

Tuesday 27 November 2018

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

RECOGNITION OF VISITORS

Madam SPEAKER - Honourable members, I draw your attention to the presence in the gallery of the Vocational Preparation Class from TasTAFE. We welcome you to parliament.

Members - Hear, hear.

QUESTIONS

Royal Hobart Hospital - Funding Injection

Ms WHITE question to PREMIER, Mr HODGMAN

[10.02 a.m.]

Last night the Australian Medical Association issued an extraordinary statement. AMA President, John Davis, said that the Royal Hobart Hospital was severely compromised, with overcrowding the worst it had ever been. He said the current operation of Tasmania's hospital system displays a complete lack of critical planning by the Government and described your Government as ill-equipped and with no back up plans. Dr Davis said -

The AMA demands the Government urgently provide sufficient funds to the Hospital ... to care for patients, support dedicated overworked staff and reduce ambulance ramping.

Your embattled and incompetent Health minister has announced a panicked \$105 million funding injection. Will that funding employ more staff, or will it be simply used to plug the existing budget black hole which has been exposed in the KPMG consultancy report your Health minister continues to hide?

ANSWER

Madam Speaker, I thank the Leader for the question and the opportunity to talk about the additional investments we are making into our health system to meet increasing demand to relieve the pressures in the system in all our hospitals, most notably at the Royal, which is being rebuilt under this Government. It is on track to be completed on time and will relieve a lot of those pressures.

Whilst we acknowledge and respect the input of key stakeholders in this matter, including the AMA, it was not that long ago that another union leader, Mr Jacobson, described the Labor Party as being good at talking about the health issue but not good about coming up with any solutions or addressing it. The only visible contribution made to the health debate in recent times has been the Leader of the Opposition and one of her colleagues spending a weekend sticking little faces in the

lawn at the front of Parliament House. That goes to the status of the Opposition to make a meaningful contribution to this debate.

Ms White - Are you going to fund more staff?

Mr HODGMAN - Yes, we are putting additional funding into our hospitals. We are investing \$757 million in additional funding over the next five-and-a-half or six years. We are putting \$105 million into health this year which will meet that increasing demand and ensure we are best able to do so. As the Treasurer pointed out earlier on radio, that can be to relieve the pressure or deal with spikes following the serious flu outbreak the state suffered last year.

We are putting more money into health. We have opened more hospitals beds and employed more staff. Since the election, there are now 800 more staff employed in our health system than when we came into government. It is not right for anyone to say we are not responding as best we can with appropriate priority. We are. The increase in demand which has escalated significantly in recent years requires additional investment by Government. That is what we are doing and we will continue to do all we can. We are able to do so because our budget is back in such strong shape -

Ms O'BYRNE - Point of order, Madam Speaker. It goes to standing order 45, relevance.

Mr Ferguson interjecting.

Ms O'BYRNE - If Mr Ferguson could stop interjecting on my point of order, Madam Speaker, we will get through faster.

Members interjecting.

Madam SPEAKER - Order. I am trying to listen to the point of order.

Ms O'BYRNE - Thank you, Madam Speaker. It is standing order 45, relevance. The Premier was specifically asked: will the funding employ more staff, or will it be used to plug the black hole identified by KPMG, a report the minister continues to hide? Can he address the question.

Madam SPEAKER - As you know, standing order 45 does not allow me to tell the Premier to address it in any way other than how he sees fit.

Mr HODGMAN - Madam Speaker, I have confirmed that our additional funding is employing more staff. It is opening beds; it is supporting the rebuilding of our hospital system.

Whilst I have pointed to the fact this is a policy-free zone, in opposition, I doubt anyone will forget the fact that when in government, the policy of the person who just moved a point of order, was to cut hospital staff and to cut health budgets.

Minister for Health - Performance

Ms WHITE question to PREMIER, Mr HODGMAN

[10.07 a.m.]

Today's health announcement by your Treasurer and the Health minister is already being seen for what it is: a panicked and overdue reaction to the utter chaos unfolding in our hospitals every

week. We have all seen it before. The funding will not fix the health crisis because you still have a Health minister who is too arrogant to admit that there is problem in the first place.

