Human Services) - Mr Deputy Speaker, I respond to the MPI on vulnerable people as a minister with many responsibilities to vulnerable people in our

community. I take those responsibilities very seriously. Nothing is more important than the safety and wellbeing of our children and other vulnerable people in our society. I have been minister with responsibilities for many groups of vulnerable people for six months now, and part of the Government for four-and-a-half years. The most important thing I have learned over the last six months of learning about my portfolio, meeting the people involved, reviewing our policies and building new ones is that the needs and circumstances of vulnerable people - the things that make them vulnerable and the things they need because they are vulnerable - tend to be very complex, unique and individual.

Governments, in responding to that, tend to have responded with programs, projects, investments and delivery of services which, by their very definition, will always address a proportion of those issues. However, because of the highly individual and complex nature of individual cases we will always have people who sit at the margins of that service delivery and we need to respond to those as well. I believe the investments being made right now and the way we deliver services reflect that understanding of the individual nature of vulnerability.

A good example of that was discussed in here last week in relation to the response to homelessness in the greater Hobart area through the winter period. Rather than me individually visiting people and promising them help, we invested \$0.5 million in the capacity of a network of experts whose job it is to go out every day and work with individuals to find solutions that meet their particular needs. I am very proud of the work they have done. I am very pleased at the way that network, led by Housing Connect, has been able to service the needs of vulnerable people in greater Hobart and across Tasmania over this last winter. Their work continues, even if the spotlight goes off this issue as we move into the warmer months or, as may be at places like the showgrounds, people are assisted into secure accommodation and are no longer a topic for discussion. Homelessness and need continues, those services will continue and we are investing in them.

I am disappointed that against that background and knowing better, I am sure, Labor continues to play the man and not the ball on these issues. It shows a lack of compassion and an oversimplification of very complex matters when they run the lines, the attacks they have been recently because it diminishes the issue.

There are references to a young person in the mental health ward in here again. We have had briefings, we are familiar with that case but we will not discuss it here. My mind goes to that young person and their family, and how must they feel when that tragic circumstance of their young person is thrown around in here as political sport. We need to focus on that person getting the care they need. What are their needs and are they under the correct supervision? I am advised that is the case; this is a very complex health condition we are dealing with and the appropriate care is around that young person. In any case raised in here in the course of question time, we will always ask; is that vulnerable person being looked after? Are they at risk? Did they receive the care they needed and are the services around them appropriate? We will take every single case raised here very seriously and we will continue to invest in the capacity of our system, be it our ability to provide housing for the whole spectrum of need from crisis accommodation through to long term, forever housing and home ownership.

We will invest in youth at risk, be it young people not ready to leave Out of Home Care at the age of 18 but extending through to 21, which we are doing for the first time in Australia right now because we saw there was a need there. We will do it by investing in things like the backyard units, which can help to prevent youth homelessness by ensuring young people who are forced out the family home because it is too small or too busy, or there are too many personalities to deal with,

have an option to move into their own space, still connected to the family and the family home but out from under the feet of others. This ensures they are not out fending for themselves in the world.

We will continue to invest in places like Colville Place and Eveline House, Thyne House and Trinity Hill, providing supported youth accommodation and services and supported services to ensure those young people who are not getting it at home, cannot in their own families receive life skills to take into independent living, continue to get them.

This is not about any one size fits all. This is not something which we can glibly pass off with a reference to *Spinal Tap*. We need to be alert, sensitive and responsive to the needs of individual people, which are highly individual. We seek to address them across our broad program of investment.

Time expired.

[11.42 a.m.]

Mr SHELTON (Lyons) - Mr Deputy Speaker, every Tasmanian deserves to have access to the services they require to be able to achieve their full potential through education and be able to rely on extra support if they need it. The Hodgman Liberal Government will continue to invest in these essential services. We understand some Tasmanians are dealing with increasing costs and that is why we are keeping power prices down and taking decisive action to address cost-of-living pressures. That is a key priority of this Government.

The Hodgman Liberal Government recognises the community sector is also undergoing a period of significant reform including the rollout of the National Disability Scheme, reforms in aged care, child safety and out-of-home care systems, health systems reform and the competition policy reform, to name just a few. We are providing a range of vital support to those in need while, at the same time, building a stronger economy and creating an improved education system that will provide greater opportunities for Tasmanians to have the chance to get the skills they need to get a job and to lift them out of vulnerability.

We have committed to no new taxes or increasing taxes for Tasmanians. We are determined to keep cost-of-living increases from government services at or below the rate of inflation, on average, for the next four years.

We are committed to a tripling of the number of new affordable houses by 2025 and to see a 10 per cent increase in housing availability for young people at risk by 2025. Every Tasmanian needs a roof over their head. The Hodgman Liberal Government is working hard to reduce homelessness and ease housing stress right across Tasmania.

In regard to mental health, let me be clear that the Government acknowledges and thanks all our mental health staff for the important work they are doing. They so often go above and beyond to deliver the best possible care for vulnerable young Tasmanians living with mental illness. We never want to see Tasmanians facing difficulties accessing the support they need. This is why we are building a better mental health system under our \$95 million plan. Right now the Government is building specialist inpatient child and adolescent mental health facilities in the north and the south of the state, at the LGH and at the Royal. They will be completed next year, finally bringing Tasmania into line with most other jurisdictions and providing world-class facilities in our state for the first time ever.

The Government has also provided the significant new resources for Child and Adolescent Mental Health Services - CAMHS - during the previous term, boosting annual funding by \$800 000. This resourcing has made a real difference and enables the CAMHS to make key recruitment, boosting its capacity to meet demand. In the last Budget we secured intensive individual packages of care specifically for Tasmanians under the age 18 which has been welcomed and applauded by the mental health stakeholders.

Under Tasmania's Affordable Housing Action Plan 2015-19 new initiatives have been introduced to increase the capacity of services to assist children and young people who are homeless, or at risk of homelessness. These include the Hobart Women's Shelter that provides an additional capacity of 16 beds for women and children in the south and six new Youth Castles assisting young people at risk of homelessness to establish independence whilst maintaining linkages with their families. Planning and consultations have also commenced for stage two of the Affordable Housing Action Plan to improve access to affordable, safe and appropriate homes for all Tasmanians. This investment targets the entire housing spectrum from risk accommodation to social housing to help Tasmanians buy their own homes.

Our plan to invest in Tasmanians in need covers support for communities, seniors and our veterans. Older Tasmanians have shaped the Tasmania that we all love and enjoy today. They are vulnerable members of our communities who contribute an enormous amount to our society and deserve our enduring respect. The value of every Tasmanian does not diminish with age. Older Tasmanians deserve to be able to feel healthy and secure and safe in their homes and communities and the Tasmanian Government remains committed to preventing elder abuse and to providing support for older people who are experiencing it.

We are investing record funding for education, health services and providing land tax relief to improve Tasmania's rental market. In terms of generational change for children and families, nothing is more important than the safety and wellbeing of our kids and that is why the Tasmanian Government is investing more in improving the lives of Tasmanian children, young people and their families.

The Hodgman Liberal Government is committed to a whole-of-government, strong families, safe kids comprehensive redesign of our child safety system to better support staff, families and children at risk in Tasmania. We are investing an additional \$40 million in funding to support the redesign, employing more child safety officers and other frontline staff and assisting vulnerable children with very complex needs in Out of Home Care. We are getting on with the job of closing the gap for these children, young people and their families to give them the most positive future they deserve.

Time expired.

[11.50 a.m.]

Ms DOW (Braddon) - Mr Deputy Speaker, I am pleased to talk again about the importance of us providing support to our vulnerable people in Tasmania. I concur with a number of the comments that my colleague, Alison Standen, the member for Franklin, has previously made.

There is no doubt the state is in good economic shape. The Government talks a lot about it and claims to have provided record investment in health but there does not seem to be the acknowledgement of the fact that over the last five years people's health needs in the state have changed and there are greater healthcare needs, particularly in rural and regional Tasmania.

The speaker prior to me talked a little about intergenerational change and I wanted to highlight the importance of long-term planning around the vulnerability that is felt by many Tasmanians. We have some of the poorest social economic indicators in the country around education and health and they impact on rural and regional Tasmanians, particularly where I am from in the electorate of Braddon. Work needs to be done around collaboration to address some of the intergenerational challenges that lead to vulnerability and people having the inability to access services but also having increased need. Whilst long-term planning and intergenerational action is required, there is also the need for short-term mechanisms. We are not seeing a lot of that presently from the Government.

When I was training as a nurse I learned that any time someone enters our health system they become vulnerable. They entrust their health care provider and the system to look after and provide care for them. It is a time of their greatest need and that of their family as well. It is really important that we always look to improve the support services that are provided to both the patient and their family and extended family, whatever their family unit might look like, because we know that that is different for many people. We also need to provide those same levels of support in the primary health care system that is available in our community.

Mental health is one of those areas where people often find it difficult to acknowledge that they have problems with their mental health and wellbeing. Families sometimes find it difficult to find the support they need at that time of need, and people in rural and regional Tasmania do not always have access to the services of those who live in Launceston, Hobart or even Burnie. On the west coast I met with people who work out of the local community house. One of the issues they raised with me, and it is a concrete example of what I am talking about and present to the House today, is that they have very poor access to mental health services within that community.

Only last week I talked about barriers to people accessing health care in regional Tasmania. They include transport, which we know is an issue particularly for people on the west coast of Tasmania and other regional areas as well, and the ability to see a GP. Also when we look at vulnerability, educational attainment in regional Tasmania is a barrier to people being well informed about their health and having the ability to access the support services they require.

It is important that there be a two-pronged approach to vulnerability in our community and not just in health. As others have said, it is right across those indicators of needs which are outlined in Maslow's hierarchy of needs as the things a person and their family require, such as shelter, psychological wellbeing, health and wellbeing, and access to good food and nutrition. They are all really important factors that contribute to a person's sense of wellbeing and ability to function and participate in our society.

It is important when we look at intergenerational vulnerability to acknowledge some of the factors that influence that. Much is said in this House about Labor not having alternative policies to Government but we had a number of alternative policies leading up to the last state election. One of those was around our preventative health framework and strategy and was called Working Together. This policy position acknowledged that inequalities in health and wellbeing are often determined by factors external to the health system. These factors include issues such as housing, education, transport, infrastructure, the arts and planning.

We acknowledge that a greater degree of collaboration is required across government agencies and with communities across the health sector to help coordinate a statewide preventative health strategy. From my personal experiences working in local communities through local government,

this is a model that can be applied across the social services sector as well. We have done that locally in the Burnie community, trying to get all of our service providers to talk and work with one another to understand the issues confronting each of them and how they can work better to support the needs of individuals and families within our community.

A 'health in all policies' approach focuses on the social determinants of health, which is what I talked about before when I alluded to Maslow's hierarchy of needs, and requires government leadership, including policies, directions and actions beyond the health sector. At that time we were willing to direct DPAC to act as the lead agency to adopt the 'health in all policies' approach to improve the health and wellbeing of Tasmanians. That intergovernmental collaboration really helps to address some of those intergenerational issues we face in Tasmania. If we can start to look at some positive socioeconomic reform in this state, that will improve the health and wellbeing and quality of life of people living in our communities across Tasmania.

This morning during question time we were talking about a policy we presented in the lead-up to the last state election and one we stand by today, and that is the provision of psychiatric emergency nurses. This is a policy position that as a candidate made great sense to me, having witnessed firsthand the workload in an emergency department and the fact that people present to emergency every day with issues related to their mental health. Mental health can also be affected by other issues such as drug and alcohol consumption and it really puts a lot of stress on those staff working in emergency departments. Any additional resource we can provide within that working environment helps to support the staff and provides better care to those patients when they present.

Time expired.

Matter noted.

MINISTERIAL STATEMENT

Post-Traumatic Stress Disorder - Review of Workers Compensation Provisions

[11.58 a.m.]

Mr BARNETT (Lyons - Minister for Building and Construction - Statement) - Mr Deputy Speaker, I table the ministerial review related to establishing entitlements under the Workers Rehabilitation and Compensation Act 1988 for workers suffering post-traumatic stress disorder - PTSD. I rise to speak on this report tabled now on the statutory review of workers compensation provisions relating to post-traumatic stress disorder.

The review as to whether an occupational presumption ought to exist for relevant workers in regard to post-traumatic stress disorder was undertaken in accordance with the requirements set out in section 162A of the Workers Rehabilitation and Compensation Act 1988.

A presumptive provision would reverse the current onus for workers to prove that they developed diagnosed PTSD as a result of their employment. This would mean that the cause of the PTSD is automatically presumed at first instance to be work related for the purposes of claiming workers compensation under the act.

The requirement for a review was introduced in amendments made to the act in late 2017 by my colleague, the Hon. Rene Hidding MP, the then minister for police, fire and emergency

management. We have delivered on that commitment through the tabling of the report on the statutory review today.

The Government has carefully considered the review's findings, including all of the options and considerations around the benefits of a presumptive PTSD provision. It is my pleasure to announce today that we will be progressing a legislative reform to the Workers Rehabilitation and Compensation Act to include a presumptive provision for PTSD for public sector workers.

Despite the report's recommendation that the act not be amended, we have decided that the Government will legislate based on the report's compelling content in relation to significant benefits and social value that will result from the presumption. While the legislative presumption will apply only to the public sector in the first instance, we will request that all government business enterprises and state-owned companies adopt the presumption in administering and determining any PTSD claims made by their workers. In the interim, an administrative employment direction will be made to government agencies to ensure the presumption can apply as soon as practicable.

In addition, the WorkCover Tasmania board is being directed to further consider whether the presumption should be applied to particular types of private sector workers, and consider the other recommendations in the report to help support workers with PTSD more broadly. The WorkCover board will conduct a public consultation on the impact of a presumption on private sector workers in Tasmania so that worker and industry voices can be fully heard.

The introduction of a legislative presumption is the right thing to do to support our first responders, our correctional officers and other public service workers suffering from PTSD. It will remove a potential source of stress for those who are suffering with PTSD and highlight the importance of helping people return to meaningful work.

Claiming workers compensation can be a daunting, challenging or stressful process, particularly if the claim is mental health-related. PTSD and other psychological conditions are different from other diseases and injuries in that they can be difficult to diagnose and can be secondary to an initial injury. For example, a person who is in a car accident may have physical injuries that are obvious and treated, but then some time later it might be found that they have developed a psychological condition as a consequence of the accident or their injuries.

PTSD is a particularly complex condition to diagnose, especially where it is a result of cumulative exposure to incidents, which can be the case for emergency service personnel and first responders. As such, it may be difficult for workers to navigate the workers compensation process to have PTSD claims approved.

The presumption will help in removing any barriers people may be experiencing in making an actual claim. In addition, the legislative presumption will go a long way in helping to reduce the stigma that is often associated with mental health which may impact on the decisions of workers to disclose their symptoms leading to under-diagnosis of conditions such as PTSD.

It has been recognised that there has been a significant shift in attitudes over the past few decades in adopting preventative measures in identifying and addressing mental health issues, including PTSD. However, more can be done to bring about the cultural change needed where workers will be confident enough in putting their hands up to say they are struggling without fear of any reprisal. This legislation is a step in the right direction.

I am immensely proud that Tasmania will be the first jurisdiction in Australia to take this step in introducing a presumptive provision for PTSD. While the matter is under consideration in other jurisdictions - namely the Northern Territory and Queensland - we are proud to be the first Government to bring in this important reform to support our public sector workers suffering from this debilitating psychological illness. Through our decision to legislate, it is clear that the Hodgman Liberal Government is committed to providing a fair and sustainable workers compensation system.

Tasmanian workers, including first responders, are currently entitled to claim compensation for diseases, including PTSD, if their employment contributed to their disease. A presumption in the context of workers compensation does not change the eligibility of a worker to make a workers compensation claim for any injury or disease that is work related. This is a right enshrined in the Workers Rehabilitation and Compensation Act and is not affected by the decision to include a presumptive provision relating to PTSD.

I will be upfront in saying that the presumption will not change the process of making a claim, or impact the ability of workers to secure a diagnosis in order to make a claim. To make a claim for compensation, the act requires an injured worker to obtain a workers compensation medical certificate from a medical practitioner, which requires a diagnosis to be made.

The presumption will not remove the ability for an employer to dispute the claim if there is sufficient reason to believe that the injury or disease is not work related. However, reforming the act to include this presumption is a clear statement by government that we take the mental health and wellbeing of all Tasmanians seriously. It will bring the discussion of PTSD and all mental health issues to the forefront, which will help increase acceptance by employees and employers that psychological injuries can and do arise from exposure to traumatic events.

By normalising these issues, we are helping to change the attitudes of all Tasmanians to seek help when they need it. The earlier someone seeks help and intervention, the better their chances of full recovery are which will allow them to continue with a meaningful career. These outcomes will be of undeniable benefit to all Tasmanians who are impacted by PTSD and other mental health issues, but none more so than our first responders.

Our first responders are among those that Tasmanians turn to first in times of traumatic events, tragedy or need. This includes our 1259 full-time equivalent police officers, 310 career firefighters and 22 State Emergency Service members, with in excess of 5500 volunteer members across the state. We also have over 300 full-time salaried Ambulance Tasmania staff, including paramedics and intensive care paramedics, who are supported by over 300 volunteer officers.

In often stressful and traumatic situations, it is these Tasmanians who put themselves on the line for others, experiencing things the rest of us rarely see. These first responders attend extraordinary events such as road accidents, major disasters such as the 2013 Dunalley and Tasman Peninsula bushfires, family violence and other serious incidents as part of their day-to-day duties. We can never forget the efforts of the amazing individuals who were first on the scene and involved in the horrific aftermath of the Port Arthur tragedy.

It is also recognised that they are also sometimes exposed to criminal, aggressive and violent behaviour in the course of their employment. Our police officers confront armed offenders who are threatening their own life or the lives of others. It is an unpleasant truth that many members of these services also attend suicides, whether attempted or completed, murders and deaths that result

from the most horrifying circumstances. These events are particularly horrific when they involve children. We acknowledge that the work of our first responders involves exposure to these traumatic events and we are immensely thankful for the incredibly important role they play in our community.

We are also incredibly grateful for the work of our 324 correctional officers and supervisors in the Tasmania Prison Service. These officers are trained to face aggressive and potentially life-threatening behaviour from incarcerated offenders every single day. We rely upon these officers together with police to ensure offenders are contained and positively managed to ensure public safety.

The Government takes the health and safety of its workforce with the utmost seriousness. This is why the Hodgman Liberal Government is committed to seeing that first responders - along with all Tasmanian workers - are provided with a fair and sustainable workers compensation system.

Specifically for first responders, we have supported firefighters through the amendments made last year in the Workers Rehabilitation and Compensation Amendment (Presumption of Cause of Disease) Act 2017, which removed barriers to volunteer firefighters in accessing compensation based on the presumption that some cancers may be linked to occupational exposure. This amendment was made in recognition of the crucial role Tasmania's volunteer firefighters play in protecting the community and to take action to provide them with the same protections under the law.

In addition, we launched the Keep Your Hands off our Ambos advertisement in October 2017 in an effort to prevent the violent and aggressive behaviour toward paramedics and ambulance workers. We know first responders are exposed to stressful situations, which is why we are putting more resources into mental health and wellbeing services for our emergency service workers.

The Government has commenced a wellness program with \$6 million committed over four years and initiated by the Department of Police, Fire and Emergency Management. This program is designed to ensure support is provided to workers in need, primarily for emergency first responders, and is in addition to other initiatives such as the existing Employee Assistance Program. The key focus is on proactive intervention measures in the form of peer-supported critical incident stress management, mental health wellbeing checks, support programs in the prevention of the development of PTSD, as well as promoting positive workforce mental health.

Ambulance Tasmania has also commenced the rollout of mental health first aid training to peer support and workplace support officers, which will be provided across the service. Tasmania Police has a range of responses to mental health risks, including critical incident stress management, mental health wellbeing checks and mental health first aid training and welfare, including a psychological service which provides wellbeing checks with all police members working in high-risk areas.

These are just a small sample of the proactive action this Government is taking to further support and protect our hardworking first responders.

I am immensely proud of this work that has already been undertaken. However we recognise that there is always more that can be done. This is why we committed to undertake formal consideration of the issue of presumptive PTSD provisions under the workers compensation scheme

last year to ensure that the matter was comprehensively investigated prior to legislation being introduced.

In determining the terms of reference for the review, it was considered that any recommendation for legislative change arising from the review that is limited only to persons employed or appointed by an act of the state would disregard other workers covered by the act who are placed at significant risk of contracting PTSD. Accordingly, the approved terms of reference called for a broad review of the issue, considering both persons employed or appointed by an act of the state and any other workers covered by the act.

The review was to make evidence-based recommendations on potential amendments, as and if required, to the Workers Rehabilitation and Compensation Act. To this end, the purpose of the review was to provide an independent opinion on whether the act should be changed such that, in the absence of evidence to the contrary, PTSD is taken to be work-related for the purpose of a workers compensation claim. If it was found that the act should be changed, the question was posed as to which persons were at significant risk of contracting PTSD in the course of their employment, for whom the presumption ought to apply. In other words, should the presumption apply to all workers at risk of being exposed to traumatic events as part of their employment, or limited to first responders or emergency services personnel?

It was determined that the review must be undertaken by a person or persons with experience in the workers rehabilitation and compensation scheme landscape, including return to work and injury management, with an understanding of actuarial processes. It was also considered beneficial for at least one of the reviewers to have current registration or membership of an Australian psychology professional association, such as the Royal Australian and New Zealand College of Psychiatrists, the Psychology Board of Australia or the Occupational Therapy Board of Australia, to name a few.

The statutory review was referred to the WorkCover Tasmania board for coordination. The WorkCover Tasmania board is an independent statutory body established under the Workers Rehabilitation and Compensation Act. Its membership is comprised of the secretary of the Department of Justice, who is the current chair of the board, and five persons appointed by the Governor on the basis of their skills and experiences relevant to the carrying out of the board's statutory functions. One of the functions of the board is to make recommendations to the minister on the policy and objectives of the act, or any amendment to the act.

Following an expression of interest process in accordance with the terms of reference, the board appointed Mr Stephen Carey to lead the review and Dr Jacqueline Triffitt to assist. Mr Carey is a retired former chief commissioner of the Workers Rehabilitation and Compensation Tribunal and Dr Triffitt is a clinical psychologist.

I am pleased to be tabling the report provided to me by the WorkCover Tasmania board. The report makes 11 recommendations and the Government has carefully considered the findings to determine what measures need to now be taken.