You had an opportunity for a complete reset in health when you were forced to reshuffle the Cabinet to move aside the disgraced minister, Sarah Courtney. Why did you pass up the opportunity to dump Michael Ferguson from the Health portfolio, given that he has clearly lost the confidence of medical staff, patients and the broader Tasmanian community? You had the opportunity to show leadership on the health crisis but once again you did not. Premier, why did you not show this necessary leadership when you had the chance?

ANSWER

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

There is a very good reason why we continue to proceed with our very deliberate, concerted effort to fix our health system, which we have never, ever said has been fixed. We recognise the pressures and the demands on our health system and the people who work within it. We recognise that while we got elective surgery waiting lists down to record lows, we still want Tasmanians to be able to access their health care sooner. We have always said that and we remain committed to the job.

Members interjecting.

Madam SPEAKER - Order, please.

Mr HODGMAN - I tell you what the Minister for Health is not - which the Leader of the Opposition is - and that is a quitter. The Leader of Opposition handballed the health portfolio, despite saying it was the most important issue confronting our state. As soon at the election was over she happily handballed that portfolio away. That is not something this Health minister will do. Nor will I now be adopting -

Mr O'BYRNE - Point of order, Madam Speaker. Standing order 45, relevance. It is clear the Premier is not even addressing the question about his embattled Health minister. It is clear from his answer that the only advice he can give Tasmanians is to not get sick.

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

Mr HODGMAN - Thank you, Madam Speaker. Tacky one-liners are not a policy, nor are they a point of order.

We are serious about fixing the difficulties in our health system. You demand more money to go into it. Then when we do, you complain and say it is not enough, and it is an overreaction or it is too little, too late: all the usual nonsense that we get from the Opposition.

We are putting more money into our health system. There are 800 more staff in our health system to care for Tasmanian patients than when we came into Government after the cuts you had made and the state you had left the health system in. That comes on top of the extra \$465 million budgeted for Health in 2018-19 Budget and will be reflected in the Tasmania's revised Estimates later this year.

If anyone is interested in the facts, the money is going to rebuilding our health system, to putting more staff into our hospitals, opening more facilities, and to getting on with the job of meeting the increased demand, when all we are getting from the Opposition is silly stunts.

Lake Malbena - Tourism Proposal

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.10 a.m.]

Today, hundreds of Tasmanians will gather in Town Hall in opposition to the proposal to build permanent huts and allow up to 120 to 240 - who knows how many - helicopter flights and landings in Lake Malbena in the Walls of Jerusalem National Park, enabled by your corrupted EOI process.

Part of the proposal includes tours to a sacred cultural site, located only a few kilometres from the camp. It features a rock overhang with Aboriginal petroglyphs, believed to be more than 8000 years old. It is a place considered so sacred that many Tasmanian Aborigines have never visited it themselves -

Ms Archer - You have not got to the question yet.

Ms O'CONNOR - Why are you sniping away there, Minister for Environment?

Ms Archer - You have not got to the question. Is there a question?

Ms O'CONNOR - I am not asking you the question. I am asking the Minister for Parks and Premier.

It is a place considered so sacred that many Tasmanian Aborigines have never visited it themselves yet we understand the proponent is proposing to take tour groups of his high-end clientele to visit the site.

In their damning submission to the flawed federal assessment, the Tasmanian -

Ms Archer interjecting.

Ms O'CONNOR - Why are you still sniping away? I am trying to ask a question.

Madam SPEAKER - Order. There has been enough yelling here to be heard in Launceston. I want this to calm down. I want behaviour on both sides of the House. Please allow Ms O'Connor to ask her question.

Ms O'CONNOR - Thank you, Madam Speaker. In their damning submission to the flawed federal assessment, the Tasmanian Aboriginal Heritage Council condemned the proposal and raised the alarm yet they were ignored.

Why are you ignoring the Aboriginal Heritage Council and enabling a development which places their priceless heritage at risk?