As the central matter for consideration, the reviewers found that there was currently a very low dispute rate for PTSD claims to support a legislative change for first responders alone. The report states that in the 10-year period of 2008-2018, there have been a total number of 195 PTSD claims recorded across 79 occupational groups, which averages 19.5 claims per year. With respect to first responders, the reviewers found they made up less than 16 per cent of all PTSD claims. The report

goes on to show that 83.6 per cent of all PTSD claims are accepted, compared with 90 per cent of first responders' claims accepted over the same 10-year period. However, the report recognises there are limitations in interpreting the data available and that it might not represent the full extent of PTSD incidences being experienced by Tasmanian workers. The most significant limitation is that the low numbers might indicate that many issues are being under-reported, which is supported by the literature and the feedback received from stakeholders.

In addition, the report also identifies a number of different options that were considered that would have benefit to Tasmanian workers suffering PTSD, due to the great social value that can arise from presumptive legislation in relation to PTSD. In particular, recommendation 7 in the report notes that presumptive legislation would lead to increased acceptance by employees and employers that psychological injuries can arise from exposure to traumatic events, whether they be inherent in the nature of a person's work role and duties or as a result of a traumatic event that could occur in any workplace. The report also reflects my earlier comments that presumptive legislation could help remove barriers that might currently exist that discourage people from seeking help for PTSD, such as stigma surrounding mental health, fears of repercussions on career progression or the negative judgment of others. Accordingly, the presumption would not only be beneficial for first responders but for other occupational groups as well.

The report includes a list of occupational groups which clinical stakeholders identified as having particular risk, resulting from a similarly broad range of occupational events or exposures. This list covers occupational groups ranging from medical and health care professions, correctional officers, emergency department staff and nurses, disability and youth support workers, to truck drivers, teachers, and hospitality workers.

Most of the recommendations included in the report - recommendations 2 through 11 - relate to these additional matters which fall outside of the scope of the review of whether the act ought to be amended to include presumptive provisions for first responders in relation to PTSD. These recommendations address observations of the reviewers regarding administrative systems, cultural and social factors relevant to PTSD, the workers compensation scheme and mental health more broadly.

The reviewers identify a range of administrative actions aimed at building capacity, knowledge and understanding of PTSD, destigmatising mental health issues and changing workplace cultures. Specific opportunities identified in the report include specialised professional development for general practitioners, insurers and injury management personnel, further mental health education generally, improved data collection, and the development of clearer guidance for clinicians on diagnosis and standardised treatments of PTSD. The reviewers champion the merit of exploring options which would provide further support to PTSD sufferers and injured workers.

It is our ongoing commitment to making sure that our public sector workers are protected and looked after at work, and for the many other reasons I have identified and outlined, that we have decided to legislate to include a presumptive provision for PTSD. Work to progress the legislative presumption for public sector workers will commence immediately, with the Department of Justice to consult widely, and the bill will be tabled in Parliament in the 2019 autumn session.

As I have indicated previously, an interim administrative employment direction will be made prior to the introduction of the legislation to ensure the presumption applies as soon as possible. Based on advice received from the department and consideration of the information provided in the report, it has been decided that the presumption will apply to all public sector workers, including

our first responders and correctional officers. The report clearly shows that public service employees make up a significant proportion of all PTSD claims. I note that ambulance officers/paramedics, prison officers and police identified as the top three occupational groups with the highest number of claims.

While the rationale for legislating for public service workers is self-evident, there is no clear direction indicated in the report as to how the presumption should apply to other private sector workers. As such, the WorkCover Tasmania board has been directed to undertake further analysis and broader community consultation to address this matter and the other options identified in the report to further support Tasmanian workers suffering from PTSD. This further work will ensure that if there are categories of private sector workers that are identified as having a significant risk of contracting PTSD in the course of their employment, they will benefit from the presumption as well.

As all of the additional options identified fall outside the time limitations imposed by section 162A of the act, which focuses purely on the consideration of whether the act should be amended to include PTSD presumptive provisions, exploration of these broader matters will allow for greater community engagement.

Due to the identified need in the report to explore the other options for supporting workers with PTSD, I have also referred the remaining recommendations back to the board for further investigation. It is anticipated that the board's consideration of the remaining recommendations will identify opportunities to further strengthen the support of injured workers and their families, particularly those experiencing PTSD and other mental health conditions. The board will provide its advice on these further matters by the end of June 2019.

We made a commitment to the Tasmanian community that we would look into the issue of whether presumptive provisions relating to PTSD for first responders should be added to the Workers Rehabilitation and Compensation Act. Today we have delivered on that commitment, through the tabling of Mr Carey and Dr Triffitt's report.

I am proud that our nation-leading reform of introducing presumptive legislation relating to PTSD will be of significant benefit for public sector workers. We are making it easier for those suffering from PTSD to claim compensation, which will support the preventative programs currently available through the government agencies and encourage workers to seek help early. The presumption will support not only our public service but the broader Tasmanian community, as it will help to change attitudes around mental health in the workplace. This news will be warmly welcomed by everyone who has been affected by PTSD, either personally or indirectly through a family member or colleague.

Mr Deputy Speaker, I strongly encourage all interested stakeholders and community advocates to engage in the further work which will be progressed by the WorkCover Tasmania board in exploring whether the presumption should be applied to broader occupational groups in the private sector and what other options can be progressed to support all workers suffering from PTSD. Further consideration of the issues will provide greater opportunities for protection and support of not only our first responders and public servants but all Tasmanian workers who are exposed to challenging, stressful and unpredictable working environments.

This Government is committed to supporting all Tasmanian workers in relation to PTSD and mental health more broadly, and the presumptive legislation is a big step in the right direction.

[12.21 p.m.]

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

That the statement be noted.

This an excellent announcement by the Government and one the Labor Party welcomes because it is long overdue. The prevalence of post-traumatic stress disorder, particularly among emergency, frontline workers is well understood. We need to support them to access the care they require when they are recovering from post-traumatic stress as best they possibly can.

The Labor Party announced in our Economic Direction Statement in May 2017 that we would introduce presumptive workers compensation provisions for post-traumatic stress disorder. I welcome the Government has announced its intention to do that.

I commend the bravery of those individuals in the public sector who spoke out and shared their own stories with post-traumatic stress disorder, particularly ambulance paramedics - I will share some of their stories for the benefit of members - who made a submission to the Tasmanian Government in July last year. That submission was compiled by HACSU, the Health and Community Services Union, and showcased the stories of individuals in our health system, particularly ambulance paramedics, who have dealt with post-traumatic stress disorder and how challenging that has been for them. I acknowledge the other unions who have been involved in this. Presumably, they have made representations to the work undertaken by the report tabled by the minister today. I particularly mention HACSU, the CPSU, United Voice, the United Firefighters Union and the Police Association of Tasmania, who have been involved in those conversations.

The report provided by HACSU to Government in July last year detailed what they wanted to see, which has largely been adopted by the Government in their announcement today. It was that

That Post-Traumatic Stress Disorder (PTSD) is defined as a presumptive illness for Ambulance Paramedics under the *Workers Rehabilitation and Compensation Act 1988 (Tas)*.

That the cumulative nature of Post-Traumatic Stress Disorder with respect to Ambulance Paramedics be recognised.

The State of Tasmania includes a clause with retrospective effect so that an Ambulance Paramedic's claim denied prior to the enactment of presumptive legislation can be resubmitted with updated medical evidence for re-assessment.

I am unclear whether the Government intends to include that provision but we have further work the minister has indicated will be undertaken. I hope that can be considered.

Some of the stories that were bravely shared by paramedics include that of Steve Hickie and his story goes as such -

People outside this work environment think that trauma we are exposed to is blood and guts. Blood and guts is normal to us. That's what we're trained for; we work with that all the time. The trauma for us is when you go to someone who's lost their loved one of 50 years. Or something unexpected happened. A 35-year-old with stage 4 melanoma, his wife's there and his two little kids are

running around. You look at him and he's actually seizing. Not moving, but an absent seizure and I know he's going to start a tonic-clonic seizure and I know I'm not going to be able to stop it and I know he's going to die. And there's kids, their two little kids. And you have to tell his wife, 'It doesn't look good, I'll do everything I can ...'.

I went to a job with a little 4 year old she was seizing too. Posturing in a 'decorticate' position, which is a pretty good sign her brain is incredibly irritated. She was really sick. I picked her up, and she looked like my daughter. I lost it. Gone.

On the Workers Comp claim they asked me 'what was it,' and I said it was that job, but it wasn't. My psychologist thinks the single incident on my Workers Comp claim probably has very little to do with the actual pathology of my disease. That job was just the one straw that broke the camel's back.

Emergency service workers can be exposed to more trauma in a single shift than most Tasmanians will be in a whole lifetime. I recognise the Government has extended this to cover all public sector workers. That is very welcome and I congratulate the Government for making that decision.

I want to share also the story of Lauren Hepher, who gave evidence as well as part of the submission, describing the way Ambulance Tasmania currently deals with some mental ill health issues that workers raised and that it is inadequate. She makes the point -

I wouldn't ever make a Workers Compensation claim if I could get around it. I think the concept of having to prove that you've got a psychological injury while you're already unwell is appalling.

I see my workmates, my friends try to navigate the Workers Compensation process, and some of the stories are pretty bad. The system seems to have no appreciation of the human side of it; you just seem to get labeled as a troublemaker, it's up to you to prove to the system that you're injured or unwell while you're trying to navigate your own experience of mental illness. It's not right.

It is for that reason the Labor Party recognise we need to have these changes made to our law and we welcome the Government's recognition of that. The HACSU submission goes on to further say that legislators should put in place processes where independent medical assessments are truly independent. They have raised concerns that, 'Doctors and other health professionals sourced by insurers are normally paid for by insurers; some doctors do not have private practices; they simply work for insurers.'. I ask that the Government give consideration to how they manage that issue when they are drafting legislation.

I pay tribute to Peter James, who has been an extraordinary person in his service to the people of Tasmania as an ambulance paramedic and in his bravery in speaking up about PTSD. Peter was at Port Arthur and he shares some of his experiences about some of the traumatic events he has witnessed as a paramedic and what that has meant for his mental health. I know I am running out of time but if I could finish with this one quote. Peter James said -

I've been diagnosed with chronic PTSD. It is a creeping, insipid disease. It becomes part of the fabric of who you are. You don't see it in yourself, but others do. I have become mistrustful of my coworkers and ambulance management. I don't participate in any social functions. I feel isolated and distrustful of others, and I feel very uncomfortable in public places. I feel isolated in a crowded room ...

I've still had to prove that I have got it after 41 years of doing this job. It's as obvious as dog's balls that after that time you've got to be carrying some baggage. But I'd do it all again tomorrow.

Mr Deputy Speaker, we need the legislation because these people are incredible.

Time expired.

[12.28 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, on behalf the Greens, I strongly support this legislative move. It is important we continue to walk down the path of reducing stigma around mental health in the community; from having conversations about emotions to being a more caring and inclusive society. All of us know people or are aware of people in our communities who are suffering from trauma. Trauma can be caused by a range of experiences.

One of the things I have learnt over the last couple of years of speaking to some of the first responders who have met with me and talked about the need for this legislative change, among many other changes we need to make in how we operate in workplaces, is that post-traumatic stress disorder is not something that most people recover from.

I note the minister did make a comment in the statement about trying to act as early as possible so that people are able to recover if possible. It is true that some people do recover and early action is a very important part of that being able to happen. It is the case for many people with PTSD that they do not recover in the way we might think of recovering from a disease where there are never any more symptoms. Most people learn to live with their trauma experience. They learn to be able to cope with the flashbacks or the physical changes that it brings into their life. They learn how to adjust their life to accommodate the trauma they have experienced that will never be able to leave their body.

In addition to a view that many people in society might have a simplistic view, and the old view that we had, was that you experienced post-traumatic stress disorder as a result of an event such as a car crash or a particular war experience or a horrific thing that you had seen. That is certainly a cause for many people. There is a very high rate of people who suffer PTSD who have had those sorts of experiences.

It is also the case that people end up suffering from PTSD because of an accumulation of regular things they are forced to endure watching. Those sorts of things can be everyday acts of cruelty which they see being enacted against other people on a regular basis with such cruelty that it causes the suffering of another person. By having to watch that, by being a counsellor listening to children's stories of their experiences in their family; by working in a place where unjust acts are perpetrated, systemic dysfunction for example in workplaces where you are dealing with vulnerable people and gentle children, lovely animals, beautiful kind people; when you see terrible events

happening to people that could be prevented, for some people that is a cause of post-traumatic stress disorder.

It is important that we do everything we can to reduce the stigma of PTSD and other forms of mental ill-health. The Greens asked some questions last year of Mr Hidding, the then police minister, about the first responders and policy work being undertaken. I referred him to the very good work that was done by the Australian Centre for Post Traumatic Mental Health, the University of Adelaide and the New South Wales Black Dog Institute, which were looking at the diagnosis and treatment of PTSD in emergency service workers. That is an independent piece of evidence which he promised to investigate for early responders and emergency service workers in Tasmania. It is pleasing to see today that this Government is taking the matter of presumption to heart.

I strongly support the move to investigate the review of the extension of this to the private sector. In Tasmania, so many of our essential services have been outsourced to private sector organisations. So much of our mental health work, mental health work with young people and children, the care of vulnerable children, the support for homeless people, family support services, disability services and aged care services; so many of these are not conducted by public sector workers. They are conducted by private sector workers who are doing the work of government. It is important that those people and those services are captured by this legislation.

Ultimately I believe it will extend to those organisations because it has to. If we truly want to set the tone in this community where people understand the reality of post-traumatic stress disorder, the likelihood of it occurring amongst people who are working in particular jobs or particular professions, then it obviously has to include people who are working in trauma counselling, in the everyday protection of young children who are living in abusive situations and families where they need so much of our support.

Time expired.

[12.36 p.m.]

Mr HODGMAN (Franklin - Premier) - Mr Deputy Speaker, I am very proud to lead a Liberal Government that is moving to make Tasmania the first jurisdiction in our country to legislate a presumptive provision for post-traumatic stress disorder-related workers compensation claims to apply to all Tasmania's public servants.

I acknowledge the efforts of two ministers, minister responsible for WorkCover, Mr Barnett and also the Minister for Police, Fire and Emergency Management, Mr Ferguson, together with our colleagues who have made the decision to ensure that we demonstrate our very strong commitment to valuing the work that our public servants do each and every day on behalf of our community. This is a significant demonstration that the Government stands behind those and alongside those who are suffering due to traumatic circumstances which have arisen during the course of their public service.

I also strongly believe that we need to reduce the stigma of mental health issues in our community more broadly. A reform such as this will demonstrate a significant change in mindset by government and those who work with us on behalf of our community that these issues are more appropriately managed, particularly when they arise during the course of their employment. The changes we have announced today will be particularly beneficial to our first responders who are most likely to be those confronted with a traumatic or violent set of circumstances during the course of their duties. I have also met with members of the state service and union representatives who

have expressed their circumstances to us very candidly and courageously. We respect their efforts in so doing and also their willingness to expose others to the circumstances that they have faced in the hope that we might make improvements such as these to our system of providing adequate compensation in dealing with the reality of post-traumatic stress disorder as it arises.

This also ensures that we are moving to protect and support all of the state service, and appropriately so. We have taken significant actions as a government in recent years to provide additional support, whether through amendments to the Workers Rehabilitation and Compensation Amendment (Presumption of Cause of Disease) Act 2017, which went to our firefighters and removed barriers to them in accessing compensation based on another presumption that some cancers may be linked to occupational exposure. This also reflected the very significant role here in Tasmania that our volunteer firefighters play in protecting our community and to provide them with the same protections under the law.

It has been mentioned that we launched the Keep Your Hands Off Our Ambos campaign in 2017 to seek to reduce violence and aggressive behaviours towards our paramedics and ambulance workers who too often are confronted with such circumstances in the line of their work and that places them under extremely stressful situations. It is why we have also expanded our effort to provide health and wellbeing services for our emergency services workers.

The Wellness Program, which has been referred to in this debate, the \$6 million commitment over four years initiated by the Department of Police, Fire and Emergency Management is also designed to support workers in need, primarily for emergency first responders as well as other initiatives under the Employee Assistance Program. These are examples of proactive intervention measures in the form of peer support, critical incident stress management, mental health wellbeing checks, support programs in the prevention of the development of PTSD, as well as promoting positive workforce mental health.

Ambulance Tasmania has also commented the rollout of its mental health first aid training to peer support and workplace support officers, which will be provided across the service. Tasmania Police has a range of responses to mental health risks including critical incident stress management, mental health wellbeing checks and mental health first aid training. These are some examples of the support this Government has and will provide in the area of greater mental health support. I also want to acknowledge the former minister for police, fire and emergency services management, Mr Rene Hidding, who was also significant in developing these sorts of additional assistance to those who work in these agencies, particularly our first providers.

The effect of the changes will be that when public servants make a claim of PTSD under the Workers Rehabilitation and Compensation Act, the default presumption is that the cause is work related. It is important to note that while Tasmanian workers' compensation system already has a very high acceptance rate for PTSD-related claims, the reverse of the onus of proof will, as you have heard from the direct testimony of people who have suffered, make it a lot easier for them to make and have a claim accepted.

We will endeavour, as much and as best we can, to continue to support our staff and the work they do, particularly those who deal with harrowing circumstances in the course of doing their job, right through the public service to all those who assist our community in whatever capacity that is and in which they may suffer trauma as a result.

Work to progress the legislative amendment will commence immediately. We want to ensure the presumption is applied and available at the earliest opportunity. In the interim, an administrative employment direction has been made to be provided to government agencies to ensure it can be done as soon as practicable.

Based on the advice we have received, it is appropriate to request our Government business enterprises and state-owned companies to follow suit. We will be writing to each of them with that request. I will also be writing to all our public servants to inform them of the action we are taking today. The support, which is appreciated from all sides in this House, will allow us to sensibly and responsibly act in relation to this issue of importance to our workers. We took steps to have an expert review undertaken. We have carefully considered the report. We were prepared to act and we have.

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, I welcome this announcement from the Government. It is a quantum leap forward for workers, particularly frontline workers and workers covered by this legislation.

It is a departure from the position of the minister from April of last year, quoting Safe Work Australia who, I think, provided him with advice. I commend your work in seeking further advice from the WorkCover Board and the work of Mr Stephen Carey and Dr Triffitt. Mr Stephen Carey is well-known to me and is a highly regarded figure in workers compensation and rehabilitation tribunal circles in Tasmania. He was an ideal candidate to undertake this work, understanding the Tasmanian context and the Tasmanian legislation and having been a commissioner and chief commissioner for many years. He has seen and been involved in many cases that would inform his views. He would not necessarily be someone coming to this policy matter as a clean skin, but with a depth and wealth of experience he could apply in advising and making recommendations to the Government on how best they respond.

As the member for Lyons, Rebecca White, has mentioned, this is Labor policy. Over many years we have demonstrated our ability to represent working people in this place, to give voice to their concerns and needs, and we welcome those workers who have campaigned through their unions - the Police Association, the United Firefighters Union, Health and Community Services Union, United Voice, Community and Public Sector Union, the Ambulance sub-branch of HACSU, a range of people - union members at work within their union to give voice to this campaign.

We know that is not an easy thing to do. The stigma involved in this issue is particularly intense. We know there is a culture, particularly with first responders, of, 'get on with the job, you are tough, you cope with whatever circumstances are put in front of you, get back on the horse, you will be right, this is a part of the job, you have to accept it', but we know the trauma has an extraordinarily significant impact on the lives of those who suffer it, particularly through their working life. It is not simply, as has been said in previous contributions, witnessing certain events but trigger moments that occur in a worker's life. Even when they are away from work there are events and statements and instances that trigger a significant amount of post-traumatic stress related to an incident they have attended. I have often said our emergency service workers and custodial officers and others run towards the danger, whereas our instinct is to run away. As a community, we expect these workers to present to some tough and terrible circumstances. This announcement, with subsequent legislation next year, is the least we could do to thank them for their commitment.

I will ask the minister though in considering the review, there is a fair bit of evidence coming from across the world as to the definition of 'a disorder'. We need to acknowledge this is a

workplace injury. North America, through the firefighting fraternity, refers to it as post-traumatic stress injury. 'A disorder' gives a perception that there is something within the person that is susceptible to trauma and that gives a bit of a stigma. We urge that through the next 12 to 18 months in the lead-up to this legislation we talk more about it as an injury, a workplace injury, with the acknowledgement that it happened at work. It is a work-related injury. It did not happen because someone is either susceptible or open to a response to trauma. It is something that is triggered at work. I see the minister nodding and I appreciate he would look and work through that. I say that genuinely.

This is a great announcement, particularly for Tasmania to be leading the country. We led the country with presumptive cancer legislation for firefighters and I commend the Government for continuing that leadership role in occupational health and safety.

We heard the stories put on the record from the member for Lyons, Rebecca White. Though we walk in the shoes of those people who experience this, it is horrific, it is very, very tough and I will not seek to repeat those but provide extra voice and an echo to those heartfelt stories from those workers who have stood up.

Legislation is one thing but the role of insurance companies in dealing with workers compensation claims is altogether another thing. Despite the fact that we were the first state to bring in presumptive legislation for those firefighters who contracted cancer through the course of their work and it was acknowledged by their employer and by the community, unfortunately, some insurance companies did not act in the same spirit of the legislation and the intent of the meaning of the presumption and the reversal of the onus of proof.

We also seek to put on the record that the Government's insurer is given very clear directions and understanding in any implementation of this legislation. Matters can be disputed but the first half-a-dozen claims made under the previous firefighter legislation were all challenged by the insurance companies. That added a significant amount of stress to those people making those claims. We know with trauma, if you are not believed it adds to the trauma and to the impact of the post-traumatic stress injury. We ask, in consideration of legislation and the work the Government will do, for the acknowledgement of the role of insurance companies. They can play a constructive role but unfortunately, in some jurisdictions, they do not play that.

Time expired.

[12.50 p.m.]

Mr FERGUSON (Bass - Minister for Health) - Mr Deputy Speaker, I applaud the statement by my colleague, the Minister for Building and Construction. The Hodgman Liberal majority Government is delighted to be able to make this announcement today after careful analysis and consideration.

This policy has evolved over time, and I want to mention Rene Hidding, the former minister, because that statutory review and the advice options are as a result of a bill he took through the House.

The Government acknowledges the inherent risk that first responders particularly in emergency service professions are exposed to potentially traumatic events. I speak in my role as both Minister for Health and as Minister for Police, Fire and Emergency Management. We understand people in these roles are employed specifically to stand between vulnerable members of the community and

danger. They do a great job and we are very thankful to them for what they do each and every day. We commend them for what they do. They are highly trained, skilled and dedicated.

When I meet with them in the field I am filled with admiration. As part of their training, skill and their dedication, they encounter situations which are very confronting. One previous speaker mentioned it is not just about the 'blood and guts'; that is part of it. I grew up in an ambulance family and as a child of an ambulance officer, I saw things, including when I was left alone in the staffroom with not more to do but to see what was on the shelves. There were some very confronting training materials there for a 10- or 11-year-old boy. You get a small taste of the realities of daily life for our personnel in our emergency services.

This data goes back over a couple of governments. When you look at the report that has been tabled today you can see our agencies handle these claims very appropriately. We have a very high rate of acceptance of PTSD claims. In ambulance officers and paramedics, 16 of 17 claims have been accepted over those 10 years, with one claim pending. For police, of 12 claims, 11 have been accepted and one is pending. For nurses, there are six claims for a very large workforce and of those six claims five have been accepted and one has been rejected.

We understand the opportunity still needs to sit with employers to be able to respond to claims including where a presumption has been offered, and that will not change. What will change is that people will be believed and subject to their medical specialist certifying, as will be part of the forthcoming legislation, they will be believed and their case will be understood and validated and there will be a sense of respect for that person and what they have experienced.

In respect of the claims, I am advised from the report - and this is important - motor vehicle accidents are named as responsible for about 6.5 per cent of claims. For attendances at suicide or attempted suicide it is just under 10 per cent. For violence and other verbal assault it is just under 10 per cent. For other traumatic events it is just under 13 per cent. Attending traumatic scenes, it is 25.8 per cent and for cumulative stress it is 25.8 per cent which speaks to the career exposure to trauma which we are responding to here and now.

There has been significant lost productivity but more important to our Government is recognising and providing support for people with a sense of loss of capability and who they really are and we want to help rebuild our damaged, wounded persons; our employees who we care for. We want to help build them back up to be who they were always meant to be in the first place.

The Government has already, particularly with our paramedics, provided de-escalation training to try to help our staff be more capable at preventing injury. We have launched the Hands-Off our Ambos campaign, which has been well received around the community. It has been very challenging for a lot of mums and dads with their children on night-time television. That is because it is an attempt to give people a taste of what it is like on the scene. Remember, in those situations, to keep your hands off our ambos.

We intend to continue with our policy of changing the law to protect our frontline workers from serious assault which is still a sitting gap in our legislation.

As the report says, dealing with this is a case-by-case on workers' compensation it is only one of the things in the suite of ways to respond. It is most important that we prevent, do early intervention and greater support. That is why our wellness program has been resourced in the recent budget with \$6 million through the Department of Police, Fire and Emergency Management.

Ambulance Tas will also be participating in this program. It is \$6 million over four years. It is about resilience, supporting workers in need and it sits on top of other initiatives such as the existing Employee Assistance Program.

I am thrilled at the tripartisan encouragement and words following the minister's response. I thank the leader of the Opposition, Mr O'Byrne and Dr Woodruff for their words, together with the Premier. This is a team Tasmania moment in the Tasmanian Parliament. We will always do what we need to do to look after our employees, to protect them from harm and make sure they are supported while they are going through difficult circumstances as a result of their skill, care and dedication in standing in the gap to protect us in our time of need as Tasmanians.

Time expired.

Statement noted.

CRIME (CONFISCATION OF PROFITS) AMENDMENT BILL 2018 (No. 34)

Second Reading

[12.58 p.m.]

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

That the bill be now read the second time.

This bill introduces a number of amendments to improve the operation of the unexplained wealth forfeiture provisions that are contained within Part 9 of the Crime (Confiscation of Profits) Act 1993. These are non-conviction based wealth forfeiture laws.

The genesis for these laws arises from meetings of the former Standing Committee of Attorneys-General which were held in 2009. At that time, it was agreed that the introduction of non-conviction based confiscation or forfeiture laws, or 'unexplained wealth' laws, with mutual recognition across borders would be of great assistance in combating organised crime.

The fundamental principle of confiscation legislation is that people who engage in unlawful activity should not profit from breaking the laws of society, and the specific focus of the unexplained wealth forfeiture laws contained within Part 9 of the act is on all those who profit from crime, whose wealth is unexplained and cannot be linked to a crime or crimes of which they are charged and convicted. These laws are squarely aimed at people who apparently live beyond the income provided by their lawful occupation or investments; that is, they appear to have available to them quantities of 'unexplained wealth'.

Part 9 of the act commenced on 1 March 2014. It introduced processes to examine a person's wealth, and if the person cannot account to the Supreme Court for the acquisition of their wealth by lawful means, the court will make an 'unexplained wealth declaration'. This has the effect of making the person liable to the state for a sum of money equal to the value of the unexplained component of the person's wealth.

It also contains provisions relating to, among other things:

- restraining, forfeiting and valuing property;
- investigations;
- searches;
- applications and declarations; and
- a requirement for an independent review of Part 9 of the act.

The independent review of Part 9 of the act was undertaken by former Tasmanian and Commonwealth Director of Public Prosecutions, Mr Damian Bugg AM QC, in 2017. Mr Bugg's report of the independent reviewer was subsequently tabled in both Houses of parliament on 17 August 2017. The report has been considered and the bill introduces the majority of the recommendations of the report, as well as a small number of additional amendments that were identified during consultation on the bill.

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

CRIME (CONFISCATION OF PROFITS) AMENDMENT BILL 2018 (No. 34)

Second Reading

Resumed from above.

Ms ARCHER (Denison - Minister for Justice) - Consultation was undertaken with key government agencies, the Director of Public Prosecutions, the Public Trustee, the legal profession, civil liberties groups and the Australian Banking Association.

The key amendments to Part 9 provide for the following matters. Clubs and Associations: the report identifies that currently there are impediments to investigating and pursuing the unexplained wealth of clubs and associations and associated office holders. This is because section 85 of the act, which reverses the onus of proof that wealth is not lawfully acquired, only applies if it is a constituent of a person's wealth. While it is possible to argue that a 'person' extends to a club or association, the report suggested that this should be put beyond question.

The report also identifies that where a club or association has unexplained wealth on its premises, there will not always be records such as bank statements to assist with the investigation of the club or association. In some cases it may be necessary to investigate an office holder when, for example, money is found in their office at the club. The report also notes that some clubs do not have written rules or receipt books and it is not always possible to formally identify who is responsible for the finances of the club. The bill amends section 80 of the act to clarify that where a requirement is made or obligation held by a body of persons, such as an incorporated or unincorporated club or association, it is also held by each person within that club or association to the extent that the person can fulfil the requirement or satisfy the obligation given their actual or apparent authority within that club or association.

The report identifies that while it is clear that section 87 notices can be used to discover the existence of relevant information that is held by financial institutions, it is not entirely clear that the actual content of bank statements of the person being investigated can be obtained under this section. This has been problematic for investigations because, once the existence of information has been confirmed, the Director of Public Prosecutions must then obtain a search warrant under

section 111 of the act in order to obtain more specific information. However, no time limit is provided for the financial institutions to comply with the warrant and this has caused undue time delays with investigations.

The provisions applying to government business enterprises under section 88, on the other hand, make it clear that the DPP may require financial institutions to produce all records, information, material and things in the custody, possession or control of the organisation. The bill amends section 87 by clarifying that the Director of Public Prosecutions may, by written notice, require financial organisations to provide any record, information, material or thing that may be relevant to unexplained wealth proceedings or persons specified in a notice. A number of additional minor amendments are made to section 87 to give effect to this requirement.

The report identifies that there is a restriction on the use of examination orders under section 92, such that examination orders currently can only be used to examine someone about another person's financial affairs. The report notes that this provision is unnecessarily restrictive. The bill extends the operation of examination orders to allow for a person to be examined about whether his or her own wealth is lawfully acquired.

The report also recommends that section 92 be amended to provide for a person to be examined to allow for the identification of who has control of property and how it was acquired. Section 92 does not currently allow for a person to be examined about the nature, location and source of property that is subject to a restraining order or the identity of a person who may have possession or control of relevant property or documents. The bill provides that a person may be examined about the nature, location and source of property that forms or may form part of the wealth, liabilities, income and expenditure of a person who has or is suspected on reasonable grounds of having wealth this is not lawfully acquired. It also provides that a person may be examined about the identity of any person who may have the possession, control, custody or management of particular wealth, liabilities, income and expenditure and property-tracking documents.

The use of document production orders under section 97 are currently restricted to documents that relate to another person. That is, they do not allow the person who is the subject of unexplained wealth proceedings to be required to produce documents that are relevant to their own wealth. This makes section 97 of the act unnecessarily restrictive. The bill amends section 97 to clarify that document production orders may also apply to the subject of unexplained wealth proceedings.

Another impediment identified in the report is that it appears that Part 9 unintentionally restricts the use to which evidence gathered from examination orders and production orders may be put. The report notes that while the purpose of these types of orders is to obtain evidence for unexplained wealth declarations, Part 9 appears to limit the use of information obtained under these orders to facilitating the identification of such property, rather than allowing it to be used to elicit information such as proof of ownership, control of property and how it has been acquired.

The bill extends the provisions relating to the admissibility of statements or disclosures made by persons to allow for statements and disclosures that have been made by persons, including the subject of unexplained wealth proceedings to be used for proceedings under the act that may lead to the forfeiture of property. The bill also extends the provisions relating to the admissibility of information contained in a property-tracking document or statement or disclosure made by a person in complying with a document production order to allow for those documents to be used for proceedings under the act that may lead to the forfeiture of property.

Time limits on interim wealth restraining orders and wealth restraining orders: under Part 9 of the act, an unexplained wealth application may be made after a wealth restraining order has been issued. The time that is available for an unexplained wealth declaration application to be made by the Director of Public Prosecutions following a wealth restraining order being issued is currently a maximum of 21 days. The report identifies that 21 days is insufficient time for the Director of Public Prosecutions to properly analyse the amount of unexplained wealth of a person.

The report recommends that the decision be left to the discretion of the Supreme Court at the time the order is made, subject to a provision enabling the Court to require the Director of Public Prosecutions to give an undertaking on behalf of the state to pay damages if any application is not proceeded with. The bill provides that the Supreme Court may only make a wealth restraining order if satisfied that the Director of Public Prosecutions intends to make an unexplained wealth declaration application within a reasonable period that is not less than 21 days. The bill further provides that the Supreme Court may refuse to make a wealth restraining order if the Director of Public Prosecutions refuses or fails to give to the Court such undertakings as the Court considers appropriate in relation to the payment of damages or costs, or both. This provision ensures that the person who is the subject of the order is not disadvantaged if the Director of Public Prosecutions subsequently chooses not to make an unexplained wealth declaration application.

A similar problem under Part 9 of the act has been identified in relation to interim-wealth restraining orders. Under Part 9, an interim-wealth restraining order may be sought where there is an urgent need to ensure that property is preserved. Currently under the act, the Court may only make an interim-wealth restraining order if it is satisfied that an application is to be made for a wealth restraining order as soon as is reasonably practicable. Further, an interim-wealth restraining order lasts for just 3 days, excluding Saturdays, Sundays or statutory holidays. Again, this time frame does not provide the Director of Public Prosecutions with sufficient time to make proper inquiries. In order to address this issue, the bill provides that an interim wealth-restraining order lasts for 3 days, excluding Saturdays, Sundays or statutory holidays, or for a further period as the Court specifies.

In order to ensure that the person who is the subject of the order is not disadvantaged if the Director of Public Prosecutions subsequently chooses not to make an application for a wealth restraining order, the bill provides that the Court may refuse to make an interim wealth-restraining order if the Director of Public Prosecutions refuses or fails to give such undertakings as the court considers appropriate in relation to the payment of damages or costs, or both.

The report also notes that while it appears the Public Trustee is entitled to charge the usual capital commission-based fees and to claim reimbursement for the cost of pre-sale valuations under the act, if that is not the case, the Government may wish to put the question beyond doubt. In order to provide clarity around this issue, the bill amends the Crime (Confiscation of Profits) Regulations 2014 to provide for the Public Trustee to be reimbursed for any reasonable costs or expenses incurred as a result of having control or management of property under Part 9, in circumstances where those costs or expenses have not already been reimbursed.

While sections 169 and 37 are intended to work together to provide a mechanism for the Public Trustee to recover fees and costs for work performed, the use of inconsistent terminology has been problematic. This is because section 37 adopts the phrase 'custody and control of property', whereas Part 9 adopts the phrase 'control and management' of property. To address this issue, the bill also makes minor contextual amendments to section 169 to ensure the wording that is used in Part 9 is consistent with the wording that is used in sections 35, 36 and 37 of the act.

Finally, in order to remove all doubt and in order to respond to suggestions made in the Report about clarifying the intention of both Part 9 and the Crime (Confiscation of Profits) Act 1993 more broadly, I reaffirm it is the intention of the act that criminal and civil proceedings may proceed concurrently. I also reaffirm that it is intended that the unexplained wealth forfeiture laws contained within Part 9 of the act may apply to people who apparently live beyond the income provided by their lawful occupation or investments.

Importantly, it should be noted that to date, these laws have only been used when individuals have been identified in the course of drug trafficking, money laundering or other investigations where large sums of money have been seized or wealth has been identified. Further, the use of strict protocols and procedures that have been developed by the Director of Public Prosecutions and the requirement for orders to be made by the Supreme Court ensures that ordinary citizens have not been affected by these laws.

In concluding, it is worth noting that between 9 October 2015 and November 2017, approximately \$2 200 000 has been forfeited to the Crown under Part 9. This is a promising start for these laws, given that Part 9 has only been in operation since 1 March 2014, and some provisions have not yet been utilised because of the impediments which will be rectified by this bill. I also wish to point out that to date, all unexplained wealth orders have been made by consent and there have not been any challenges to the operations of the act or the work of the Criminal Assets Recovery Unit.

The Government is confident that the provisions of the bill will further improve the operation of unexplained wealth forfeiture laws in Tasmania. More importantly, however, these reforms will assist with preventing the unjust enrichment of those who seek to profit from crime at society's expense.

I commend the bill to the House.

[2.45 p.m.]

Ms HADDAD (Denison) - Madam Speaker, I am pleased to contribute Labor's position on the Crime (Confiscation of Profits) Amendment Bill 2018 and inform the House that Labor will be supporting the bill.

In doing so, I add my positive thoughts and words about the work of Damien Bugg AM QC who conducted the independent review into the workings of Part 9 of the act in 2017. It is a very well-consulted upon report and Mr Bugg has concisely explained the extensive consultation he undertook in his review of the act and the impediments the Attorney-General has explained in her second reading speech.

It is very positive to have review mechanisms embedded in legislation. This is a prime example of the people of Tasmania, the government of Tasmania and the community benefiting from the fact that a review was embedded into the act at the time of being passed. This has ultimately led to these clarifications being able to be made by way of this amendment bill.

The Crime (Confiscation of Profits) Bill 2007, which was introduced under the previous government, began some of the amendments and some of the changes in law reform we are seeing in subsequent amendments to that law, including this one today. At that time when that bill was being passed it was recognised that money laundering was a significant global problem. The International Monetary Fund estimated money laundering accounted for between 2 per cent and

5 per cent of global gross domestic product in Australia. The Australian Institute of Criminology estimated the total proceeds of crime generated by all types of crime was well into the billions. At the time, the legislation operating in Tasmania was outdated and referred just to money laundering offences. That bill modernised those previous money laundering offences by introducing four new offences relating to the confiscation of profits and criminal activity.

As is referenced in Mr Bugg's report, in 2013 there was a further amendment by way of the Crime (Confiscation of Profits) Amendment (Unexplained Wealth) Bill 2013. That bill further amended the unexplained wealth forfeiture laws operating in the state. In 2013 the amendment bill put forward by the government of the day made it clear the fundamental principle of confiscation legislation was that people who engage in unlawful activity should not profit from breaking the laws of society. At that time the act enabled the courts to make three types of recovery orders: confiscation order, forfeiture orders, and pecuniary penalty orders. At that time the confiscation and forfeiture orders were used to recover assets generated from, or used in a crime, including any profits made through the commercial exploitation of the notoriety gained from committing an indictable crime, for example, by publishing a book. Pecuniary penalty orders were made amounts payable to the Crown based on the benefits derived from an offence or other illegal activity. Each of those orders could only have been made after a person had been convicted of a specific crime on which the confiscated asset was used or from which the confiscated assets were acquired. That is, they were conviction-based confiscation and forfeiture laws.

However, it was recognised organised crime can be different from other crime in that it is an economic activity where participants accumulate capital and then reinvest it back into the 'business' that is the criminal enterprise.

That was the context of the bill at the time which embedded the review mechanism that Mr Bugg ultimately conducted in 2017. He noted in his work that the intention of Part 9 of the act was to deter organised crime by targeting the profit and removing the funds which would otherwise be available for use in further criminal activities; to target people who organise and derive profit from crime and whose wealth exceeds the value of their lawful earnings, but who may be difficult to prosecute and convict of specific crimes or offences; to provide for unexplained wealth declarations to be made without having to prove that the respondent had engaged in specific criminal activity or provoke a link between the commission of a specific offence or the person's wealth; and to introduce non-conviction-based civil forfeiture laws involving a presumption that respondents have not lawfully acquired their wealth unless they prove otherwise.

The review required an assessment of what had been achieved under the provisions of Part 9 of the act, including the number of proceedings and the quantum obtained from unexplained wealth declarations made under that Part, whether the interaction between criminal proceedings and civil proceedings under Part 9 of the act was operating efficiently and as intended, any deficiencies or unintended consequences, any impediments to the implementation of Part 9 of the act, and any proposed improvements to that Part.

I note that Mr Bugg made a number of recommendations. He recognised the achievements of the act, in particular that a unit had been established in October 2015 following the commencement of the act from 1 March 2014. However a forensic accountant had only been in place for 12 months at the time of the review. He noted that 10 matters had been dealt with under the provisions of Part 9 of the act and all of them had been concluded with consent orders, as the minister noted in her second reading speech.

He also recognised many of the deficiencies and unintended consequences or impediments from the way that the act, at that time, had been drafted. Some of those have been explained in detail by the minister, including the perceived inability to deal with unexplained wealth of a club or association; the processes required and lack of time limits for financial organisations to supply detailed transactional records; restriction of orders issued under the part to provide admissible evidence about who has control of property and how it is acquired; inability to examine a person about his or her own wealth using an order under the act; instances of insufficient time within the statutory time frames available to determine the actual amount of unexplained wealth; the issuing of a search warrant on a bank or financial institution with no branch in Tasmania; the ability of the Public Trustee to be able to deal with property that is deteriorating or costing significant amounts of money; and inadequate provisions or guidance for the Public Trustee to provide for the payment of fees and charges it may incur.

Not all of those issues have been dealt with in this amendment act but they did not need to be. I am led to believe that the limitation noting that guidelines for the Public Trustee were in order has been achieved through a change in regulation, the ability for the Public Trustee to deal with property that is deteriorating, et cetera, is covered in another part of the act and is not an impediment to the Public Trustee, and the issuing of search warrants on banks and financial institutions with no branch in Tasmania is not achievable at the moment because it would require national reform and similar provisions in acts in other parts of the country.

Ms Archer - That may be subject to future consideration.

Ms HADDAD - Excellent. The Attorney-General says by interjection that would be subject to future consideration. On that note, it is worth noting that much of what has been achieved in this act as well as the previous amending acts in 2013 and 2007 were as a result of extensive work by the Standing Committee of Attorneys-General as well as other COAG bodies. It is important that Tasmania keeps pace with the kinds of criminal liability and confiscation laws that operate in other parts of the country. For that reason Labor will be supporting the changes in this bill.

The minister reiterated in her second reading speech, as did Mr Bugg in his report, that it is indeed the intent of the bill that criminal and civil proceedings can occur concurrently and for that not be the case would frustrate the operation of the act entirely.

I thank the minister's office and the officers of the Department of Justice who provided me with a briefing earlier this morning at the conclusion of question time. My thoughts and contributions would probably be a little more detailed had I had more time to prepare them; however, I thank the department for pulling together a briefing at short notice this morning on instruction that the bill was being brought on for debate today.

I note that many of the provisions of the act will simply make the work of the legal profession and the courts much more straightforward in dealing with organised crime and the confiscation of profits as a result of crime, including financial and real property.

[2.57 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, I rise to comment for the Greens on this independent review of Part 9 of the Crime (Confiscation of Profits) Act 1993. I want to return to the original passage of the principal act which went through this place in August 2013. It was the subject of long and considered debate and a very useful tripartite decision was reached to amend the original bill before the House and insert the requirement for this review to take place, a proposal

that was put first by Mr Morris, the Greens member, seconded by other members including Mr McKim, adopted by the Labor minister, Mr Wightman, and also supported by the Liberal Party member, Mr Groom.

There was a unanimous agreement from all members who spoke that a review may be a very sensible thing to be conducted. When an act such as this is as complex as it is, and seeks to overturn a clear important foundation of our legal system which is the presumption of innocence, it is very important that we look to reviewing that legislation and consider the impact of it after a suitable period of time has passed. Three years was generally considered to be enough time to have collected some evidence and to be able to make a considered assessment. I thank Mr Bugg for the work he did. It is a good review and I like the way he prepares his information.

The Greens have taken a position on the underlying legislation that there is not a strong enough case for an overwhelming public benefit to support reversing the onus of proof, which is what this legislation does. It basically means that if a person is convicted of a crime, certain property flowing from the profits of that crime are confiscated by the state. It also means that profits can be forfeited if a person is not convicted of a crime but, where there is good evidence and speculative evidence, a relationship is established to suggest those profits arise from criminal activities.

The concern was in part about who would be scooped up by this legislation. Concerns were raised by numbers of members. Members from the Liberal Party and the Greens were raising questions as to whether the effect of this legislation would be to target the 'Mr Bigs', or whether 'Mr Littles' would be inadvertently captured by this legislation. I will return to that matter when I go to some comments made by Mr Bugg about the evidence we have as to how unexplained wealth has been applied in this state since the law passed.

Parliaments need to be very careful when reversing the onus of proof. It is one of the most important foundations of the legal system. It has always remained with the Crown and relates to the presumption of innocence, that you are innocent in the eyes of the law until you are proven guilty.

This legislation this bill seeks to amend already gives the state the power to seize property or wealth without proving a crime has been committed and it is a significant reversal of the onus of proof. The purpose of introducing the statutory review, which was supported by parliament, was so that there could be a serious investigation of the impacts of this legislation. What we find is interesting. Annexure C of the DPP's report provides the information of the moneys that were seized in the 2015-16 financial year. Moneys were seized from four people with quite varied amounts, the smallest being \$3000 and the largest being \$700 000, totalling \$823 000 in that financial year in all. Maybe incorrectly, but I heard the minister say that all of the forfeitures had been consented to or negotiated. That is not how I read annexure C from the DPP but perhaps the minister could give me -

Ms Archer - You might be reading civil and criminal together instead of applying to one.

Dr WOODRUFF - I am referring to annexure C in relation to 2015-16. I noticed that for the three larger amounts, \$30 200, \$90 000 and \$700 000, those three matters were negotiated and were agreed to between the defendant and the DPP.