ANSWER

Madam Speaker, I thank the member for the question. I again point to the fact that this proposal has received a favourable assessment via the robust Commonwealth assessment process through

the EPBC. Despite what some might say, it included the receipt of 900 submissions, including expert submissions, and that found that it will not impact on matters of national environmental significance.

Ms O'Connor - So they know more than the Aboriginal Heritage Council?

Mr HODGMAN - That is the finding of that process. Without wanting to delay the House by going through all the other parts of the process that this proposal will need to go through, including local government assessments, it is our view and the view of most Tasmanians that proposals that are able to satisfy those tests should receive what the Greens so often demand of proponents, and that is a social licence.

Ms O'Connor - The Anglers Alliance, the Bushwalking Club, fly-tyers.

Madam SPEAKER - Order, Ms O'Connor.

Mr HODGMAN - They are doing everything that the Greens would normally expect to pass those processes and those expert assessments.

Regarding the Aboriginal Heritage Council, as part of their application and the Commonwealth assessment process, the proponents sought advice from the Aboriginal Heritage Tasmania office, which advised that the site has low probability of Aboriginal heritage being present.

I can confirm that the proposed guided tours to nearby identified cultural sites that are the cause for concerns raised by the Aboriginal Heritage Council and others are not approved under this stage of the proposed development. Access to these sites is subject to a second stage of the proposal and further consultation with Aboriginal communities. The proponent has also consulted with the Aboriginal Heritage Council and has detailed its approach to the management protection of Aboriginal heritage values if discovered.

The proponent is required to apply an unanticipated discovery plan to any relics found during the course of building the standing camps or pathways around the camp or during the operation of the camp. All Aboriginal relics in Tasmania have protection under Aboriginal heritage legislation.

My Government is committed to the protection of Tasmania's indigenous cultural heritage. That is why in 2017 amendments were made to improve the operation of the act, including greater clarity of permit processes and increases to penalties for breaching the acts. These amendments also required the act to be reviewed within three years. That upcoming review process will enable all Aboriginal people along with the wider community to have their say on the operation of the act, including the role of the Aboriginal Heritage Council.

Health - Performance of Minister

Ms WHITE question to PREMIER, Mr HODGMAN

[10.15 a.m.]

Today, your Health minister and the Treasurer have announced the fourth crisis payment for the hospital and the health system since the June Budget. In August, we saw the Government announce a crisis payment of \$1.5 million for the Royal Hobart Hospital and Launceston General

Hospital emergency departments because overcrowding was unprecedented. Again, in August you were forced to find \$4 million for a women's health package because you had failed to properly fund services. In October, your Government announced a mental health crisis rescue package because you had done nothing in this crucial area. Today we see this panicked \$105 million announcement.

Let us call this what it is - a panicked, desperate attempt to protect your job because you have dismally failed to show leadership and pay attention to the Health portfolio. You have completely ignored the Health portfolio, instead leaving a failed Health minister to do whatever he wants and plunge the Tasmanian health system into crisis.

When are you going to put the health of the Tasmanian community before your own desperate attempts to protect the Health minister?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for the question. Only this Opposition would complain about a Government putting more money into our health system. It has demanded more of this Government despite this Government promising more for health in the state election campaign. We clearly prioritised health more than the Opposition in the election campaign. When we respond even further because of our strong budget position, they still complain. They make stuff up. The Leader of the Opposition claims we have done nothing in mental health. During the last term in Government we re-designed our approach with additional resources for mental health services. We have announced, as the Leader conceded in her question albeit critically, that we are providing more services and facilities for Tasmanians needing mental health support. We are responding to the increased demand that is affecting our health system. It is the reason we are investing additional money into health that the Opposition Leader now complains about.

Members interjecting.

Madam SPEAKER - Order. I have given a lot of latitude this morning because I understand this is a subject in the interests of all Tasmanians and it deserves a good airing in this parliament. I ask that you do it respectfully. I do not want to have to be calling out individuals and recognising you for your poor behaviour. Please proceed, Premier.