Ms Archer - That is a consent order.

Dr WOODRUFF - That is the consent order? Is it not in relation to unexplained wealth seizures?

Ms Archer - A consent order is that it is agreed rather than forced.

Dr WOODRUFF - Yes, that is right. Correct, but in the case of Scott Cripps, who had \$3000 seized, there was initially an amount of \$5010 from an overseas account and \$630 in cash, which was seized from his house. Mr Cripps was charged with trafficking in a controlled substance and numerous drug-related summary matters such as possessing, use and sale. The matter involved small quantities of numerous uncommon controlled drugs and steroids being imported by the accused. The accused claimed they were for personal use for body building. The accused was also sending large sums of cash to the Philippines and China. The accused's wife and friend were intercepted by police in the process of spending \$5010 overseas and \$630 in cash was seized from their house. The accused claimed they send money to his wife's family in the Philippines and cash at the home was in savings. There were some difficulties in proving the accused was trafficking, given the quantities of the drugs located. The matter was negotiated and was dealt with in the Magistrates Court with numerous amendments to the complaint to encapsulate the true criminality. The amount of \$2640 was returned to the accused and \$3000 was forfeited as unexplained wealth. This amount was reflective of his admission to selling steroids. However, the amount sold could not be particularised to be dealt with as a pecuniary penalty or forfeiture order.

This raises a number of concerns for me in reading this report. It is a starkly different case to the other three reported for that financial year. The largest difference is the amount involved. Second, an initial amount of \$2640 was returned to the accused, almost half of what had been seized. It was recognised subsequently that almost half of the amount seized by police needed to be returned and ought not to have been seized in the first place.

It is also clear that this is a marginal case, by the DPP's admission. The matters involved small quantities of numerous, uncommon controlled drugs and steroids. However, there were difficulties in proving the accused was trafficking, given the quantities of the drugs located. How I read it - and the minister might correct me - but it does sound as though we are talking about a borderline case between personal levels and trafficking levels and that is indeed borderline. We need to keep a close eye on how this act is being applied.

This is nothing like the case of the \$700 000 in unexplained wealth seized from Royden Swan in December 2015. It was clear Mr Swan was operating a business of selling drugs and the assets seized could be used to infer the scale of the trafficking. That man was sentenced to four years imprisonment and the other people involved were sentenced to 12 months imprisonment that was suspended on condition they did not offend again. That is an utterly different scale and it was quite clear from the other evidence surrounding that case that criminal activities were occurring.

We need to be very mindful of what this bill does enable. It does enable a presumption of innocence to be set aside and for people to be presumed guilty so that monies can be taken by the Crown. In all cases, that needs to be done in a way that is utterly transparent. The evidence used by the DPP or police needs to be part of a very clear chain of evidence so that suitable investigation or assessment by an external statutory body, if needed, can be applied to make sure things are being done properly. It is a very unusual situation that parliament has agreed to.

There are two others things I would like to ask for the minister's views on. Mr Bugg, on page 28 of the report, makes reference to cryptocurrency and he says that the Tasmania Police advised him

in a follow-up meeting after he had taken oral submissions that law enforcement agencies had identified serious organised crime groups and individuals were utilising cryptocurrency as a covert mechanism of increasing and concealing wealth, making legitimate purchases and financing criminal activities such as drug trafficking. Cryptocurrency and its use to hide profits of crime is a matter that is evolving and other jurisdictions are considering what actions they might take.

The use of cryptocurrency and whether the act should be amended to ensure appropriate powers for Tasmania Police or other law enforcement agencies to discover the existence and amount of any cryptocurrency as part of an investigation of unexplained wealth, is worthy of further consideration by the Government.

This bill before us does not attend to cryptocurrency. Perhaps the minister could talk about where the Government is up to, whether other legislation is forthcoming and, if you know it, what other jurisdictions are doing in terms of legislating on that matter?

The second issue relates to the Public Trustee and issues addressed by Mr Bugg in the report. In its submission to this review, the Public Trustee raised some matters that it suggested would be assisted by amendments to the act and a number of these have been dealt with in the act. Mr Bugg makes reference to a possible amendment to section 158 in relation to the Public Trustee being able to claim reimbursement for the cost of a pre-sale property valuation if, prudently, the Public Trustee engaged a valuer to ensure the property was being sold for an appropriate price. These are minor costs but important costs to recoup so the Public Trustee is not out-of-pocket in these matters.

As a matter of policy, Mr Bugg recommended the Government might wish to put the matter beyond doubt with an appropriate amendment to section 158 and it seems the Government has chosen not to do that. He also suggested the Government may wish to consider providing the Public Trustee with a policy direction or guidance about the appropriate payment of fees and charges, including capital commission based fees, which it may incur in complying with orders under the act. What was the thinking about the amendment to section 158 suggested by Mr Bugg? Has there been any consideration made to providing a policy direction to the Public Trustee in relation to the appropriate payment of fees and charges when they are complying with orders under the act?

The Greens made a submission to Mr Bugg's review and he very thoroughly addressed the two concerns we raised and I thank him for his attention to that. We will continue to keep an eye on the seizures made in relation to this unexplained wealth and confiscation of profits act because it is very important we are attentive when we are providing for such a change in the long-standing legal presumption of innocence within our justice framework.

I thank the staff who provided the work and briefing on this and look forward to the minister's comments in response to the questions I have asked.

[3.15 p.m.]

Mr HIDDING (Lyons) - Mr Deputy Speaker, I support this important bill. It highlights a form of policing that has been particularly successful in Tasmania. I note from the previous speaker that the Greens are maintaining - and it is one thing you can say for them, they maintain their position regardless. Back in 2014 their then leader told the House that he was not convinced that an overwhelming public benefit exists to have this system of reversing the onus of proof, so did not support the passage of the bill through the House. They are the Greens -

Dr Woodruff - He spoke with concern about a number of matters.

Mr HIDDING - He did not support the legislation. From the previous speaker it sounds like the Greens still do not support the legislation, which is hardly surprising.

It works, it is successful, it actually disrupts crime, and is a massive deterrent. Lawmakers may not have understood just how successful it would be as a deterrent. There is a very natural process that takes place when somebody hands over unexplained wealth, either through a consent order or through an order of a court. Much of it one would imagine would be done by consent orders rather than go to a court and have your case being heard in public, having to explain why you own a \$1 million farm, why you have three cars and four boats and you have not held a job for the last four years. Why would that be the case? Everybody knows what is going on.

This is a major element of fighting crime in Tasmania. It was brought in by the Labor government. It was not supported by the Greens at the time, but was supported by us. However, when we found that -

Dr Woodruff - That is not true. It was supported by Mr Morris and Mr Booth. That is not true, Mr Hidding.

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Mr HIDDING - It was not supported by the Greens.

Dr Woodruff - That is not true. Mr Hidding should correct the record.

Mr DEPUTY SPEAKER - Order. You are allowed to differ.

Mr HIDDING - When we came into office we found out that the funding for the DPP was not in place for there to be a genuine unit of forensic accounting dedicated to this task. We funded that unit and provided a very senior and experienced police officer into that role to work with the DPP. It did not take long before we started to see the fruits of our labours. When you speak to Tasmanians about the simple logic: given this day and age, a white collar criminal who has a distribution racket of illegal drugs going on is extremely difficult to catch. Much of it is done by the digital movement of goods and through alternative currencies and all sorts of ways of running white collar crime, yet they get away with it and they flaunt their wealth.

That is not possible now as the bar has been lowered. The state might not be able to prove a case against that person's culpability, but they can prove that that person has money they cannot explain where it has come from. It might have been that in 2013, that was five years ago, but even more relevant now to state that in this day and age there would barely be \$100 in somebody's possession that could not be explained through something. Saying, 'I do not know where it came from,' is not an excuse, particularly if it is \$100 000 or \$1 million. It is nonsense. If you cannot show where you legally obtained that money it is presumed by the Crown that you could be taken before a court. A case could be made under this legislation to say that because this person cannot prove where the money has come from it should be taken off this person and put into consolidated revenue.

There has already been millions go into consolidated revenue and there will be more. I am no longer in a position to know these matters, but I am sure that at any given time there are millions in assets that are attached for the purposes of looking at them. It might take 12 or 18 months before a consent order or a person is hauled before a court of law to explain the provenance of that money

or those assets, and how it is remotely possible that a person was able to buy a farm and owe no money on it when they had a job paying \$50 000 a year. Therefore the property is attached and eventually goes on the market and the funds recouped from that go into consolidated revenue.

But it is not about the money. The process is not to pump up the consolidated revenue of this state. The process is to disrupt crime. Put yourself in a position of being one of these people who is running an illegal racket or activity of some kind. Once you have lost your assets as a result of that, why would you go back to your previous behaviour? Under what circumstances would you go back to your previous behaviour? You are putting yourself at risk. You are now known to the law and justice community as somebody who has had half a million dollars taken off them and you are going to be under forensic scrutiny for the rest of your life as to what you are up to. After five years of scratching out a bit of a living or income from criminal activity, they are going to take it off you again. What would you do? You would stop doing it and get yourself a legal job like everyone else and earn your money as you are supposed to, rather than the lazy, criminal and corrupt way you were going about it before.

It is a massive deterrent and this presumption of innocence story - that is the beauty of this legislation - does not require anybody to be required guilty. That is the point. That is a much higher bar than actually taking the money off them.

As I understand it in policing terms, any consent order to losing any assets does not presuppose that the police will lose interest in you or look elsewhere. From then on, they will be just as interested in you as they were before in case you accumulate more funds. It is a brilliant method of policing that has swept the free world in the last 10 years or more. When I was in a position of influence in this space, I listened to a long contribution from the then national director of the Australian Crime Commission, now the ACIC. I think he has gone on to be commissioner of police in Western Australia. He came from Western Australia, took that role and is back now as head of the police service in Western Australia. As the head of the Australian Crime Commission, he spoke about how important it was to follow the money. In following the money, they often stumbled across evidence they could use to get the person as well. That was a side benefit. You went after the money in order to have a massive deterrent to others who, after you have been picked up, might want to pick up your trade and craft if they had learned that, and get involved in all sorts of lurid activities.

I was told back then by the head of the Australian Crime Commission about a drug cartel that was based in Mexico with products coming through the west coast of the United States, finding their way into Australia and being distributed by an outlaw motorcycle gang in Australia. Your blood chills to understand how big this is. How many millions of dollars are involved? How do they get away with it, and for how long do they get away with it? The 'follow the money' process was devastating to that outfit and, for that and other reasons, that activity was severely disrupted in the past.

This form of policing has very strong support on this side of the House. Since my time a forensic accountant has been appointed to that unit. I think that might be supported by your department, Attorney-General. Forensic accounting up until now was only available through the purchase of outside consulting services. There are large national companies involved in forensic accounting which sell their services for that process. I have said to some of my family and people I know who are interested in business degrees that that is a form of accounting you could get right into and apply for the good of a nation or a state to disrupt serious criminal activity.

At the end of the day, if a dollar is created through criminal activity it is traceable somewhere. You can trace it back to the people who should not have it, and the best way to deal with it is to take it off them under a proper process. This review has shown that the process is proper. In spite of the fact that it is some of the toughest legislation in Australia and the envy of many around the world, this has not been misapplied. The case mentioned by the previous speaker about \$5000 and \$2600 being given back, is a good news story; that is how it works. The first thing you do is take what you presume are the profits of crime because it is unexplainable, you put the \$5000 into a bank and go through a process. You could take the view that \$2600 could be explainable to a significant degree and you could give that money back, but the point is after that exercise of getting the \$2600 back, the chance of that person going on with nefarious activities would be significantly lowered.

As names have been bandied around in this House and this is a public report I will not speak on that anymore because that could get a little close to home, but anyone with half a brain would work out that once you have been sprung and have lost the assets that came from your activities you might just as well give it up because you have been identified, so what would be the point with going on with your activity?

I am delighted by the point Mr Bugg makes that since the introduction of the unit there has been a significant increase from previous years in the amount seized under traditional conviction-based orders, and that makes sense too. That is a judgment this unit, Tasmania Police and the DDP can make as to whether they go the route of a traditional consent order, and of the various orders that are there that has increased, but that is the purpose of this legislation. It does not matter which way we get it. This state will be after your assets if you have been involved in criminal activities, and you will get it one way or the other.

It is clear to me that this Government is continuing to provide Tasmania Police and the office of the DDP the tools they need to go after and disrupt organised crime. This is an act that was strong already. This bill will improve the operation of the act and better allow the exceptional unit within the DDP's office to target the profits of crime.

It is disappointing to hear from the Tasmanian Greens that they still have reservations. If they have genuine reservations they really should explain to the House just how it could be, because of this principle of reversing the onus of proof, that somebody has three cars and four boats and has not had a job in four years. How does that come about? Are Tasmania Police and the DDP really expected by the Tasmanian Greens to turn the other cheek knowing where it has come from, walk away and let that person but a few more cars and boats?

Dr Woodruff - You're just rambling on. You didn't listen, did you?

Madam SPEAKER - Order.

Mr HIDDING - How did this improve Tasmania? As always, the Greens have chosen a side in law and order and it is the wrong side.

[3.30 p.m.]

Ms ARCHER (Denison - Minister for Justice) - Madam Speaker, I thank members for their contributions today. I note that my shadow, Ms Haddad, did not ask any specific questions. In the context of responding to some of the issues raised, I will go into a little more detail wherever I can.

The member for Franklin, Dr Woodruff, asked a couple of questions. Specifically, Dr Woodruff drew attention to a person, reading from annexure C of the DPP report's additional information on page 73. I am not a great fan of naming people, although that information is on public record. It must be remembered that these forfeiture laws are civil in nature. Although these laws are often intended to run concurrently with criminal matters, they are not always. Specifically in relation to that matter to which Dr Woodruff referred, it does state that the accused was also sending large amounts of cash to the Philippines and China. Although the final amount obtained was \$3000, you can take from it that the investigating authorities had this person in their sights because of a large amount of unexplained wealth, which is entirely consistent with the intention of this legislation. That \$3000 was forfeited as unexplained wealth does not necessarily depict the true nature of exactly what they were dealing with.

It does go on to say that this amount was reflective of his admission to selling steroids. In other words, that was the proportion they could establish. However, the amount sold could not be particularised to be dealt with as a pecuniary penalty of forfeiture order. Reading between those lines, you can see the amount received was not necessarily the amount they were looking at with that particular individual.

Dr Woodruff - You said they were all consensual.

Ms ARCHER - I did try to explain by interjection. I will explain now. Parties to civil proceedings enter consent orders if negotiation and an agreed outcome are reached. It is by consent because it is negotiated. That is what we mean in that situation. Sometimes it may not need to be negotiated because they may immediately agree with the amount proposed. More often than not, it will be negotiated and may arrive at a lower figure as an agreed outcome. Mr Hidding and I were having a chat and in one particular case they were looking at around \$1 million. The agreed outcome was \$800 000, so clearly there was a negotiated outcome and that was by consent. I hope that explains it.

In relation to the issue of civil and criminal proceedings running concurrently and what Part 9 aims to do, the unexplained wealth forfeiture laws under Part 9 are non-conviction base civil laws. Section 183 of the act specifically states that proceedings under Part 9 are taken to be civil proceedings for all purposes. Further, the unexplained wealth laws under Part 9 are intended to be remedial and preventative. No conviction, imprisonment or fine is imposed under these laws.

As I said in my second reading speech, a comprehensive range of safeguards are in place under Part 9 with respect to obtaining orders from the Supreme Court and matters the DPP has to comply with and so on. The unexplained wealth laws introduced by Part 9 are squarely aimed at those people who apparently live beyond the income provided by their lawful occupation or investments. They appear to have available to them quantities of unexplained wealth. They are the people being looked at. The primary intention of the bill is to remedy the unjust enrichment of criminals who profit at society's expense.

This view is confirmed by Mr Bugg in his report. He expresses the opinion that after reading the *Hansard* of debate in both Houses of parliament and the second reading speech with respect to the original bill, which came into force on 1 March 2014, he does not believe it was parliament's intention to confine the application of Part 9 to senior organised crime figures or to the 'Mr Bigs' and to exclude the criminals who commit crime for profit. Parliament can also rest assured that to date these laws have not been used indiscriminately against ordinary people who have been suspected of engaging in minor violations, one-off incidents or small-scale criminal activity. I go

back to that example; that they only managed to obtain \$3000 is not necessarily truly reflective of their original suspicions and what they were able to establish in that particular case.

The cases investigated since Part 9 commenced operation reveal that these laws have only been used when individuals have been identified in the course of drug trafficking, money laundering or other investigations in which large sums of money have been seized or wealth has been identified and there appears to be no legitimate explanation for the wealth. I want to clarify for Dr Woodruff that I did not say that it dealt with large sums of money in all cases. I said, 'or wealth has been identified and there appears to be no legitimate explanation for the wealth'. That explains the individual in question. It may not necessarily be a large sum, but unexplained wealth.

It should be noted that strict protocols and procedures have been developed by the DPP to ensure ordinary citizens are not affected and there is oversight by the Supreme Court of the orders made under Part 9.

As to cryptocurrency, Dr Woodruff quite rightly pointed out that recommendation 2.12 recommended the Government consider further the issue of cryptocurrency. Recent actions taken or proposed to be taken by other jurisdictions in relation to this matter and whether the act should be amended to ensure appropriate powers for Tasmania Police or other law enforcement agencies to discover the existence and amount of any cryptocurrency. Section 4 of the act defines property as real or personal property of every description, wherever situated and whether tangible or intangible, including any interest in such a property. It is considered that this definition is already broad enough to capture cryptocurrency and no changes are required to the definition.

One impediment to enforcement of unexplained wealth laws involving cryptocurrency maybe the same impediment identified in respect to executing search warrants on financial institutions with head offices in other jurisdictions. This may cause problems in acquiring information from exchanges dealing in cryptocurrency because it is likely that all exchanges will have head offices located either interstate or overseas. This issue cannot be resolved easily or quickly by the Tasmanian Government. It may be subject to future consideration at a national level because it is something that is being looked at nationally. Further policy work is being undertaken to identify a possible solution to the problem at officer level.

Tasmania Police has advised that a more significant impediment is the inability of police to obtain passwords from the person who is being investigated. This information would allow police to directly obtain information about transactions involving the purchase and sale of cryptocurrency. It is considered that the proposed amendment to allow for a person to be examined about their own wealth will largely overcome this problem.

We have partly dealt with it and the part that is being dealt with at a national level, we should benefit from work being done in other jurisdictions. I cannot give you an update of where each individual jurisdiction is up to; I do not have that information at hand. Those discussions are going on inter-jurisdictionally and nationally.

Dr Woodruff - So we are engaging in that process at the national level?

Ms ARCHER - Yes, we are engaging.

All members in this House will appreciate these technologies are rapidly developing and there are challenges with cryptocurrency in any event.

The matter of dealing with the Public Trustee. The member for Franklin, Dr Woodruff, might be a bit confused about recovery fees and expenses because we have dealt with that aspect in the act. What we have not done are the recommendation with respect to the power for the Public Trustee to sell or destroy property and I will run through that.

Dealing with fees and expenses, recommendation 2.11 recommends the Government consider providing the Public Trustee with policy direction or guidance about the appropriate payment of fees and charges it may incur in complying with orders under the act. The report notes that while it appears the Public Trustee is entitled to charge the usual capital commission based fees and to claim reimbursement for the cost of pre-sale valuation under the act, if that is not the case and I said this in my second reading speech, the Government may wish to put the question beyond doubt. In order to provide clarity around the issue, the bill does amend regulation 9 of the Crime (Confiscation of Profits) Regulations 2014. The regulations have been amended to deal with that so the Public Trustee can be reimbursed for any reasonable costs or expenses incurred as a result of having control or management of a property under Part 9 in circumstances where those costs or expenses have not already reimbursed.

While sections 169 and 37 are intended to work together to provide a mechanism for the Public Trustee to recover fees and costs for work performed, the use of inconsistent terminology has been problematic, and my second reading speech covered that. That was because of that differentiation in terminology in section 37 and Part 9 adopting a different phrase to which I referred also in my second speech. Clause 15 of the bill addresses this issue. It makes a minor amendment to section 169 to ensure wording that is used in Part 9 is consistent with the wording used in sections 35, 36 and 37 of the act. The fees and expenses have been dealt with.

What has not been dealt with is recommendation 2.9.6 which recommended provision be made for the Public Trustee to apply to the Supreme Court to sell or destroy property entrusted to it under the act. The bill does not implement this recommendation because under section 164 and 165 of the act there are already mechanisms for the Public Trustee, as an entity which has responsibility for the control or management of restraint or forfeited property, to apply to the court for an order to destroy or sell property. Our advice is that there is a clear avenue under sections 164 and 165 for a person who has responsibility for the control or management of restraint, or forfeiting property to apply to the court for an order to destroy or sell it. Further, under section 165(3), the Public Trustee may also sell restrained property that is not land without a court order, provided it obtains the minister's approval.

That deals with those issues that were raised by members.

I thank members for their support of these amendments. With the review of this act it has been very useful to see that a reversal of the onus has not meant that the sky has fallen in; it has been working very effectively and has not been abused. No rights have been trodden on with respect to having strict adherence to the act with the safeguards that are there. It is always important to have the safeguards.

This has been a great success story not only for the DPP but working in conjunction with Tasmania Police. The unit has worked very effectively; \$2.2 million with respect to the civil side of recovery but to date in excess of \$3 million in total has been recovered, taking into account the connection with the criminal orders as well. It is something that is working.

I have no doubt that these amendments will ensure that whatever has been put on hold or unable to be investigated fully can now be looked at. As Mr Hidding said in his contribution, sometimes there is probably an extended watching brief over a number of individuals and nobody should benefit from the profits of crime. That is the pure intention of this act and specifically its legitimate public policy objective is to remedy the unjust enrichment of criminals who profit at society's expense. The act is also aimed at deterring organised crime by targeting the profit and by removing funds which would otherwise be available for use in further criminal activities and so it is also preventing that further criminal activity.

My thanks go to the very hardworking staff who work on these bills, providing advice not only to me but to all members who request briefings prior to debating these matters in parliament. I thank them and all the staff at the Department of Justice and Tasmania Police as well for their ongoing hard work in this area. I commend the bill to the House.

Bill read the second time.

Bill read the third time.

EMERGENCY MANAGEMENT AMENDMENT BILL 2018 (No. 25)

Second Reading

Resumed from 19 September 2018 (page 44)

[3.50 p.m.]

Mr BROOKS (Braddon) - Madam Speaker, I rise to continue my contribution which began last Wednesday. I had a look at the contribution made by Dr Woodruff prior to my standing and also reflected on what I had said in the six minutes of debate remaining until the luncheon period last Wednesday and I still stand by my contribution. Mine is relevant to the bill, unlike Dr Woodruff, who did not mention any of it during her contribution.

Dr Woodruff - It was the most relevant contribution made so far. How can climate change and emergency not be relevant?

Madam SPEAKER - Order, Ms Woodruff.

Mr BROOKS - I am not surprised only 4 per cent of people voted for them in the north-west. I will not do what the Leader of the Opposition does to try to make her speeches longer by rereading *Hansard* into *Hansard* but I will continue where I left off.

Mr O'Byrne - You have only one speech and you repeat it every time you get up.

Madam SPEAKER - Order, Mr O'Byrne. Please be respectful.

Mr BROOKS - Yes, and congratulations on getting elected this time around.

Mr O'Byrne - Do you know I actually got more votes than you?

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

Mr BROOKS - This is a very serious matter. I was talking last week about what Dr Broad said about learning from previous experiences. I am not sure if Mr O'Byrne has read it but I congratulated him when he was the minister for taking on board the feedback of the Latrobe community regarding the floods and addressing some of the concerns around the infrastructure when he was the minister for infrastructure under the Labor-Greens disaster.

I recognise that Mr O'Byrne as the then minister in the then government took on board what was learned from that and made changes to the infrastructure in that region around the flow of water, in particular along the Mersey as it enters at Latrobe closer to Bells Parade. That was fed directly back in from the forum I held alongside the now member for Mersey but then Mayor of Latrobe, Mr Gaffney. It was important to acknowledge the work that had been done but as we saw a few years ago, it was not enough to handle that event.

It is also important we recognise the work our State Emergency Service volunteers do. It is a vitally important role they perform. Because of the population of this state being relatively small and dispersed, it has one of the highest median ages of the nation and Tasmania's population also fluctuates with the tourist seasons. As an island state, that means transport networks are of critical importance with numerous seaports and airports to enable access, combined with our tourism benefits and the diverse areas and regions some of these tourists go to, makes it crucial that we have a range of response and recovery arrangements that are maintained not only for road crash rescue and search and rescue but also managing environmental pollution on the land and at sea. It is important that we acknowledge the difficulties our emergency response management structure and team face, given the remoteness of some of these areas throughout the state and around the waters of Tasmania.

Bushfire is probably Tasmania's most prominent natural hazard. I will not repeat what I said previously about the Dunalley fires, but also storms, flooding and landslips are identified natural hazards affecting the community. We have seen too often a range of events that have heightened the focus on emergency management, security arrangements and the capability across all governments, and coupled with emerging issues these have led to a renewed, comprehensive all-hazards approach. It is significant that Tasmania has included the integration of security arrangements with emergency management arrangements so that similar arrangements apply to emergency events, irrespective of the cause.

If you look at that as an example of where we need to remain focused, not only on what Dr Broad said during his contribution but also what this Government is focused on, what have we learned from the past and how do we help address that? When these things happen, as I mentioned previously, they could be deliberately lit fires or natural occurrences but we need to manage them in a very similar way, taking into account those reasons I outlined.

Disaster resilience is a shared responsibility for individuals, households, businesses and communities, as well as for governments. We need to focus on following strategic priorities to build disaster-resilient communities. We all saw that during the most recent fires and floods in the north-west, where the community was actively participating alongside our emergency services in helping rescue people and putting in fire breaks around properties or clearing firebreaks through areas to try help the emergency services sector and contributing as volunteers within their community. That should be welcomed and encouraged. We saw civil contractors utilising their skills and equipment at their own cost to lend a hand to their fellow community members and help protect property and life.

The Tasmanian Government has plans and arrangements for dealing with a broad range of potential emergencies. Taken together, they form an all-hazards framework for emergency management. Emergency management is viewed as a continuum of prevention and mitigation, so measures to reduce the incidents or severity of emergencies by preventing events from occurring or, where that is not possible, by putting in place arrangements to mitigate their effects, as well as preparedness arrangements to ensure that should an emergency occur, all those resources and services that are needed to cope with the effects can be mobilised and deployed. Actions taken in anticipation of, during and immediately after, to ensure that its effects are minimised include issuing necessary public warnings and ensuring that people affected are given immediate relief and support.

Finally, part of that framework is the recovery and that is the coordinated process of supporting emergency-affected communities in reconstruction of the physical infrastructure and the psychological, social and economic environment and physical wellbeing of those communities. It is a very important aspect of what needs to be considered. The Hodgman Liberal Government is committed to enhancing the community's resilience. While we do not like to see it happen, we know these things do. We look at how we can prepare as best we can for these occurrences and how we can support actions to mitigate the risk and help communities recover after natural disasters.

Last week, the Government publicly released the report and details of progress made on the recommendations in the Blake Report of the Independent Review into the Tasmanian Floods of June and July 2016. I mentioned some specific memories of my own from that time and it is vital we learn from our experience, as has been pointed out by members opposite. This Government is a listening and learning government. We do not have all the answers and we have not fixed everything yet. There is much more work to do and part of this is our continual thought toward improving, looking at what we can do better and how we can make things easier and simpler each and every time. That is what we, as a government, are trying to do. Everyone who looks at their own experience asks what they have learned and what they are going to do.

It is vital we learn from our experiences and that is why, in late 2016, the Government commissioned the former auditor-general, Mike Blake, to conduct an independent review of the 2016 flood event. Mr Blake's report was released in June 2017 and considered by the Government in November 2017. Mr Blake found the response to the floods of all levels of government, emergency services and the community was generally robust. However, with the benefit of hindsight, it is clear the overall response could be improved in some areas for future events. Since the release of the report, the Government has been getting on with the job of implementing the recommendations. It is crucially important, to the credit of the minister and the credit of the Government, that we are actioning rather than sitting on a report and recommendations and taking on board what the community has said. That is a continual process.

The Government has been working on dealing with those since the release of the report. Many of the recommendations are complex and require Tasmania to work with local government or the Australian federal Government to progress. Some will take years to fully implement because of the complexity of these matters. The Blake review provided 24 recommendations to improve Tasmania's response and resilience to flood events and five of those recommendations are now complete. Eight recommendations are scheduled for completion this calendar year and the remaining 11 recommendations are underway and on schedule.

Some examples of the work the Government has already done in response to the Blake report include: a commitment to end the controversial practice of cloud seeding; a commitment of the current funding for a central flood policy unit responsible for coordinating flood policy across all

Tasmanian government agencies; the commencement of the major flood mapping project worth a total of \$3 million, with equal contributions from the Tasmanian and Australian Governments; the State Emergency Servicing progressing development of a flood warning system, designed to be consistent with future national flood warning frameworks and scheduled for release by the end of 2018; the Department of State Growth's completion of phase 1 of the Enhancing Tasmania's Bridge Infrastructure Emergency Management Planning Project; the Department of Premier and Cabinet's development of new whole-of-government arrangements to support community recovery and better coordinate Government activity after emergencies; and the establishment of a recovery partners network to support liaison and collaboration between Government and non-Government organisations involved in the delivery of a range of services. The progress report is available on the Department of Premier and Cabinet's Office of Security and Emergency Management's website.

It is important we all thank Tasmania's emergency service personnel, who act with diligence and bravery when responding to emergencies as they did during the floods in June and July 2016 and who do an incredible job in the face of extreme and challenging circumstances. Tasmania has a strong emergency service contingent that is well trained in preparedness, response and recovery and the Hodgman Liberal Government is committed to keeping Tasmanians safe. We will continue to support our career and volunteer emergency responders.

It is vitally important we recognise those professional emergency services responders and so many volunteers who give up their time to attend emergency events and training. It is a crucial part of any emergency situation. Even on worksites you see emergency response teams training. More importantly the volunteers of organisations such as the SES often give up their time. St John Ambulance personnel are an example and I would not be able to name them all, especially in remote communities where they are called on on a voluntary basis. Volunteer firefighters do a tremendous job and these emergencies would be a lot worse than they are without those community leaders and volunteers. We need to do everything we can to support those volunteers and congratulate them.

This is about delivering a better management strategy, learning from the past and making sure we are prepared for the worst of events, which we all pray do not happen. Unfortunately, we still need to prepare for them and make sure we are ready for when they do happen and the public and community safety is the number one priority. The outcomes of these events can be just as detrimental to people's livelihoods and to their psychological health as well as the infrastructure needs. I congratulate the minister on behalf of the Government for bringing this bill on. I commend the bill to the House.

[4.09 p.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I talk on this important bill in clarifying the roles, functions and delegations involved with emergency management. As a former minister in this area I have - it would not be a unique perspective - a perspective on the already existing base emergency services in Tasmania work from, having been the minister responsible at a time when there were some significant issues around emergency management facing Tasmania, one being the Dunalley bushfires. In early January of that year the plan was to spend some time with the family, as most Tasmanians will be preparing at that time of year to relax and enjoy the holiday period. We had catastrophic conditions. While the Dunalley region bore the most significant brunt there were significant events across Tasmania: on the East Coast around Bicheno and Coles Bay; at Ouse; it came into Repulse and the upper Derwent Valley; across the north-west coast - Montumana - and Molesworth as well. There were multiple events all in a very short period of time.

I had the privilege of watching emergency management staff come together at the headquarters here in Hobart; walking into the control room and watching the clarity and the calm approach as all of the emergency services came together. They were all wearing different bibs with their role very clearly defined, responding to the existing and emerging challenges that the weather - particularly the fire - presented over that period of time.

I saw how calmly the different agencies - police, fire, SES, local government, the utilities with Hydro and TasNetworks - worked together. They worked so very calmly and considerately of each other in the moment of extreme tension and stress when houses, buildings and communities were under such risks, not only in a short period of time, but across a range of days. For a number of weeks there were changes in weather and moments where communities and people were at risk. Going into the briefing every morning was a remarkable insight into the dangers that we ask our emergency services to deal with, not only people sitting in headquarters but also allocating resources and working out where we needed to position the strike teams and our resources to fight the fire at that time. We had Parks and Wildlife staff, very experienced in fire behaviour, working with the Bureau of Meteorology in terms of what was coming in the next two hours, four hours, six hours, 12 hours and days and how they would work together to respond.

It was a remarkable demonstration and after every event there are learnings. Each event is unique. Each event presents different challenges and stresses for emergency services and those involved in dealing with a crisis or an emergency, be it fire, flood or wind. Regardless of the nature of the emergency, the effort of our services in working together needs to be the best it possibly can. Each event is a learning opportunity and changes need to be made to ensure that the learnings from the previous incident inform the response to the next one.

It is good to see representatives from SES here today. I have seen firsthand their amazing work and their commitment. In the debate this morning dealing with the PTSD announcement by the minister, I commented on how we run away from danger yet we expect our emergency services personnel - both paid career and volunteer - to run towards that danger, to either make us safe as people or make safe our communities, structures, buildings and our infrastructure. It is a remarkable thing that they do for our state.

In terms of emergency management organisation and dealing with responsibilities and delegation, between 2014 and 2018, I was asked by the Victorian state government to do a review on the Metropolitan Fire Brigade and the Country Fire Association in Victoria. I had the pleasure of meeting with a number of volunteer and career brigades and also looking at their structure in Emergency Management Victoria. I saw how they restructured their emergency services management following a number of serious and major events and how they have applied their resources and their hierarchy of responsibility in terms of managing certain events, be it rural or metropolitan.

That gave me an insight into how Victoria dealt with it but also it gave me the confidence that those I worked with at the time in emergency management in Tasmania were not only well equipped to deal with challenges facing Tasmania but they could also cut their teeth in other jurisdictions. Tasmania could really show other jurisdictions about how we respond to major events.

When you look at the Dunalley fires and the series of fires across the state in January 2013, not one person lost their life due to the fires directly. We did have a Victorian volunteer firefighter who sadly passed at Eaglehawk Neck due to a medical condition. During all of that time, we did not

lose a member of our community to that incident and that was remarkable. It showed that we do have an amazing capability within Tasmania.

This is a bill we support. There are some questions that we will go into Committee on that will be dealt with clause by clause. It is important that not only do we give effect to reviews but that we learn from reviews in terms of incidents or events, even minor events. It is important that those lessons are not only learned in terms of the behaviour and the standard operating procedures of Emergency Management Tasmania but that we give effect to them in a legislative sense.

[4.17 p.m.]

Ms DOW (Braddon) - Madam Speaker, Labor will be supporting this legislation today. I thank Andrew, the SES representative, and Emma from the minister's office for briefing us on this bill.

Over time, Tasmania has borne the wrath of a number of natural disasters and incidents and has commanded a clear and well-coordinated emergency response. At all times we can learn from our response and should always be reviewing our practices, procedures and responses after each and every event. That is why I support this legislation today.

My understanding is that this legislation tabled today has considered the following reviews. They include: the review of the act 2012 by the department of Police, Fire and Emergency Management; independent review of Tasmania's emergency management arrangements by the Department of Justice in 2015, initiated as a result of the 2013 Tasmanian Bushfire Inquiry; and a review of the state recovery arrangements by the Department of Premier and Cabinet following the 2016 Tasmanian flood emergencies.

It is important that there is a strong framework between levels of government in an emergency response. My understanding is that this bill allows greater autonomy to our key personnel and the premier and provides better clarification of roles and responsibilities and greater flexibility in declaring a state emergency, including a pre-emptive declaration.

I was involved in the flood recovery committee on the north-west coast in 2016 and as a local mayor I was also involved in dealing with our response to flooding in our municipality during that time. I witnessed firsthand the hard work of our SES volunteers and staff and our first responders, our local council staff and the Tasmanian government departmental staff. I thank them for their ongoing work.

I note the inclusion of new recovery provisions and the functions for municipal authorities and I welcome these. This bill improves governance administration. I welcome clause 11 which includes the power for regional committees to establish subcommittees for assisting in the performance and exercise of its function and powers. I recognise the ability to delegate power by the deputy state controller, deputy regional controllers and deputy municipal coordinators which will allow for greater continuity of emergency management relief when deputy appointees are on planned absences from work. Being involved in an emergency response takes its toll on those who are involved from a personnel point of view and it is important for this delegation to be included to enable people to have a break from that role and delegate their powers to others.

I note clause 24 and its importance. I would appreciate further explanation on clause 25 and in particular section 46 and how that has been amended to better understand the ask on local government. I welcome the inclusion of clause 26 around workers compensation to or in respect of volunteers which is a very important inclusion.

Clause 28 is important from a practical point of view and the ability to act with a sense of urgency rather than negotiating this through a departmental process across government agencies, which was my experience working with a local flood response committee when we looked at the removal of debris and the like, the impact of those floods on the Emu River Rail Bridge, the fuel line that was in place there and the damage that occurred. There was a need to act immediately and work with all the government agencies to coordinate a response that preserved safety and dealt with that situation in a timely manner, so it is important to see that included. There are a number of instances regarding the removal of debris from waterways and local Crown land areas and perhaps this clause, when it comes in effect, might help facilitate that process more smoothly between government agencies and local government authorities.

I thank all those from our emergency service agencies and government agencies who have provided input into this bill and the positive changes presented to us today. I also thank our emergency service workers and volunteers for their work during emergencies in our state because there is no doubt we rely heavily on their resource and their hard work in our local communities to keep our communities safe and to respond in times of need.

[4.22 p.m.]

Mr FERGUSON (Bass - Minister for Police, Fire and Emergency Management) - Madam Speaker, I thank my colleagues around the Chamber who have spoken on this bill today and on our previous day of debating the legislation. I have a few answers to some questions and some other material that supports members' understanding of how we are travelling in these areas of emergency management as well as our preparedness, resilience and ability to respond and recover.

There was a question about rights and powers of entry. Power of entry to premises without consent is not currently authorised under the Emergency Management Act except where entry has been authorised under an emergency power which has been authorised by the state controller. There are provisions under schedule 1 of the act that require notice of entry to be provided to the occupier. However, if the authorised officer believes on reasonable grounds that immediate entry is necessary for the purpose of protecting people from distress, injury or death or protecting property or the environment from damage or destruction, entry is permitted.

The ability for all emergency service responders - and that would include TFS and SES - to enter premises due to an emergency but without the use of emergency powers under the act would be considered as part of the review of the Fire Services Act 1979, which I am sure members here would be aware is currently under review.

There was a question about swift water rescue. Surf Life Saving Tasmania manages the dual functions of surf clubs and volunteer marine rescue and is able to assist Tasmania Police in response to swift water rescue operations. Tasmania Police may utilise the resource of Surf Life Saving Tasmania, which maintains and crews a number of volunteer marine rescue groups and assets across the state. Surf Life Saving Tasmania provides search and rescue support to Tasmania Police in a number of areas, including volunteer marine rescue and flood rescue. As the lead rescue authority for flood and swift water rescue, Tasmania Police recognises the valuable support provided by Surf Lifesaving Tasmania. Tasmania Police is working with Surf Lifesaving Tasmania in developing an MOU to formalise arrangements providing for a statewide response. The State Emergency Service and Tasmania Fire Service are also involved.

In July this year, funding of \$75 000 was provided under the Natural Disaster Resilience Grants Program for the establishment of rescue-ready teams to support flood and swift water rescues

throughout Tasmania. The use of the funding to train Tasmania Police officers and Surf Lifesaving Tasmania teams for swift water and flood water rescues is welcomed and will bolster Tasmania Police's capability. It will also allow Surf Lifesaving Tasmania to provide much-needed support to Tasmania Police during natural disasters and other emergencies.

I recently met with Surf Lifesaving Tasmania regarding these capabilities and I found it very encouraging that such committed people in that organisation have a special skill set they are willing to share and make available during times of disaster and emergency response. The organisation has come a long way, together with the very positive way in which it has brought together and supported the functions of the VMRs, which as the previous minister would probably testify, were needing some support in previous years and with a model that certainly served its time but has benefited from the extra support that has been provided through improved statewide governance, some greater teamwork around the state and mutual training exercises. Like so many of our volunteer organisations, VMRs rely on volunteers specifically to join, to find the time and have the motivation and the interest in wanting to serve the community through them.

As an aside, it was fantastic to recently be at the Tamar Volunteer Marine Rescue at Beauty Point for the launch of the new vessel there which replaces their decommissioned vessel. It shows what can happen with a strong vision and strong leadership because the organisation has never had more volunteers than it does now to support its new marine rescue vessel. I was really impressed because that is the VMR where I got my boat licence five or six years ago before I became a minister and when I had time to do these things. I was able to witness the change in dynamic. There are many younger members and some of the leading people in that organisation now are professionals in their daily work in this area, including some police. I thought that was fantastic and great to see the growth because it stands against what has been a trend in recent years for a number of our VMRs where they have seen declining numbers of volunteers or less ability for them to volunteer on a regular basis. That is very hopeful.

Dr Broad asked about the government radio network and I have an update on that. The need for interoperability in radio communications is something this Government recognised very early on. We funded it accordingly and we have a strong project underway which I am regularly briefed on and this Government is absolutely committed to. The need was identified as a key finding in the 2013 bushfire inquiry and in the 2014 Auditor-General's report on government radio communications. We have stood up a project called the Tasmanian Government Radio Network Project that is developing an interoperable, sustainable and contemporary radio capability for a range of key government stakeholder agencies and across government. This includes the emergency service agencies: Tasmania Police, Tasmania Fire Service, State Emergency Service and Ambulance Tasmania. It also involves land management agencies, including Sustainable Timber Tasmania and the Parks and Wildlife Service. It also includes Tasmania's electricity supply industry, specifically Hydro and TasNetworks.

The project went into phase 2 in 2016, with the resourcing of the project management team selection of an external technical advisor, the establishment of an interagency steering committee - necessary, given the diversity of government agencies that are part of this and are committed to it - and commencement of agencies engagements.

To address existing duplication that has resulted from a legacy of multiple radio networks over many years, the TasGRN Project is also completing site audits and analysis of the existing infrastructure. This process will also identify where existing state assets may be reused in a future

network. Further, the TasGRN Project is assisting agencies in upgrading some of their existing equipment, where these investments are in line with the intended future network.

A business case for a future radio capability was developed in collaboration with stakeholder agencies to meet their requirements. This was informed by a market sounding exercise undertaken in 2017. The business case was endorsed by all stakeholder agencies and TasGRN is planning for an approach to market towards the end of 2018. I am sure members would be well aware of previous government budgeting initiatives to support this. The money is in the bank, so to speak. That approach to market will occur toward the end of this calendar year and will be advertised via the Tasmanian Government e-Tendering website. As part of the project, allowance has been made for additional support to existing networks in order to ensure continuity of service through to the transition of a new TasGRN.

Industry is being advised of the upcoming tender. That has happened in order to ensure that when the tender does go live, the market is expecting it, have done some preliminary work to anticipate that and be well prepared to put in strong bids. We want to achieve a best-possible, fit for purpose radio network for government at the best possible price for taxpayers. I look forward to updating members on that as the project is further advanced. The Government is very close to making that approach to market in a formal way.

I will make some points about flood and fire hazard reduction. The Government recognises and applauds those people who work for us in emergency services, across the range. We have been able to substantially advance their interest today, as a way of saying thank you and we respect your work, through the announcement made by the Minister for Building and Construction as to the Government's policy announcement for presumption of PTSD. It has been driven by the fact that vocational groups connected with emergency services are particularly affected by and expected to encounter trauma in their operational and daily lives. That is a fantastic announcement. Even prior to that, we do admire them. We appreciate what they do and they have done an incredible job in the face of challenging circumstances, time and time again.

I enjoyed listening to Mr Brooks, Mr O'Byrne and the helpful interjections from Mr Hidding about some of those times, and Ms Dow, your comments reflecting on the way in which your local communities have been affected in very significant ways in recent years were terrific.

The act, as it currently stands, reflects a comprehensive approach to emergency management but we can do better. We can always improve and I have no doubt this bill we are agreeing on today will be part of the evolution of that act over time. It will need to modernise again and again and we should always be willing to do that, to ensure it is not a set-and-forget exercise but a willingness to learn from each and every incident or event, particularly those that affect large areas of our state or large numbers of our population. I hope that does not happen but I suspect members agree it will. To some degree we can also expect the typical events like bushfire, storms and flooding and we could also expect something unexpected will occur as well and that is why we take an all hazards approach.

It is about modernising and improving our governance, ensuring decisions that need to be made can be made in the most appropriate and timely way, so that we can do our best and the bureaucracy can support the saving of lives and property when most needed. We know that bushfire is Tasmania's most prominent natural hazard because of where Tasmania is located, the size of it, the size of our population, where people live and the seasonal behaviours that change the way some communities are populated at different times of the year.

We also know, and saw as recently as May this year, that storms are a real issue. We expect floods to be regular occurrences on our state. Think about the floods that have affected the Tamar basin over the years and the 1929 floods, which wreaked havoc right across the north of the state, killed people and devastated the way that Launceston was able to operate. Subsequent floods that were not quite as bad changed the way Launceston chose to respond and prepare. We saw the levees built up and we saw the levees broken down. We saw them neglected over a long time and many policy leaders were well aware those levees were damaged. They were there more for visual than practical effect and they would not have held back the waters we saw rising.