Mr HODGMAN - Thank you, Madam Speaker. What it is for is building a health system that you left in a shocking state and which you cut. It is about putting in more facilities - beds opened, wards opened - and more staff in those hospitals to service them and to improve health services for Tasmanians. That is what it is about. This shallow Opposition which has no policies of its own, only stunts, is now bizarrely complaining when we put more into our health system.

Hodgman Government - First Year Agenda Update

Mr SHELTON question to PREMIER, Mr HODGMAN

[10.19 a.m.]

Can the Premier please update the House on the delivery of the Hodgman majority Liberal Government's first year agenda?

ANSWER

Madam Speaker, I thank the parliamentary secretary for his question. I am delighted to report, as this parliamentary year comes to an end, what has been achieved in our state since the election in March when Tasmanians elected a majority Liberal Government and delivered the Labor Party its third worst result in its history.

We were elected for a second term, we were elected to deliver majority government and to deliver on our plan that we took the election: to continue delivering on what we have done for the past four years, including keeping our budget and our economy strong, which they are, and investing more into essential services such as health, education or public safety, which we are doing. It includes taking action to keep cost of living and cost of doing business pressures down, which we are doing. It includes investing mammoth amounts into the infrastructure our growing state needs so that we increase the liveability and productivity of our state. That is what we were elected to do and that is what we are doing.

Since the election, we have delivered a lot. Our economy is very strong. Despite the childish claims of members opposite, it does not just happen by luck. Amongst other things we have improved business conditions, taken action to reduce business costs, and lowered payroll tax so that Tasmania has the most competitive payroll tax regime for small to medium enterprises in the country. We are investing a mammoth amount into infrastructure, which not only improves the liveability, but also the productivity of our state and creates thousands of jobs in the process. We are investing more into apprentices and trainees, and getting more kids through their TCE so they can get a good job. We have managed our state's finances well and will continue to do so. That includes keeping our expenditure growth down and under control so we can continue to invest in those essential services. That also includes an affordable and reasonable pay increase for our public servants.

I noted the comments of Lyndal Kimpton, the chair-elect of the Chartered Accountants Australian and New Zealand (Tasmania) Council, who said:

I believe that one of the most important factors in the positive steps that Tasmania has taken over the past five years is because the Government's finances are in excellent shape. Under this Government we have seen small but responsible surpluses over the past four years, and on the expenditure side, the Hodgman Government would have to be amongst the most disciplined Tasmania has ever seen.

We have turned the economy around from recession to what it is now, a national leader, with the fastest pace of economic growth, the best performing state economy, and business conditions ranked the highest in the nation. The Sensis business survey released today confirms that we have the highest levels of business confidence in Australia for metropolitan and regional businesses. Consumer confidence is higher than all other states, export growth has skyrocketed to three times the national rate, and this is the plan delivering positive results that we were elected to deliver.

Notwithstanding the obstruction and negativity from the opposition parties, we have delivered a lot through this parliament. We have been working very hard since the election to deliver our mandated first-term agenda, whether it be to invest additional resources into our health system, which we are doing, to improve housing options for Tasmanians, to pass laws to make our community safer, to further strengthen our response to family violence, to cap power prices so that

we continue to have the lowest electricity prices, to cap water and sewerage costs, and to extend payroll tax to support the employment of around 4500 apprentices and trainees, and provide a range of measures to continue the boom in our construction industry, which is creating thousands of jobs across state. Recently, we got legislation through to ramp up our brand and take it to the next level with a statutory authority to promote, protect and nurture that great asset. This is a snapshot of all that has been achieved this year.

Madam Speaker, our firm commitment is to deliver on our plan that we were elected by Tasmanians as a majority Liberal government to deliver. We respect that fact and we are committed to delivering on that promise and, most importantly, to improving the lives of Tasmanians, not play politics.

Health - Budget Shortfall

Ms WHITE question to PREMIER, Mr HODGMAN

[10.24 a.m.]