Was it 2016 when we saw the Launceston flood levees fulfilling their role in holding back flood waters? I was there at peak flood and watched as the water came up to the Charles Street Bridge, hit the high mark - which fortunately was lower than the Bureau of Meteorology had predicted - and started to go back down. It was a very tense time for all concerned. I have mentioned storms, bushfires and flood. We also need to be prepared for landslip and we need to be prepared for tsunamis. Natural hazards do affect the community across the board.

It was good to see a number of colleagues across the Chamber at the recent Resilient Australia Awards in Launceston. That was a great reminder that it is important for us to have an all-hazards approach. It is vital that it not be seen only as government that will step in and save your life in a time of trial. Government should be there, is there and will be there through its various agencies, but the reality is that government cannot and could not ever do it on its own. That is why it is a team approach between government and the community.

It was wonderful to see the school children from the Big Picture School, Invermay Primary School and one of the Catholic schools - the Catholic education sector was represented there - local government and Aboriginal community members from Cape Barren Island. It was marvellous and a reminder to me and to all present that it is a team effort. We are all, in our respective walks of life and the little part of Tasmania we are concerned for, thinking about preparation and being resilient through hazardous times.

We have seen a range of events over the years that have heightened our focus on how we manage our response and how our security arrangements can be improved. When Mr O'Byrne was speaking earlier, he talked about some of the events during his time as minister that were very confronting at the time. As I said in my second reading speech, each in their time has needed to be responded to and contributed to the need for further advice, which in turn has delayed this bill coming to this House at this particular time. Had we not seen some of the latter events, I am sure we would have seen a bill earlier. Each review has taken on board previous formal reviews and the debate we are having today and this bill in particular responds to all of the foregoing and brings us up to date.

We are interested in making sure that we have plans and arrangements across all hazards. It can be broken down into need for prevention and mitigation. I have talked about levees. It needs to deal with preparedness, the arrangements that make sure that when an emergency occurs we are ready and know how we are going to mobilise our people and deploy our appliances and external networks so we can assist people in their time of need. It is about that response, what we actually do, the actions taken in the anticipation of, during and immediately after an emergency, and then the handover to a recovery.

This is something that works between my department and the Premier's department, which takes on a role - not a lot of people are aware of this but I am going to say it - in the prevention and

mitigation space as well as in the recovery space. That is work that is principally led by the Premier in his role as Premier and with the Department of Premier and Cabinet. They work well with DPFEM and we have that bridging unit within DPAC of the Office of Security and Emergency Management. It bridges quite well and it is important that Tasmanians be reassured and be confident that we are always going to work in a way that ensures we meet all of those four elements of how we prepare for, prevent, respond to and recover from an emergency.

I will not go into detail on the Blake report progress; Mr Brooks has done that quite solidly. I did touch on it when we were last debating this bill. I am pleased to provide that earlier update some two weeks ago which provided an update on the 24 recommendations. I said at the time that five recommendations have been completed, eight are scheduled for completion this calendar year and the remaining 11 recommendations are underway and on schedule. I will pick out a couple.

The first is a commitment to the central flood policy unit. That is now underway and was announced as part of our budget in May of this year. It is fantastic that that funding sits additional to the \$3 million joint state-Commonwealth flood mapping project which is underway as well. We talked about that at Estimates. That project has a number of elements to it which are progressing appropriately but with different completion time frames.

DPAC has been developing a new whole-of-government set of arrangements to support community recovery and better coordinate government activity after emergencies. That is for the Premier to announce at the right time and no doubt soon, but without stealing any of his thunder, I can say that those new arrangements will be widely welcomed and take account the way in which the Government has responded to more recent disaster events.

The progress report on the Blake review implementation is available on the OSEM website as part of the DPAC website. I take this opportunity to thank Mr Blake as well as our agency staff in DPAC and DPFEM who have been doing a great job of cracking on and implementing those. We have wonderful people who work very hard for our state. This is one of those less frequent occasions where we get to say thank you to them for the work they do, not just the ones who wear the uniform, holding fire hoses or strapping down roofs, but also those people in the department who provide the backup they need.

I want to spend a few minutes on an update for members on the fuel reduction program. As a Government we are proud of this. There will be much more to say about this in the fullness of time but it is a real success story for Tasmania and I am thrilled about it. The Tasmanian fuel reduction program is a modern approach to how we can prevent and mitigate bushfires in Tasmania and improve community fire safety. It is based on modern thinking and evidence-based research in emergency management. It is also putting in place for us locally in Tasmania the recommendations from recent bushfire inquiries and the royal commission that followed the devastating bushfire events, particularly in Victoria.

We started this in our first term of office; it was not running previously. With a start-up of \$19.5 million we got it up and running and from 2017-18 onwards we committed \$45 million over and above that over the following five years to the whole-of-government program. It is all about reducing risk. You can never eliminate risk, we know that, but we can assess the risk on advice and then do our best to manage that risk. Through this program I boldly and confidently say our state is leading Australia, and that is because we are taking a strategic risk-based approach that is not just about government property but encompasses private and public land, what we call tenure blind, and it is whole-of-government in its implementation. It does not just see the silos of what Fire can

manage and what Parks can manage or what certain agencies may not want to manage. It is about managing the risk and protecting our natural assets and our community.

The program is reducing bushfire risk in areas that provide the most protection to communities across private and public land and in its implementation by multiple agencies and private landowners. Key partner agencies are the Tasmania Fire Service, Tasmanian Parks and Wildlife Service and Sustainable Timber Tasmania, formerly known as Forestry Tasmania.

The program has entered its fifth year of operation. Over the first four years of the program, 533 fuel reduction burns were completed across the state. That encompassed over 63 752 hectares, of which 10 848 hectares was private land. The fuel reduction unit in the Tasmania Fire Service is responsible for coordinating this program. It has expanded in accordance with the increased annual budget and the increased workload required to meet risk reduction outcomes. Additional roles have also been funded within in the Parks and Wildlife Service to enable them to meet their commitment.

I was driving back from the east coast about four months ago and great big coloured plumes of smoke were rising over Break Me Neck or Bust Me Gall hill or something like that; I am not a local. In that area, between Orford and through that sidling returning into Hobart, great dark-coloured plumes of wood smoke were rising over those hills. As Health minister and Police minister, I fully expected my emails to start coming in thick and fast with either complaints about the asthma triggers that might be occurring with the burning, or people writing in complaining about the fuel reduction burns. I can remember plenty of times where people in the past have complained about fuel reduction burns; they do not like them. In fact I received none at all. I was pleasantly surprised. When I asked about it, I found how much pre-communication goes out to the community beforehand to educate people about the risk that has been managed and what to expect. I was thrilled. That has happened 533 times around Tasmania. Maybe some of us in this Chamber have had complaints but none of you have brought them to me. It is going down really well with the community and I believe Tasmanians understand we are keeping them safer and helping to reduce the risk. Perhaps we will never know what hot wildfires might be prevented in the future. We will never eliminate the risk but it is about doing what we can to lower the risk.

Bushfire risk re-analysis work has shown that the statewide risk has reduced by 4 per cent over the last four years, a notable decrease at the whole-of-state scale. This result is attributed to both the increase in mitigation activities and using strategic prioritisation to target implementation. At a local level, strategic burns undertaken by the program have significantly, by a lot more than 4 per cent, reduced bushfire risk to communities. For example, and this again highlights the importance of taking a risk-based approach, - Madam Speaker, Ms Haddad and Ms Archer will be particularly pleased to know - we saw a 20 per cent risk reduction in South Hobart. There are a lot of trees up there and the risk has been reduced by the Hodgman Liberal Government by 20 per cent, at 22 per cent in Lenah Valley and 18 per cent in Mt Nelson. Again, there is lots of natural vegetation in those areas. I think that is terrific. Flinders Island, which is the jewel of Bass Strait, may win the prize with a 47 per cent risk reduction. The gold star goes to Conara, a 65 per cent reduction; and 22 per cent at Spring Beach on the east coast.

That demonstrates we have seen a statewide reduction of 4 per cent in localised areas where we have seen those efforts targeted. The risk needed to come down and it has. That is going to save lives and property. Thank you to the TFS and those colleague agencies for their great efforts there and congratulations to my colleagues in the Hodgman Liberal Government for seeing the need to fund that and get it underway.

In future, from the 2017-18 financial year onward, the Tasmanian Government has also committed \$500 000 per annum from that program budget for specific, strategic landscape burning in the south-west wilderness areas of Tasmania, protecting our iconic, vulnerable, natural assets. This, as members would know, is a specific recommendation from the Tony Press report.

An independent mid-term review of the fuel reduction program was completed in February 2017 and key findings were highly favourable, with the reviewers finding that the delivery of the program is evolving well. Very good progress has been made in a short time frame and there is strong community support for the program in both urban and rural areas. We would not have been able to say that six or seven years ago. While burning remains the most cost-effective tool available for managing vegetation fuels at the scale required and is the key method used to reduce fuel and bush fire risk to communities, it is not the only method of fuel reduction assessed by the program. For example, the program funded the creation of a major firebreak at Zeehan in late 2016 as part of the Zeehan bushfire mitigation strategy.

I will close on this point by pointing out that while TFS - and I visited our staff at the Hobart centre - is leading this, it does have the benefit of partnering in the delivery along with the Parks and Wildlife Service and Sustainable Timber Tasmania. It also engages contractors and our friends in local government to mitigate bushfire risk in the strategic systematic way across urban, semi-rural and some wilderness areas. It is a great credit to them and it has been the right approach. I feel confident in saying we will be hearing more about this in the future because my advice is, this is nation-leading in Australia and that other states, we can expect, will be wanting. Not that we will be telling them how to do it; they will be wanting Tasmania to let them know how we have been doing it so they can implement it in other jurisdictions as well, learning from our tenure-blind and cooperative arrangements across government, working with our friends in local government, private landowners and our reserve land managers.

That concludes my remarks. I thank members for their contribution and commend the bill to the House.

Bill read the second time.

Quorum called.

EMERGENCY MANAGEMENT AMENDMENT BILL 2018 (No. 25)

In Committee

Clauses 1 to 3 agreed to.

Clause 4 -

Section 3 amended (Interpretation)

Dr WOODRUFF - I want to clarify clause 4(g), the definition of recovery.

recovery, in relation to an area or community affected by an emergency, includes any process undertaken in that area or community that does either or both of the following ...

I would like to clarify that my very clear understanding of the term 'emergency' includes, as I mentioned in my contribution, that an emergency is defined in the act as -

- (a) an event that -
 - (i) endangers, destroys or threatens to endanger or destroy human life, property or the environment, or causes or threatens to cause injury or distress to persons; and
 - (ii) requires a significant response from one or more of the statutory services; or
- (b) a significant threat of the occurrence of an event of a kind referred to in paragraph (a) in respect of which it is appropriate to take measures -
 - (i) to prevent that possible resulting event; or
 - (ii) to mitigate the risks associated with that threat and that possible resulting event;

As I read that definition, it is quite clear it includes climate change within the terms of an emergency. Within this act, the definition of recovery in relation to an area or community affected by an emergency would be taken to include recovery in relation to an area or community affected by an emergency such as climate change. Paragraph (b) of that definition in the act says that recovery assists the area or community during and after the emergency to deal with the impacts of the emergency.

[5.00 p.m.]

I want to get some thoughts from the minister about how we consider climate change in the context of this definition because it requires us to pivot our understanding of time frames. When we talk about an event we typically think of it as a bounded time frame which has a beginning and an end point. A bushfire starts, a bushfire stops, a flood event starts, a flood event stops, a tsunami starts, it stops, and wind events start and stop. In relation to climate change, I argue it is definitely within the definition under the act and therefore we are required to consider what climate change means in dealing with the impacts of an emergency. I think what it means is that we are in climate change now so we need to be attending to the individual events and we need to be in recovery mode all the time in relation to dealing with the overall emergency we are in, which unfortunately does not have an end point in sight.

Mr FERGUSON - Thank you, Dr Woodruff, for your question. When I have finished answering that I would like to seek your indulgence to answer an earlier question which I did not get to during my second reading summing up.

I completely understand and comprehend the question insofar as I think you are asking me for an opinion as to whether climate change constitutes an emergency. I am not prepared to offer you an opinion, but what I can say is that the act specifies an emergency as something that encompasses two critical components. The first component and the second component are necessary to qualify for the meaning of the word 'emergency'. As you have just read to us, an emergency means an event that endangers, destroys or threatens to endanger or destroy human life, property or the environment, or causes or threatens to cause injury or distress to persons, but it must also be an

event that requires a significant response from one or more of the statutory services. The alternative is that it is a significant threat of the occurrence of an event of the kind referred to in paragraph (a), in respect of which it is appropriate to take measures to prevent that possible resulting event or to mitigate it.

I have asked for advice and the advice I have been offered is that the consequences of climate change can and are encompassed, if you like, as they occur naturally and locally. For example, flood events, storm events, fire events; I am not sure that we could put tsunamis in there because I think that has a different pathology, but the consequences of change to the global climate are encompassed in this definition and the climate change phenomenon is perhaps a reason behind some of those instances of locally occurring hazardous events that occur. I am not sure if that is the answer you are looking for, but we are not seeking to include climate change as a definable event which triggers emergency. However, if any local hazards could be traced back to climate change or have a contributing factor from climate change, those locally occurring spasmodic events that are hazards that could be said to arise from climate change are captured. I am not sure if that answers your question but that is the best I can do.

Chair, I ask your indulgence to answer a question from Ms Dow. There was a question about section 25. We could get to that in a later clause perhaps, but I am happy to answer it now. During the review, some emergency management stakeholders believed council resources should only be used under the act for emergencies if there was a declaration of a state of emergency. This has never been the case. The amendment clarifies that municipal resources should be used whether or not a declaration of emergency has been made. Such resources are to be used in accordance with municipal emergency management plans. Does that sound familiar? I think it does. If no declaration of emergency has been made and the municipal plan is not applicable, the amendment clarifies that applicable municipal authorities can determine which council resources are used. If a declaration of emergency has been made and the municipal plan does not apply, the regional controller can provide direction on the use of council resources. This is currently the case under section 46 of the act and there is no change in this regard.

Dr WOODRUFF - Thank you for your thoughts on the definition. I was not asking for your opinion about it, although it is good you shared it. I am maintaining that I read that definition that way. I also want to point out that it is becoming increasingly understood that we cannot remove climate change from any discussions about extreme events. As I said in an adjournment speech last week, there are people around the world who are now taking governments to court for failing to include climate change action in state legislation and state emergency action plans. We want to be on the front foot on this one for many reasons.

What I am pointing to is that in reading the definitions of the act, it is clear to me that climate change is considered an emergency and therefore recovery, as defined under this amendment bill, includes assisting the area or community during and after the emergency to deal with the impacts of the emergency. Further, the definition of 'recovery centre' is defined in this bill to mean a place or facility where people affected by an emergency may be provided with information about or support to recover from that emergency.

The Premier in his role of establishing a ministerial committee for emergency management ought to consider climate change recovery centres across all regions in Tasmania because communities need information, as described here, about how to protect ourselves during increasingly extreme climate change conditions and how to protect ourselves in volatile and unexpected extreme events. Previously weather patterns might have provided a certain type of

bushfire or flood event, but we can expect those to be different in future. That is what we are seeing around the world and that is what we have seen in the reports of the hurricane in southern United States, nothing like we have ever seen before.

I am flagging those recovery centres will need to be climate change enabled, have climate change as their first order of business and within that there would be a whole range of climatic events that will be triggered by climate change. In future the local community will need information to adapt to, and local communities will need information to mitigate, the effects of those extreme events. That means, how do we all bring down our carbon emissions in municipal areas at the local area level? That is an essential part of the state responding to the emergency of climate change. We all need to be looking in a coordinated way at the local level across the state of how we reduce our emissions so we have the best opportunity as part of the global world of people who are trying to reduce greenhouse gas emissions to survive these future events.

I am flagging this is something that will need to be attended to and it is incorporated within this definition. I am pointing out to the minister that 'recovery centre' and 'recovery' need to be looked at, reframed by us all to look at climate change as the first order of business.

Mr FERGUSON - Dr Woodruff, I take your comments on board. I do not feel particularly well prepared to respond to you in a way I think you would accept. This is not the purpose this bill is intended to provide for. I reject any suggestion the Government will take on any liability for climate change. That is not what is going to happen.

Dr Woodruff - If we can keep working like this, minister, that may well happen.

Mr FERGUSON - It is not going to happen and we definitely do not accept that at all. Tomorrow morning during question time you might like to ask my colleague, the Minister for the Environment, Ms Archer, about climate change if you would wish to because that is her portfolio area. The Hodgman Government has delegated that sphere of policy to Ms Archer and she is very committed to helping Tasmania to adapt to changes in our climate that affect our state.

That is not what this bill is about. This bill is about allowing us to have the best possible governance to respond to localised, temporal hazards that affect the lives and property of Tasmanians. That is not what the recovery centres are there for. Others will enjoy an argument over whether reducing local emissions will change the local risk. I suggest it probably will not because policy around emissions is perhaps ideally made by national governments, not at local council level. I am sure you would agree everybody can contribute.

This bill is all about strengthening our local ability to respond to an emergency and to assist the state to recover but I am not entering into an argument about whether it is caused by climate change or not. Self-evidently, the climate has changed, probably has always changed and we feel the effects of that. We want to make sure that whether it is fire, flood, storm or non-natural hazards that affect our community that we are well placed to be able to control and respond to those.

Clause 4 agreed to.

Clause 5 -
Sections 6A, 6B and 6C inserted.

Dr WOODRUFF - This is in relation to inserted section 6A, the Ministerial Committee for Emergency Management.

The Premier is to establish the Ministerial Committee for Emergency Management and 'emergency management' as defined within the act means the planning, organisation, coordination, implementation of measures that are necessary or desirable to prevent or mitigate an emergency amongst other things.

As I have maintained, we are talking about climate change being the pre-eminent emergency that is confronting us all. I am concerned to hear a minister of the Crown in 2018 sounding like a climate sceptic. It is very hard to take your word seriously when you still have a doubt in your mind about the relationship between events and human injuries to climate change.

Mr Ferguson - Lock me up.

Dr WOODRUFF - It is a serious concern when you are in charge of emergency services in this state -

Mr Ferguson - I will let *Hansard* speak for itself.

Mr CHAIRMAN - Dr Woodruff, we are interrogating the clauses, not the minister.

Dr WOODRUFF - that we still have climate change dinosaurs making laws, being in charge and being responsible for people in this state. When you say that is not what this bill is about, well it is what it should be about.

It is within the definition of an emergency. It is an emergency and we all have to wake up to the reality of the world we are living in and we have to get on to protect people. It is all about protection.

This bill is all about looking after Tasmanians. The only way we can do that is if people are equipped to understand what is happening, if the people understand the future that they are likely to be living in and take the protective measures now to make sure that they do what they need to do to their properties, and for local councillors to make sure they make the decisions about local infrastructure like roads and bridges, the materials, the quality; all of the decisions that will last, in the case of local councils, for the next 20 to 50 years. Houses ought to be lasting at least 50 years.

These are decisions we have to be helping and enabling people to make centrally in a consistent, coordinated fashion.

Part 6B is the procedure of the ministerial committee and the Premier, it says, may specify the terms of reference for the Ministerial Committee for Emergency Management. I suggest that these must be, according to that definition of emergency management, including climate change, as the principal terms of reference within which all other emergencies will be framed.

Unless we do that and unless we really change the way we are looking at emergencies instead of these one-off events - I keep hearing ministers saying 'unfortunately it will happen again' - it definitely will happen again. The question is, how do we prepare ourselves and what do we need to change?

They are the big questions that I would be expecting the Premier to be attending to when writing those terms of reference. I hope that he would be looking at establishing that Ministerial Committee

for Emergency Management as a permanent committee that will need to have input from ministers responsible for climate change. I note again, 2018, here we are -

Ms Archer - Do not say we do not have one. It is me and you know it.

Dr WOODRUFF - bumping up over a degree of warming in the atmosphere and we still do not have a minister for climate change.

Ms Archer - I am responsible for climate change.

Dr WOODRUFF - We still do not have a minister for climate change.

Ms Archer - Yes we do. We do not need to add another title.

Dr WOODRUFF - It is fantastic that the minister has portfolio responsibilities for climate change. In a Greens government, we would elevate that to the level of importance that is required. If we want to look at the drivers for that massive flood event that happened and if we want to look at the drivers for the reason that the marine environment on the east coast has the warmest waters on the planet and getting warmer all the time, is driving the place to change unutterably, then we need look no further than a minister for climate change, who should have the responsibility for rolling this out and working very closely with the Premier.

Mr CHAIRMAN - If you could relate your comments to the clause, please, Dr Woodruff.

Dr WOODRUFF - It requires bit of attention. Ministers who are not climate change sceptics would be a good start.

Ms Archer - Excuse me? What are you calling me?

Dr WOODRUFF - I was referring to the minister, who is the climate change sceptic. We have already established that from his earlier comments. I have enough to say on that clause. Thank you.

Clause 5 agreed to.

Clauses 6 to 12 agreed to.

Clause 13 -

Section 21 amended (Membership of Municipal Committees)

Dr WOODRUFF - In regard to the municipal committees, the municipal recovery coordinators have responsibility for instituting and coordinating emergency management under clause 13 -

(b) by omitting subsection (5) and substituting the following subsections:

- (5) The Municipal Chairperson is to appoint a member of the Municipal Committee as the executive officer of the Municipal Committee for a period specified in the instrument of appointment.

(5A) The functions of the executive officer of the Municipal Committee are to be -

(a) determined by the Municipal Chairperson; ...

I am concerned there are no criteria established for the skills required for the municipal committee. The act, as I see it, is silent regarding the skills and the evidence base for determining who ought to be on these municipal committees. Given that they play such a central role, can you talk a bit about the people who sit on these committees already? What is the skill set of those people? Would you expect some regulations, or are regulations already there that speak to that? They are not specified in the act but regulations might have been established. What is the expertise required for a person to be chosen to take the position of executive officer or a member of that committee?

Mr FERGUSON - Dr Woodruff, I have taken some advice on how the bill interacts with the current act and how it will change. I can advise you that the municipal coordinator is appointed by the minister. The bill provides for some flexibility, which can also allow the municipal committee to have an executive officer, who is appointed by the municipal chairperson. Without that occurring, the default would be the same person. Did you ask me about the roles and the statement of duties?

Dr Woodruff - The skill set for the roles because they are of great weight.

Mr FERGUSON - I can advise you that the municipal coordinator is provided with a statement of duties at the time they are appointed. As for skill set, noting that each municipal area has its own needs and requirements, the process is that the person would be nominated to the minister by their municipal area. The department will process that and provide advice to the minister. The minister will appoint that person. The statement of duties is the way in which those people are selected to be nominated by their local area. There is no specific skills matrix I can point to. Councils are empowered to make those nominations on the basis of a person who will fulfil that role effectively and has the skills, the local knowledge and be the well-organised professional needed to take on that role as and when required.

Dr WOODRUFF - That is interesting. Having been a member of a local council, there are councils with different levels of resources and levels of expertise making decisions about that. It sounds as if, from what you are saying, minister, this is an organic process developed in the municipal area. A person is sought and presented to the minister for approval, but I am not hearing that there is any sort of structured direction as to how that process needs to be undertaken.

I would like some understanding of whether it is an open process. Is it an advertised position? It seems there is no guidance provided to local councils, with no central coordination about the sort of skills and the abilities required for people like that. Is it taken for granted that the local council area or the municipal area will be able to make that assessment?

[5.30 p.m.]

Given the changing nature of extreme events and a whole range of changes in the world, I wonder whether we need to be more coordinated and deliberative in guidelines and openness about those processes. Is the municipal chairperson, the executive officer, a paid position? How much recompense would they receive? If it is not a paid position it sounds like a very big job. If it is a paid position, is it something which is tendered and open for a range of suitable applicants to apply?

Mr FERGUSON - As I am sure I do not have to tell you, Dr Woodruff, it is a partnership model here. In this partnership the legislation recognises local governments are well equipped to know their community and identify a skilled and trusted person to take on the role. I am also advised that there are some areas that combine resources and share. While they each have to nominate one, in a small number of cases it is a combined shared resource. I am advised that these positions are generally not advertised. It is not that kind of selection process, but there is nothing stopping a council from being able to do that. Usually the person identified is already an employee of that local area. I am also advised that SES provide training for these individuals once appointed, as required. Different people will have different training requirements. As for payment, usually these people are employees of their local council already so there is no remuneration that attracts to the role. It will be considered as part of their duties as a council employee. However, there is nothing stopping councils being able to recognise the additional workload if they feel that is appropriate in the circumstances.

Clause 13 agreed to.

Clauses 14 to 15 agreed to.

Clause 16 -

Part 2, Division 3A inserted

Dr WOODRUFF - I move -

That proposed new section 24A be amended by inserting the following paragraph -

- (b) That the State Recovery Advisor, unless otherwise determined, be the secretary responsible to the Premier.

That person under new section 24E has a number of weighty functions and powers that will be a very substantial role. I wonder at the appropriateness of that already very substantial and weighty position, the secretary responsible to the Premier, and whether it is appropriate to have this person responsible for the function and powers listed under 24B. It does give the Premier the option to determine another person. Are we basing our model on what happens in other states, and would it be more appropriate to have a person who has this as their sole role and has particular skills in that sort of work?

Mr FERGUSON - I am advised, and I know, that this is the role of the secretary of the Department of Premier and Cabinet. It is considered an ordinary part of their daily role to be running a tight ship in the Department of Premier and Cabinet, which includes the Office of Security and Emergency Management. The act properly names up this role and that it should be that person unless otherwise determined by the Premier.

Our Premier has not expressed a different view to that of mine, which is that this is the role of the secretary of DPAC and whoever is recruited to that role, it would be an expected part of their responsibilities as the head of agency of the agency which has responsibility for recovery coming out of an emergency response situation.

On a day-to-day basis within the department OSEM would have the practical responsibility and would report to the secretary. As we know, in making good decisions and having good

legislation, we need a point of accountability and in this case it would be the state recovery adviser, ordinarily being the secretary of the Department of Premier and Cabinet.

Dr WOODRUFF - That might be why I would not take on that role; it sounds enormous. Thanks for the explanation.

Section 24E is about recovery committees and it says that the ministerial committee, the state controller, the state recovery adviser or a state recovery coordinator may establish a committee to coordinate recovery processes, engage affected communities in recovery processes and any other purposes related to recovery. As I have established, recovery includes the work of preparing a community that would be affected by an emergency. I maintain that climate change is an emergency under the act. You have differed and I am confident history will find in my favour on this matter, but let us continue with my thinking in this area.

Recovery committees will need to be working at preparing regional communities at the municipal level and engaging affected communities in recovery processes. The work at the local government level is the most critical because this is really where the rubber hits the road with the protection of communities when extreme climatic events occur. I go back to the Blake review recommendations which you discussed before, minister, the flood review progress report which has just been released this month, and I note good work has been done on a number of things. There are still some 11 recommendations to be completed.

Concerningly, I point to a couple of things which have such a strong impact on what happens at the local level, particularly recommendation 10 from Mr Blake's review, which is to examine the Forest Practices Code for concepts relevant to business activities near waterways. The anticipated review time frame was two years but I note the Government's target is due in 2020. That will be a full three years after the review was undertaken.

Forestry clearing upstream in areas around the Huon River has been well known to have caused an increase in flooding down the Huon River. There is no doubt: anecdotal evidence from people who have been on that council for decades and these are from pro-logging forestry councillors, have made quite definite statements about the connection between the cable logging of forestry upstream in the Huon River and the extreme flood events that we have down Huon River. Trees around the edges of streams prevent water travelling down the hill and into streams as quickly as they would if they were growing. When they are removed it is a big problem.

It seems that the things we have left here, the hard work of drawing attention to the practices of Forestry Tasmania, which is still clearing around streams. We know this is happening. It is happened in coupes near Geeveston, it is happening in the north-west part of the state, far too close to streams where the giant blue water lobster is living, causing silt problems and killing off the environment that the blue water lobster needs to live. The practices of Forestry in clearing endanger not only beautiful unique species like the blue water lobster but local communities downstream, and put them at risk of more extreme flood events as a result of not having the vegetation in the way essentially, to soak up water and to keep the water table level down and prevent rapid flooding.

I do not understand why there is not much more immediate action on the high risk of Forestry Tasmania clearing practices. I do not understand why recommendation 5, which was to assess flood mapping to identify funding for data to explore the use of technology to identify areas prone to riverine flooding, has been put off until 2021, a full four years after Mr Blake's review was handed to your Government.

Minister, you are proposing to take four years to undertake flood mapping and identify areas that are prone to riverine flooding. I suggest that people living in those places in Tasmania know where that flooding is now. They know where the high risk areas are but we need to know so much more about what sort of infrastructure to build, what sort of houses to approve in those areas and also what activities we should not be undertaking in those flood mapped areas.

Perhaps that is the reason why this work has been put off until 2021, because it could interfere with the logging practices of Forestry Tasmania. Call me suspicious, but it is clear that Forestry Tasmania is persisting with activities of cable logging around streams in Tasmania to the detriment -

Mr CHAIRMAN - Dr Woodruff, I have allowed you a lot of leniency in this area but I need to remind you that we are supposed to be debating these clauses. Make your contribution relevant to the clause, please.

Dr WOODRUFF - Thank you, Chair. This was related to the recovery committees which are all about coordinating recovery processes and engaging effective communities. My point is that these important recommendations from the Blake review of the floods that occurred in 2016, those very important recommendations will not be acted on in a timely fashion. It is because there is a disconnect between one half of what the Government is doing and the other half, promoting an unsustainable forestry industry which is being propped up by the public purse and is undertaking practices which are putting at risk threatened species and communities downstream from where those practices have occurred.

This has happened in the past, it has happened in Huonville, it has happened upstream on the Huon River. It will continue to happen unless these recommendations are acted on immediately and brought forward, not four years after they were handed down, but with some effort by the end of this year, or early next year.

That flood mapping could be done if there was a will there and it would be an opportunity to employ a person to undertake that work, get it done. That sort of local mapping is very important for communities to work out where the risk is and to work out where to spend the money for local councils because there is not a lot of that to go around.

Mr FERGUSON - Chair, I will answer this quite briefly because it is not really relevant to the clause but I am happy to take the opportunity to respond.

Insofar as the questions related to new section 24E, this is about recovery not prevention and they are different things. I will also take only one sentence of House's time to refute the criticism and the unfair thing that was said because I thought I was being nice to you about climate change, Dr Woodruff, and said to you that it is real and it is happening and it probably always has. That is what you get for being nice.

Dr Woodruff - I do not want 'nice'. Accept that humans are responsible.

Mr FERGUSON - It is important to be 'nice'. It is nice to be important over there.

In relation to the flood studies, I have previously addressed this point. While it does have a longer time frame than perhaps you might like, it is several pieces of work. In fact I discussed this in my second reading summing up. There are a number of elements to that work. Some of them are shorter term in their focus; others are longer term, based on the schedule of work that is

underway. Remember this was resourced with \$3 million of taxpayers' money from both levels of government. There is a lot of work to do and any suggestion that there is not would be unfounded. Second, there are things that are already well and truly advanced in that space that relate to areas particularly at the local level that can and are being done on a shorter time frame.

The comments regarding recommendation 10 are utterly rejected. You are most welcome to pursue that with the relevant minister but this is not a piece of work for Sustainable Timbers Tasmania. It is a piece of work for DPIPWE. It is underway. It is scheduled for completion in June 2020. The advice is that the review would take approximately two years and that is disclosed. The only reason you know that is because we have disclosed it to you and that scheduled completion of June 2020, out from a Cabinet decision - I do not normally like to talk about Cabinet, but I have previously said the Government accepted those recommendations in November of last year. As you can quite plainly see, the Government is expeditiously advancing that recommendation.

Clause 16 agreed to.

Clauses 17 to 25 agreed.

Clause 26 -

Section 56 amended (Workers' compensation payable to or in respect of volunteers)

Dr BROAD - I am seeking clarification about the impact of this particular clause given today's ministerial statement by the honourable Guy Barnett in terms of the legislative reforms to the Workers Rehabilitation and Compensation Act to include presumptive provision for PTSD for public sector workers.

In his ministerial statement the minister says, when he talks about PTSD and who this will potentially apply to, that -

This includes our 1259 full-time equivalent police officers, 310 career firefighters and 22 State Emergency Service members, with in excess of 5500 volunteer members across the state.

I am seeking clarification that this clause 26 -

(2A) For the purposes of the *Workers Rehabilitation and Compensation Act 1988*, a volunteer emergency management worker -

- (a) who is registered in Tasmania with an organisation that participates in emergency management, or rescue and retrieval operations, in Tasmania; and
- (b) who, in his or her capacity within that organisation, participates in emergency management, or a rescue and retrieval operation, outside Tasmania -

is taken to be employed in emergency management, or rescue and retrieval operations, in connection with Tasmania, while so participating, if the Secretary of the department responsible in relation to the administration of this Act has agreed to such participation.

I am seeking clarification of whether today's announcement on presumptive PTSD will result in a volunteer in an emergency, like a fire or with SES and so on, being covered.

Mr FERGUSON - Dr Broad, the answer to that question is yes.

Clause 26 agreed to and bill taken through the remaining stages.

Bill read the third time.

ADJOURNMENT

[5.53 p.m.]

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

That the House do now adjourn.

Burnie Shines Festival

Burnie Court Complex

Burnie Community Corrections

Ms ARCHER (Denison - Minister for Justice) - Mr Deputy Speaker, I had the pleasure of visiting Burnie to celebrate the launch of the 18th Burnie Shines festival, which was held at the old *Advocate* building in the loading dock area on Friday last week. I know several other colleagues were there: Leonie Hiscutt MLC, Roger Jaensch and Anita Dow. I am not sure if Dr Broad was there.

Dr Broad - I was an apology.

Ms ARCHER - You were an apology, as was Mr Brooks. I did mention his escapades in the Burnie Ten because the Burnie Ten forms part of Burnie Shines festival, which is interesting in itself because the event provides a visual array of spectacular sights - and I am not talking about Mr Brooks when I say that.

There was a smorgasbord of performances, exhibitions and shows and events, largely a lot of arts, creative and cultural events, with the Burnie Ten thrown in there as well. There were some active events, as well drawing crowds from right across the state and Australia.

It first came about in 2000, when there was a lull in the economy and it was there to showcase what Burnie had to offer and to get people out and about and feeling good about themselves. It showcases Tasmania to the rest of the country. It is a wonderful illustration of a vibrant and growing arts hub on the north-west coast. I have said in this House on a number of occasions that I am a great supporter of boosting our regional areas and it is a very important part of my Arts portfolio, which is to provide funding into regional Tasmania. I made a contribution in that regard on the adjournment last week.

I was honoured to be invited by the Burnie City Council to officially launch the festival alongside the Burnie Mayor, Alwyn Boyd. I thank all involved for their hard work on putting such a wonderful event together and making me feel so welcome.

Our Government is a strong supporter of the arts and the House will be aware we recently announced a new Northern Tasmania Arts Organisations Initiative in the amount of \$100 000 per annum. It is an initiative supporting arts organisations based in places like Burnie and covering the whole of the north of the state to deliver high quality arts activities and creative ideas to engage and inspire audiences as well as the wider community. I trust such initiatives will continue to support artists in the north, north-west and the north-east to continue their good work.

While I was in Burnie I was able to tour the Burnie Court complex, which has been allocated up to \$15 million by our Government for a much-needed upgrade. The facilities are challenging, is the best way of describing it, for staff and court users. I look forward to delivering the upgrades that will provide the necessary amenity and safety improvements to that complex. It houses both the Magistrates and the Supreme Courts and is one of our substantial investments in infrastructure in our Justice and Corrections system. It will ensure Tasmanians have access to an efficient and effective criminal and civil justice system in Burnie. To do this, we strongly believe our courts require better resourcing and facilities, which is the reason we have committed that substantial amount to that court complex. Approximately 50 000 Tasmanians access the courts in Burnie each year, which is quite a staggering number for that area alone. That is not including the Devonport courts, which I stress, and as I said at Estimates hearings, will still be operating alongside Burnie. It shows the demand is there across the state.

After my tour I was able to see how outdated the court complex is and it is not fit for purpose. A consultation program is underway with key stakeholder groups to ensure the upgrade addresses the needs of all staff and court users. It is a significant piece of public infrastructure and important to accessing justice in the Burnie region.

I also had the opportunity to visit Community Corrections in Burnie. I like to do that when I am in various areas to meet the staff delivering our programs, to witness the practical and operational matters they have and hear about the success of specific programs. We do not always hear about the successes. It can be a difficult area but a rewarding area to work in. This is as we progress our implementation of other programs such as home detention and electronic monitoring. I take this opportunity to thank all staff in Community Corrections, where I visited in Burnie and across the state, and our entire Tasmanian Prison Service as well while I am thanking people in this area.

As part of the Tasmanian Government's commitment to exploring ways to improve sentencing, home detention and electronic monitoring was determined to be an appropriate alternative to real jail time. Community Corrections is well advanced towards completing all necessary work to implement home detention orders and this work includes the establishment of a dedicated home detention monitoring and compliance unit within Community Corrections to undertake all necessary work to electronically monitor home detention orders.

Lindsay Morgan - Australian Rotary Medal for Health

[6.01 p.m.]

Dr BROAD - Mr Deputy Speaker, I rise this evening on adjournment to congratulate Lindsay Morgan for winning the prestigious Australian Rotary Medal for Health. Lindsay Morgan is an

outstanding individual. Back in the early 2000s he suffered a bout of depression and as a result of that decided he wanted to do something about it for his community. Since that moment, he has spent an inordinate amount of time organising community events, including community health and wellbeing expos as well as the beyondblue dinner which my wife and I try to every year. Lindsay Morgan and his fellow Rotarians are often in the main street of Ulverstone selling raffle tickets or tickets to the beyondblue dinner and raising awareness of issues of mental health.

Lindsay is the type of person who gets in and does something about it and he should be congratulated on that. This is a prestigious award and well deserved. In typical Lindsay Morgan style, he is quoted as saying, 'The medal to me is a big win for mental health awareness on the north-west coast.' Even after winning this prestigious medal he is very selfless in his acceptance and continues to organise dinners. This year the beyondblue dinner will be at Pier One once again on Saturday 20 October. This year the speaker will be Leisel Jones, the Olympic gold medallist and swimmer, who will be discussing her issues with mental health.

One thing Lindsay and his fellow Rotarians manage to do every year is put on a fantastic beyondblue evening. It raises a lot of money for beyondblue and the speakers he has managed to arrange and organise over the years I have been going have been very impressive and outstanding. Every beyondblue dinner I get something out of it, a new angle or new message, which I have discussed in this place before. That is not to take away from the efforts of Lindsay Morgan, an outstanding individual who should be congratulated on achieving this prestigious award and doing an excellent job.

Northern Tasmanian Football Association - Grand Final

Northern Tasmanian Football Association - Sponsorship and Access to Grounds

[6.03 p.m.]

Mr SHELTON (Lyons) - Mr Deputy Speaker, I rise this evening to briefly talk about football. The NTFA grand final was held last Saturday and I need to congratulate all the winners. In the under-18s, Longford played South Launceston and Longford prevailed in that contest. In the reserves - I declare I am a life member of the Bracknell Football Club and a sponsor - the Bracknell Reserves played South Launceston and Bracknell were the victors in that game. Congratulations to the Reserves. They did a fantastic job and I will speak a little more about that in a moment. In the Seniors, Bracknell also played South Launceston. Unfortunately for Bracknell, South Launceston had been the best side all year and continued that form into the grand final with the assistance of some fairly ordinary kicking in the first quarter by Bracknell, who had the wind and kicked something like one goal, nine.

Bracknell managed to get a win out of that so congratulations to all the coaches and all the volunteers and everybody throughout all the clubs that participated. We have just had a contribution about mental health and local football plays a vital role in men's mental health and the social atmosphere and I can tell you that the social atmosphere continued long into the night on Saturday evening, most of Sunday and then I believe the Bracknell Reserves continued on yesterday.

The game was played at Windsor Park down at Riverside. Another issue that I wanted to quickly raise to the members of the Chamber is that Windsor Park has a great surface and good facilities around the outside, in the clubrooms and so on, but there are no grandstands and limited parking for cars. It is unfortunate that the NTFA does not have access to what I call York Park, or

University Stadium now or Aurora depending on how people refer to it. I want to refer to the issue of sponsorship.

Mr Hidding - What? They can't ever play there?

Mr SHELTON - The reality is that every club and association needs it sponsorship to survive. It is a beer contest in this case. Boags sponsors the NTFA and therefore the NTFA need that revenue for their existence. CUB sponsors the ground presumably through AFL football and Hawthorn and so on and the two do not seem to be able to come together. The contract runs until 2022, which basically excludes the NTFA from using the best surface in northern Tasmania to play its grand final. It is a ridiculous situation. I had a discussion with one of the NTFA officials who indicated to me that they have been done this path with the Launceston City Council, Hawthorn and the AFL and there seems to be an impasse. I cannot understand why you could not shift or move it; it is a beer contest, apparently. It is a ridiculous situation that needs to be overcome. I know people have looked at it, but when you have the best surface for playing AFL football or local football in the state sitting right there and you have to go down the road five kilometres in order to play a grand final it is ridiculous.

Mr Hidding - How many grandstands are there at Windsor Park?

Mr SHELTON - There are no grandstands at Windsor Park. People are standing out in the open. It was fortunate that it was a reasonable day. Some cars can come in; there is limited parking. The reality is you have a 20 000 seat grandstand that has been substantially taxpayer funded, and the NTFA does not have access to it. I need to progress this issue further and I will be.

Safe Pathways - Auditor-General's Report

[6.08 p.m.]

Mr JAENSCH (Braddon - Minister for Human Services) - Mr Deputy Speaker, I would like to add to my answer in question time today in relation to the Auditor-General's report to the Public Accounts Committee. The question was asked by the Leader of the Opposition and from the *Hansard* record the question ended as follows:

Minister, has the language used in the funding agreement been updated to ensure that money provided for special care packages is actually used to provide care to vulnerable young people in out-of-home care?

I undertook at the time to provide some further detail and I would like to do so.

When we bring children into care we seek the most appropriate placement for that child's individual needs and circumstances. Many of these children have experienced significant trauma in their lives and have a range of complex behavioural health and disability needs that cannot be met in family-based care arrangements. For these individuals, specialist providers are used to respond to their individual therapeutic needs. There are limited service providers in Tasmania able to provide the specialised and high-level care some children need.

I am advised that since the review of the arrangements with Safe Pathways, actions have been implemented to ensure greater transparency about how costs are allocated by providers. The Department of Communities Tasmania is reviewing existing contracts with service providers and

providers have been engaged on financial and service accountability requirements. By agreement between the department and the service providers, funding will be acquitted for the past financial year and at the individual child level whenever possible. The department is working with organisations to develop their capacity to acquit funding and provide a high level of detail about how the funding is used.

To assist, the department has recommended each provider meet with WLF Accounting Advisory to discuss their requirements and the WLF Report. The department continues to meet with providers to support greater financial accountability.

Trout Expo - Brumby's Creek

[6.10 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Deputy Speaker, I am pleased to pay a tribute tonight to Richard Goss and all the 50-plus volunteers who helped make the Hydro Tasmania Cressy Community Trout Expo at Brumby's Creek at Cressy on the weekend such a success. It was held over three days, the third weekend of September each year and they have a special school's event on the Monday. Now in its 13th year, it attracted more than 1400 people who came for the weekend-long event, including more than 400 school children from 21 schools; a fantastic event.

I was there with my wife, Kate, late on Saturday morning and caught up with John Diggle from the Inland Fisheries Service, Richard Goss and many others. They were excited and pleased as were many of the anglers, old and young.

Ms Butler - I was there at 9 a.m. Guy, you were a bit slow.

Mr BARNETT - Getting in early. Did you catch a trout?

Ms Butler - No, I did not.

Mr BARNETT - Okay, not on this occasion. Tery the Trout, the \$10 000 trout, was not caught over the weekend. It was last year and I met the angler who caught the trout, a very happy young girl with her dad. This year it remained elusive for the whole event, but a big attraction.

The largest fish caught by a student was a 4.1 kilogram salmon from a Deloraine High School student, Karl Fronberger. That was very exciting. I saw a number of the fish come in and heaps of fish were caught. I recognise the junior winner from Sacred Heart, Lucas Mineall with a 3.84 kilogram fish and the team winners were from Deloraine High School and Scotch Oakburn were the junior winners. A total of 33 fish were caught by the students with 160 fish caught during the Expo.

Richard Goss said his advice to a novice angler was simple: be patient, you will be rewarded and ask a local for advice. Fine advice indeed from Richard Goss. He said the event had three main goals - one to promote trout fishing, two to promote the Cressy region, and three, to encourage young people who have not caught a fish to help them catch a fish. That is a fantastic objective. He is doing a great job on the Northern Midlands Council with this event. There were some 50 volunteers, and think where would we be without our volunteers? I take my hat off to them and say thank you for your work, your support and well done.