When the KPMG consultancy report revealed a \$100 million black hole in the health budget, your minister described a subsequent and serious motion for debate on this issue in this place as 'junk'. Now, months later, the Health minister and the Treasurer have announced a panicked funding injection. You have known about this chronic funding shortfall for 18 months, since your Government received the KPMG report in March 2017. You know that patients at hospitals across the state have been forced to sleep on floors and that there were plans to put patients into storage cupboards with handbells to attract attention, but you have done nothing.

Government members interjecting.

Ms WHITE - Wow, what ignorance from that side of the House when these are true facts about the state of the health system.

Premier, you have done nothing all the while patients are sleeping on floors and being forced to wait in alcoves with handbells. Is it not a fact that months of chaos, unprecedented pressure on staff and patients, and avoidable deaths could have been avoided had you acted when you were first warned in independent reports?

ANSWER

Madam Speaker, in the same question the Leader of the Opposition criticises us for putting more money into Health and says we are doing nothing. Any sensible analysis of the intellectual integrity of that question would reveal what a shallow farce the Opposition now is. They have no policies of their own, they complain when we put more funding into our hospitals, and then in the same breath say we are not doing anything. It is fanciful.

We are doing a lot, as I have said, including investing \$757 million of additional funding over the next six years. That is responding to the challenges in our hospital due to increased demand. We will never work any less than we need to improve our health system. It is why we are putting that additional funding into our hospital system that we have announced. We have long-term plans we have outlined that are underway and we have immediate plans that we implement and effect as quickly and swiftly as possible.

Again, this is only possible because we have such a strong budget position. Money does not grow on trees. It requires strong financial management to be able to do all these things. That is another thing we are doing. Over the next five and a half years we are investing a record \$757 million that will open nearly 300 new beds, employ 1300 new staff and continue to increase services. We are progressing our 2018 election commitment to update the Royal site masterplan in addition to rebuilding the Royal Hobart Hospital. We are opening more facilities and employing more staff which also will relieve the stresses in the hospital system and our health network by putting front line workers into our hospitals.

It is a farce for the Opposition to criticise us for putting more money into our hospital system and then say we are doing nothing. They criticise all our policy commitments that we are delivering and were elected to deliver, yet come up with none of their own.

Glamorgan Spring Bay Council - Integrity Commission Report

Dr WOODRUFF question to MINISTER for LOCAL GOVERNMENT, Mr GUTWEIN

[10.28 a.m.]

Councillor Michael Kent from Glamorgan Spring Bay Council is sitting on an Integrity Commission report into potentially dodgy council processes he was intimately involved in overseeing when he was the previous mayor. Councillor Kent has kept the Integrity Commission report under wraps since August, refusing to table it to the previous council. Now he will not hand it over to the new mayor. Do you agree these actions reveal his deep contempt for the independent Integrity Commission and all good governance processes? Do you share the Glamorgan Spring Bay community's alarm that a sitting councillor publicly continues to do whatever he can to obfuscate, undermine and ignore the Integrity Commission's findings?

The report allegedly details corrupted processes, with staff gaming the council's resources for personal advantage. You ordered an investigation into that council in 2015 because of a raft of improper processes. The former mayor, Mr Kent, clearly has not learnt contrition and does not appear to give a fig for the integrity of the new council. Will you step in and table this Integrity Commission report to parliament and end the ludicrous situation of a washed-up ex-mayor holding his ratepayers in contempt?

ANSWER

Madam Speaker, I thank the member for that question. It is an extraordinary question and an attack on an individual under parliamentary privilege. As is right and proper, I do not have a copy of the report. I have not seen a copy of the report. Any matters of the Integrity Commission and Councillor Kent is a matter between him and the Integrity Commission.

This again demonstrates that the Greens are prepared to trash process. If I had a copy of the report and I was aware of what it in it, you would be claiming I should not have it, that it is not the appropriate process. I caution the Greens on utilising parliamentary privilege to attempt to trash the reputation of an individual in our community for their own political gain. That it all that is occurring here.

I want to be very clear on this: any matter between Councillor Kent and the Integrity Commission is a matter between him and the Integrity Commission. It is not for me to reach in, nor would it be proper for me to be aware of what is in that report.

State Service - Government Wage Offer

Mr HIDDING question to TREASURER, Mr GUTWEIN

[10.31 a.m.]

Can the Treasurer update the House on the majority Hodgman Liberal Government's recent offer to unions for the public sector union's wages agreement?

ANSWER

Madam Speaker, I thank the member for the question and his interest in this very important issue. We have placed on the table the most significant and meaningful improvement to public sector employment conditions in a decade. It surprised me today to hear that Tom Lynch had knocked off early and therefore was not aware of the offer. I guess there are union hours and there are hours for others.

On that side of the House I can understand their real interest in this, considering they took a wage increase above the 2.0 per cent. Their arguments through this have been very self-interested in scrapping the cap. They have already scrapped the cap.

The agreement we released yesterday, the offer, covers the general wages and employment conditions for the majority of our public sector including the CPSU, AEU, HACSU, United Voice, the Australian Nurse and Midwifery Federation, the Association of Professional Engineers, Scientists and Managers. The offer includes changes that represent the most significant and meaningful improvement to public sector employment conditions in a decade.

The offer goes directly to matters that have been raised for a long time by staff. It improves family benefits and superannuation, in particular addresses inequalities inherent for parents who take time out to raise a family only to find themselves with lower superannuation balances when they retire. It increases paid parental leave from 14 weeks to 16 weeks and increases paid partner leave from one week to three weeks. It improves recreation leave. These changes alone make Tasmania's public service one of the most family friendly in the nation.

The offer also addresses concerns about fixed-term employment and addresses long-standing issues in the use of fixed-term employees for positions that are more permanent by nature. The offer provides for a new ground-breaking youth employment program to attract, and keep, the best and brightest of our year 12 school leavers to the State Service. It will also target youth from diverse backgrounds to ensure we celebrate diversity and offer new pathways to those from under-represented and disadvantaged backgrounds.

The offer improves superannuation for those on workers compensation. An injury at work does not mean you should also face reduced superannuation contributions.

The offer also provides for a 6 per cent pay rise over three years, which, combined with annual increments will see many public sector workers receive total annual pay increases of between

3 per cent and 7 per cent. It addresses many of the unions' log of claims, just as our offer to teachers did. It achieves the right balance between pay, conditions of employment and our ability to hire more staff.

I will touch on the \$105 million announced this morning to meet additional demand. There is nowhere better to see the hard work and dedication of our public sector workers than workers on the frontline of our health system. They do a fantastic job. Hospitals around the country are under increased pressure. Governments everywhere are rapidly trying to catch up, to build and hire and to provide services. It is one of the key reasons why we booked modest surpluses across the forward Estimates so that we could respond when we needed to flex up in the health system or when we needed to meet challenges like fire or flood.

It is a statement of fact that demand has risen dramatically. Between late 2016 and now, our annual demand on our emergency departments has increased by more than 7000 patients annually. Last year, due to the unprecedented flu season and increased demand, we flexed up. We invested more last year. This year, rather than seeing demand abate as would be expected under normal conditions, the abnormal conditions from last year have continued. We will need to maintain higher levels of investment than budgeted for and invest around \$105 million more into the system to meet that demand.

The truth is we are in a position to make these investments because we have a strong budget position; a balanced budget with modest surpluses that enables us to invest when we need to.

Members interjecting.

Madam SPEAKER - Order. Sorry, Treasurer, whilst I am sitting here studying standing orders, I have just come across standing order 149. I have been the Speaker since early May and I have never had the chance to use it. I hope today is not going to be the day. Please be very respectful and listen to the Treasurer.

Mr GUTWEIN - Thank you, Madam Speaker. I have been here 15 years. I do not know what is in standing order 149, so I will try not to transgress.

Madam SPEAKER - It is about suspension for misbehaviour.

Mr GUTWEIN - I will try not to transgress, Madam Speaker.