A special thank you to Hydro Tasmania for their financial support in helping make it all come together. My colleague and friend, Sarah Courtney, the minister responsible for the Inland Fisheries Service was there on Saturday promoting the event, noting that there are some 26 000 anglers holding a licence for our inland waters in Tasmania. To make it easier for Tasmanians and others to get a licence and to catch a fish, the Government has frozen the cost of inland trout fishing licences for the next four years. That is a big incentive to get out there and try some trout fishing.

Tasmania's lakes are crucial to providing enduring opportunities for Tasmanian anglers such as myself and the 26 000 others. There are 5000 mainlanders and overseas people who have come to Tasmania, so it is a big attraction. There is plenty of water in our lakes at the moment. As of Monday this week, the level was 49.7 per cent, a very high level for this time of year.

Ms O'Connor - You are a lake half-full sort of guy.

Mr BARNETT - I am a very positive sort of guy. I know how good it is for trout fishing and also how good it is for energy security and opportunities for Hydro Tasmania to deliver for the Tasmanian energy users. It is important. We are very pleased about that and the trout fishing season opened in that first weekend in August.

Some of the waters where there are special trout fishing opportunities - thanks to Hydro Tasmania - are Four Springs Lake, Brushy Lagoon, Huntsman Lake, Lake Leake and Tooms Lake. They are all popular early season waters, and the South Esk, Macquarie River, can be very productive particularly when there is plenty of water in those rivers and if you are keen on river fishing. There are lots of opportunities all around Tasmania.

The Government has been very strong in its support with the great leadership of my colleague Sarah Courtney, with \$30 000 for Trout Guides and Lodges Tasmania and Anglers Alliance Tasmania to market and promote angling tourism, including the Cressy Expo. We also have some \$300 000 in the Budget to build and upgrade toilets and amenities at many of the popular fishing spots around Tasmania. Some of those sites include Bronte Lagoon, the Four Springs Lake, Lake Crescent, Little Pine Lagoon, Penstock Lagoon - that is one of my favourites - Woods Lake, Tungatina Lagoon, Lake Binney, Bradys Lake and Lake Augusta.

We are on a good thing here in Tasmania. One of our greatest strengths is our trout fishing opportunities and we have now succeeded in securing the World Fly Fishing Championships which is at the end of next year, 30 November to 8 December. It is very good news. It shows that Tasmania is on the world stage when it comes to trout fishing and having a world-class trout fishery. We are going to make the most of it and I am so delighted that the Hodgman Liberal Government has committed \$100 000 to support that event and that is backed with Hydro Tasmania, Goldwind and other sponsors. It will be terrific.

We have a great trout fishery here in Tasmania and we are making the most of it; a big thank you to all those involved: Richard Goss and all the volunteers who helped to make the Trout Expo at Cressy on the weekend such a success.

Burnie Shines Festival

[6.17 p.m.]

Ms DOW (Braddon) - Mr Deputy Speaker, I also want to speak about Burnie Shines. Quite rightly, as the Minister for Arts said, Burnie Shines has been going now for 18 years and I am very

pleased to have had an association with that for the past 13 years. In my new role as a local member I am able to be a sponsor of this important cultural and sporting event in the Burnie community which is held each October.

As others did, I attended last Friday evening's launch in the laneway of the beautiful old Harris Print Advocate building. It was a well-attended event by many members of various groups from within the community. The event was opened by the honourable Elise Archer and attended by myself, the honourable Roger Jaensch and the honourable Leonie Hiscutt.

The most important thing about Burnie Shines is it is presented by the community for our community. That is what sets it apart from other community events. This year, there are over 100 events and I will read through a few of them for the House. They include amazing floral exhibitions and shows through the rhododendron gardens, the annual orchid show at the Burnie Arts and Function Centre and a host of events at the Table Cape Tulip Farm and the annual tulip festival. There is amazing music performed by Tasmanian artists in concert halls, cafes, bars, fields, streets and other unexpected places from comic opera to country rock and everything in between. The Chapel Café presents jazz, gospel and blue grass in a gorgeous old church and some local musos have combined awesome blues music with smoking barbecues at the inaugural Burnie Blues and Barbecues for a family friendly event.

There is also a street party featuring locally brewed beer, Tasmanian spirits, great local food and cool tunes. Produce to the People, a great local not-for-profit organisation, will present a degustation dinner at Burnie's historic Breckenborough on the 27th. The feature spokesperson at that event will be Brendon Gale. You can spend an evening making cocktails from the new Tasmanian spirits, celebrate World Gin and Tonic Day, which I might get along to, or meet Stephanie Alexander, one of Australia's most celebrated cooks and authors.

The feature artist for this year's Burnie Shines is none other than Kit Hiller, who is amazing local artist and is nationally and internationally acclaimed. Her signature piece for the branding of Burnie Shines is a beautiful picture of the rolling green hills of north-west Tasmania and a freshly ploughed paddock ready for potatoes. This is in Elliott, it is beautiful and captures the beauty of north-west Tasmania in spring and our agricultural economy.

I will talk about the major sponsor, which is important, being Caterpillar. This year's Burnie Shines is called Burnie Shines with Caterpillar. There was the thought a couple of years ago - when Caterpillar transitioned their underground mining operations and manufacturing to Rayong in Thailand - that Caterpillar had left Burnie and there is a misconception about that. I will read you a piece from the Burnie Shines program, which highlights Caterpillar's commitment to Burnie and the north-west region -

Caterpillar Underground Mining have been a very proud employer and supporter of the Burnie economy for more than 35 years.

The team in Burnie are responsible for the development of next generation Loaders and Trucks for the underground hard rock mining industry. Delivery in Engineering Excellence enables Caterpillar customers throughout the world to operate safely, productively and more profitably through ongoing improvements to our products.

Developing the latest innovative technology and autonomous machine mining solutions for the underground mining industry ensures Caterpillar remains at the cutting edge for our partners and customers.

Caterpillar's Burnie based team have a very diverse group of local employees representing nineteen different nationalities, with products sold to over fifty countries around the world.

Our team maintains strong relationships with both local and international customers and suppliers and look forward to continuing this into the future.

Caterpillar congratulates the Burnie City Council and the Burnie Shines event organisers on staging this festival and look forward to enjoying the month of celebrations.

That states it all about Caterpillar's ongoing commitment and investment in the local community. I congratulate the Burnie City Council and the Burnie community on this year's festival and all those members of the community in all those different groups who are responsible for coordinating and facilitating each of the individual events. I make special mention and pay thanks to Jenny Cox and Russell Steers and their amazing team at Burnie City Council. I thank all the generous sponsors for their investment in this very important community event. I encourage everyone to get out and enjoy all the fantastic events for this year's Burnie Shines have to offer.

Assisted Suicide - Proposed Legislation

[6.23 p.m.]

Mr HIDDING (Lyons) - Mr Deputy Speaker, I rise to make a short contribution on the matter of public policy relating to possible laws in Tasmania permitting euthanasia or assisted suicide. I state upfront this is a conscience matter in our PLP. As a backbencher, I intend to place on the record, not controversially nor adversarially, my strong views that vulnerable Tasmanians are at risk from euthanasia laws.

The question has been put, why now? It has been reported that shortly, in a parliamentary sense, we will be debating yet another private members' bill on euthanasia laws for Tasmania early next year. I intend, given the short opportunities I will have when the debate comes on, generally a maximum of 20 minutes or 30 minutes, and having been through this debate five or six times in my career, I am determined this time to take some opportunities to lay down a clear case that vulnerable Tasmanians are at risk from the euthanasia laws.

This will be the fifth or sixth attempt to remove the legal prohibition of the practices within Tasmania, which would see people being assisted to suicide or to have their life ended by third parties. This time proponents would have us believe, as in the past, there are enough members of parliament, although this time it appears there might be something to this, who have indicated in principle for so-called voluntary assisted dying for the legislation to get through.

Having been intimately involved in critically evaluating each of the previous failed attempts, two things are certain. First, the bill will not be well-considered and I believe it will be a flawed bill, riddled with unintended and fatal consequences for the Tasmanian community particularly vulnerable Tasmanians. Second, the in-principle support of some will not translate into support for

the particular bill and model proposed as no amount of safeguards, it will be proven in the debate, can prevent the unintended, untimely and unconsented termination of people's lives or assisting the suicide of people in our community.

There is a slippery slope in every other jurisdiction. When we first started talking about this we said there would not be a slippery slope. We are now seeing children in many of these jurisdictions, disabled, and all sorts of matters that were never, ever initially spoken about. It was denied that they would ever go there and they are well and truly there. The slippery slope is a real and present danger and inevitably part of this suite of laws.

Why were all of the past failed bills, which the bill currently being worked will be, so fatally flawed? It is because the proponents, in designing these bills, draft them through a theoretical lens for the autonomous and unusually independent citizens of Tasmania but not for the Tasmanians in the practical reality of their myriad complex and personal situations; lived every day by people in our community. This debate will again be about the vulnerable versus the autonomous in the Tasmanian community. This concept of vulnerable people is not often considered, let alone clearly defined by the proponents. Thus, vulnerable people become an abstract concept, an afterthought, not considered in any meaningful or concrete way and therefore become collateral damage of the resulting legislation.

I confidently assert, as I have in the past, that no member of parliament in this place can safely legislate to put vulnerable Tasmanians at risk in Tasmania. It simply will be and should be a fundamental deal-breaker in this discussion. As I have seen in previous debates on these bills - provided there is sufficient critical analysis, consultation and debate - the ramifications for vulnerable Tasmanians, which is so often superficially pondered at best in the drafting of these bills, comes into stark and frightening reality during the process. This reality sees the in-principle support of many members of parliament convert into overt opposition to the particular bill and the model in keeping with their overriding obligation as members of parliament to legislate for all Tasmanians, with special concern for the most vulnerable.

Any bill needs to be absolutely explicit and specific in regard to its treatment and consequences for vulnerable members of our community. These people and their particular vulnerabilities and their needs must be at the forefront in framing euthanasia and the assisted suicide bills and warrant scrupulous and broad consultation as well as deep reflection and analysis.

Not a single proponent of all the failed bills to date has given adequate consideration to the risks to vulnerable Tasmanians. Much to the detriment of the quality of the debate, significant amounts of empirical evidence and academic and professional perspectives pertaining to the risk of those laws to vulnerable people has often been overlooked, understated or omitted.

This was a key finding by senior researchers, Dr Jeremy Prichard and Dr Hannah Graham, of the University of Tasmania in their academic paper titled *Voluntary Euthanasia and 'Assisted Dying' in Tasmania: A response to Giddings & McKim*, 2013. The paper noted that the Giddings and McKim paper did not define vulnerability and that the word 'vulnerability' did not even appear in the paper at all.

While proponents of euthanasia and assisted suicide often overlook, understate or omit consideration of evidence of risks when it comes to euthanasia and assisted suicide, they often engage at length in critiquing other types of proposed legislation for impacts on the marginalised and vulnerable in our community. This is a double standard by which proponents of euthanasia and

assisted suicide single-mindedly pursue legislating of euthanasia and assisted suicide with a concerning level of indifference toward special and acute forms of vulnerability.

As Professor Onora O'Neill, the great House of Lords MP, great champion of equality and human rights put it -

Legalising 'assisted dying' places a huge burden on the vulnerable ...

...

... in order to allow a few independent folk to get others to kill them on demand, we are to be indifferent to the fact that many less independent people would come under pressure to request the same.

Time expired.

Hobart Airport Overpass Proposal - Tasman Highway

[6.30 p.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Mr Deputy Speaker, there was so much heartfelt misunderstanding in this representation in Mr Hidding's contribution then that I am going to leave a response to it to another day, but I urge him to table more evidence than that which affirms his prejudice.

I rise to speak tonight to raise a matter in this House which has been put forward by Mr Robert Barclay of Cremorne who is very concerned about the proposed airport overpass. I am putting this on the record in the hope that the Minister for Infrastructure is either listening, watching or reads this, because the matters Mr Barclay raise are significant and serious.

Dear Cassy

Are you familiar with the design for the proposed overpass on the Tasman Highway at the airport intersection, as published in last Saturday's *Mercury*? I would suggest that this \$35 million-plus project is fatally flawed in so much that every vehicle travelling from Hobart to the airport must pass through a traffic light controlled intersection before crossing the overpass and heading towards the airport.

As you are no doubt aware, traffic light-controlled intersections suffer from a high number of road accidents and such accidents are usually serious in nature as drivers attempt to cross them at high speed.

The propensity for drivers to do this would be particularly so at this intersection as there are few appointments that are so time-specific than checking in at an airport. By this, I mean that if you are caught in traffic and are a couple of minutes late for work or an appointment, then this may easily be overlooked. Not so if you are late for an airport check-in. As a consequence, motivation to run a red light would be high, as in this situation, which in turn could resolve in dire and possibly fatal consequences.

An accident at these lights located on an elevated section of road and hemmed in by safety barriers on all sides will surely close the only access from the city to the airport for an unacceptable period and consequently a lot of people will miss their flights.

To make matters worse, all vehicles down to a scooter in size leaving Cambridge Park via this junction and travelling either east to Sorell or west towards the city will have to pass through the same set of traffic lights and so interrupt the flow of airport-bound traffic. There is no slip-lane to allow vehicles heading toward Sorell to veer off and avoid the traffic lights. It is indicative of the lack of planning for this project.

An alternative solution would be to maintain Kennedy Drive's current intersection with the Tasman Highway. Imagine the road rage of anyone running late for a flight having to wait for a single vehicle at these lights.

As Cambridge Park continues to develop, so traffic entering the intersection will increase, with particularly high numbers of vehicles using it at trade knock-off times. These vehicles will place heavy loads upon the controlled intersection, with increased delays for those heading towards the airport.

A better solution would be an overpass designed on similar lines to the one at Mornington, where traffic coming from Hobart and turning right towards the airport pass under the overpass before arcing around to its own dedicated lane on the overpass.

This model would allow traffic to flow from the city, northern suburbs and eastern shore to the airport without the need to pass through any traffic light-controlled intersection or give way to any other traffic. The traffic flow would be considerably enhanced.

A second alternative would be to have dumbbell roundabouts on either side of the overpass, similar to the overpass at Cambridge/Acton Road.

The submission for planning approval states that these alternatives have been considered but rejected, but there has been no explanation as to why this was done.

It is also worth considering reviewing the logic of having what is essentially only one access route to the airport, the closure of which will isolate the city from the airport. For this reason, I suggest the construction of an alternate route and the airport to the roundabout on Acton Road be considered as a secondary access route.

It has been my understanding that traffic engineering has, at its roots, two goals - one, to improve traffic flow and two, to increase safety. This design meets neither of these aims. It will increase the travel time from the city to the airport, elevate frustration and danger on this trip. Truly a waste of \$35 million.

It is important for both road safety and traffic flow reasons that the current design is reviewed as soon as possible.

Mr Deputy Speaker, I put that on the record because this is a very considered letter to me. There may be other members who have received the same correspondence. If we are making these roadworks happen and allocating \$35 million in public funds towards them, let us be certain we get it right, it is a good engineering solution, a good investment of public money and it improves road safety on the road to the airport and its surrounds.

St Helens - One Night Stand

[6.35 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, it is my pleasure to provide the House with an update of the fabulous One Night Stand event on 1 September in St Helens.

Mr Hidding - Is it happening again?

Ms BUTLER - I spoke about it before and now I am speaking about it as an event that has happened. It is estimated by the event organisers that 29 000 people went through the gates at some stage during the event, with an estimated 5000 turned away due to the venue reaching capacity. This was the biggest One Night Stand in the history of the event. The attendance was underestimated by the Triple J team, who measured the catchment data to predict attendance. What they did not understand was the support Tasmanians provide to local events, especially local events held in St Helens, a truly loved destination for most Tasmanians.

East Coast Tourism CEO Ruth Doughty said the outcome for local businesses was spectacular and the event provided unparalleled national exposure for Tasmania's east coast that will have compounding benefits. Previous One Night Stand events have generated economic activity worth over \$1 million to local communities. With the St Helens One Night Stand being the largest event to date, it is expected the economic boost to the local economy will be significant. We are waiting on survey information from local business operators to gauge the full extent of the economic impact to the region.

The social impact to the region was also evident. We know that Triple J worked with local young people providing them with production experience. The whole concert was broadcast live across Australia and the entire event was recorded and subsequently made into a television broadcast.

Friday night featured a comedy show named 'The One Night Stand-Up', which was recorded in front of a live audience and was also broadcast to a television audience. It was quite an experience watching how they do takes and instruct the audience when to clap and laugh and so forth. It was a good experience and was packed with local people.

Kristi Chappell should be acknowledged for initiating the request to hold the One Night Stand in St Helens. I congratulate and thank the following people. I am sure I will probably miss a few names, so I apologise in advance for that - Angela Matthews, Erica Lowry; Chris Hughes; Bob Highland; John Brown, general manager of Break O'Day Council; Mick Tucker, mayor of Break O'Day Council; Anita Lewis, school business manager; Kemuel Wood; Jenna Bailey; Jane Richardson; Cr Glenn McGuinness; Marika McGuinness; Cr Veronica Jarvis; Charmaine Tucker; the members of the One Night Mayhem body corporate; Emma and Mike Astley; St Helens Marine

Rescue; Ivan and Pam Walker; the Georges Bay Dragon Boat Club; St Helens Football Club; St Helens Cricket Club; Rotary; Lions Club; karate, and the other community groups that contributed to the event.

All local business owners put on more staff and stayed open for much longer hours. Tasmania Police also must be congratulated. They provided a large peaceful police presence and if you compare it to the Defqon concert held in Sydney a week after, both had around 30 000 attendees. The Defqon concert was also highly attended by young people. At St Helens there were no reported arrests at the actual event and there were minimal drug offences. There were some arrests the day before and a few the day after, but at Defqon there were two fatalities and about 600 to 700 overdoses and Tasmania Ambulance have advised that with the St Helens One Night Stand concert there was a reported 58 incidents. Four people were admitted to hospital and one person needed to be flown out with suspected spinal injuries and that was from participation in the mosh pit, which is the dancing young people do at the front of the stage, I am advised.

Overall, the Break O'Day Council worked tirelessly to ensure the smooth running of the event. The 11 members of the Break O'Day Council outdoor workforce crew worked around the clock throughout the build-up and the running of the event and then the clean-up of the event. Mick Tucker, the mayor of Break O'Day Council in his orange suit did a fabulous job and he went beyond what he needed to.

There was so much respect shown by attendees of the event, which was so pleasing. There were 30 000 people and there was only one incident which was not even vandalism. A pane of glass in a telephone box was smashed and that was it for the whole event. We were really pleased with the outcome.

In time to come, we will discover how valuable the repeat use of the name St Helens on a national level will be to the town economically and I look forward to the responses from the surveys.

Time expired.

Jordan River Service Inc Board - Tribute

[6.42 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I congratulate the board of the Jordan River Service Inc. which runs services in Bridgewater and Gagebrook, including the Gagebrook Community Centre, the Bridgewater Community Centre, Family and Support Service, Needle and Syringe Program and the Top Gear Program along with a number of other different initiatives and programs that support that community year round. I pay tribute to the work of the board president, Philip Lead and the manager, Helen Manser, along with their colleagues on that board who volunteer their time to make sure those services continue to operate and provide extraordinary services to that community.

I will share some of the statistics around the level of engagement those community centres have with the Bridgewater and Gagebrook communities. In Bridgewater their annual report shows people participation in an average week at the Bridgewater Community Centre increased from 424 in 2016-17 to 877 in the 2017-18. Their volunteers increased from 25 to 52 in an average week, totalling 2496 for the year. Volunteer hours increased from 68 to 142 in an average week which equates to a massive 6792 volunteer hours for the year.

Mr Hidding - That is fantastic. What is behind that, just good people?

Ms WHITE - It is amazing, isn't it? The approximate annual participation was 42 072. A huge engagement there.

For the Gagebrook Community Centre, people participating in an average week decreased there from 988, which is a huge number, may I say, in 2016-17 to 671 in 2017-18. Their volunteers increased from 18 to 62 in an average week to 2976 for the year and their volunteer hours increased from 102 to 236 in an average week, equating to 13 722 for the year. That is a massive amount of volunteer hours. Their approximate annual participation was 32 208.

The engagement of these community centres is in large part due to the extraordinary management of the centre coordinators and I acknowledge the huge amount of work done by Shiny and Chelsea in their respective centres. I would also like to talk about a couple of different programs they offer and one I was stunned by when I looked at the data in the annual report is the Fast Foodies team that operates out of the Bridgewater house that made a total of 8711 frozen meals in the last financial year. These are used by members of the community. They can go into the Waterbridge pantry and purchase a healthy, nutritious meal to take home and feed their family. They made 1118 jams, chutneys or relishes and 112 desserts. They are very busy in the kitchen. They are gaining skills as volunteers and doing a lot of training and education, in some cases gaining employment, and they are feeding their community with healthy and nutritious meals. It is a fantastic initiative being led by the coordinator.

Chelsea at the Gagebrook Community Centre hosted the Parliamentary Labor Party a couple of weeks ago. We sat down with the board and some of the workers and volunteers and spoke to them about some of the different issues they are seeing come up through the community. We also learned about the youth group that operates out of the house and the numbers of children participating have continued to grow steadily. Thirty children had been at the house on the Friday of the week before we visited, which is a lot of children to accommodate as part of a youth group. On average, they have about 10 children participate in their youth group each week. Throughout the reporting period of financial year they had 399 attendances. It is one that will continue to go from strength to strength.

They also run the Top Gear program, which provides support and mentorship to learner drivers to help them get a licence. Top Gear's total on road hours for the 12 months was a massive 1420 hours, remembering this is delivered by mentors who are volunteers in that community assisting people to get a licence. It makes a huge difference and the learner engagement has been steady, with a spike in new participants driving in the program. Over the 12 months they had 41 active participants at different stages, 24 were new participants and 17 continuing from the previous financial year. I understand they have received 32 new applications in total. They have 16 on their waiting list, two on hold and the waiting list is being managed at the moment.

They have concerns about their funding. It does take a lot more money from the budget than the department has allocated for the program each year. That is one for us to continue to keep an eye on because these services are so important for the community. They must be funded, so they can deliver these programs.

I congratulate them on another successful year supporting their community. They offer hope and opportunity, social inclusion, training, education and employment and are one of the most wonderful places to visit. I am sure all members have been to community centres around their electorates. The Jordan River service is particularly outstanding and the Labor Party and I continue to be incredibly supportive of them. We know of the value they add to the community, how they

empower individuals and enrich people's lives and all of those who come into contact with them. Congratulations to the board and to the workers, to all the volunteers, because I know they are truly making a difference to the lives of Tasmanians.

The House adjourned at 6.48 p.m.