We can make these additional investments and we can remain flexed up in the health system because we have a budget position that is strong and we have sensible surpluses across the forward Estimates. If we took the action that the Labor Party is calling for us to do - to apply an additional 1 per cent wage increase - we would take out of the Budget across the forward Estimates nearly \$280 million because of the compounding effect. That would mean we would have less money to invest in staff. We would be able to put on fewer teachers, we would be able to put on fewer nurses and, importantly, we would not be able to respond to challenges like we are seeing in the health system at the moment where demand increased last year. We had an unprecedented flu season and the demand has not abated -

Ms O'CONNOR - Point of order, Madam Speaker. The Treasurer loves the sound of his own voice. Standing order 48, answers terminated after sufficient time. The Treasurer has been on his feet for six-and-a-half minutes self-promoting. I ask him to sit down.

Madam SPEAKER - Yes, I will give the Treasurer 30 seconds to wind up.

Mr GUTWEIN - Thank you, Madam Speaker.

As I was saying, our sensible budget management enables us to make the investments that we need to deliver the services that Tasmanians want. If we took on board the actions that Labor and the Greens are looking for us to do - and that is to provide an increase over and above the 2 per cent - we would take the capacity out of the Budget to be able to manage through these challenges we are faced with. An additional 1 per cent increase over wages would cost us \$280 million. It would cost us teachers, it would cost us nurses, and it would cost us the flexibility to meet the challenges that the state occasionally faces.

Health - Pressure on Ambulance Services

Ms WHITE question to PREMIER, Mr HODGMAN

[10.39 a.m.]

Yesterday 11 ambulances were queued at the Royal Hobart Hospital. At one stage there were 14 ambulances at the Royal Hobart Hospital. The closest available vehicles for emergency calls in Hobart were at Nubeena and on the east coast. Night shift crews arrived for work with no vehicles available. All the vehicles were queued outside the Royal Hobart Hospital because there were no beds for patients in the hospital. Seven staff worked between 12 and 14 hours with no break. Paramedics are so concerned they have written advice on their vehicles telling Tasmanians to 'Learn CPR, survive the health crisis'. Do you concede lives continue to be placed at risk, staff continue to face unacceptable pressure, and this could have been avoided if you had shown leadership in Health instead of allowing a failed minister to create a crisis?

ANSWER

Madam Speaker, I do not accept the conclusion nor the premise of that question. We are putting more resources into our health and hospital system, our paramedic system and the network of services that make up our health system right across the state. We are responding as often as we can with increased priority and increased resources. We will do that with respect to ambulance services. Our plan is to deliver a total of 56 more paramedics in rural and regional areas, a dedicated aeromedical service, the first of its type in our state, and improved demand diversion initiatives. We have a commitment to meet our national averages and we are very focused on doing so with these additional investments to meeting them.

There are current demand pressures on Ambulance Tasmania but we are committed to working very constructively with all those within our ambulance service, including rolling out our \$1.5 million emergency department support plan to get patients into beds faster and ambulances back on the road sooner. We are committed to supporting our hardworking and dedicated staff to deliver the best possible care.

Our commitments to dedicated resources for our health system will see more ambulances on the road and shorter waiting times in our emergency departments. It will go a long way to improving the health system that Tasmanians need and deserve. Our \$125 million boost to ambulance services will recruit 62 new paramedics and operations centre staff. It will supercharge the aeromedical and helicopter service, which the experts have told us will save lives. We will implement secondary

triage, recognise and support our ambulance volunteers. We will build new ambulance stations at Burnie and Glenorchy and upgrade rural ambulance services too.

A key driver in relation to ambulance ramping is bed availability in our hospitals, which is why the extra support for our emergency departments will have a direct effect and impact on our ambulance services. That is why we have made further investments into an ED support package for the Royal Hobart Hospital and the Launceston General Hospital to relieve pressure on these hospital EDs by delivering more support for frontline staff and improving patient flow.

These measures are on top of a number of initiatives that we have already announced. They include more nurses and more bed management.

Mr O'Byrne - What is it going to take to show some ticker?

Madam SPEAKER - Order, Mr O'Byrne.

Mr HODGMAN - It includes admission processes. We recognise the demands on our health system, notwithstanding the fact that when we put more resources and support into it, the Opposition still complains, but we will focus on getting on with the job of delivering those things we have committed to. Wherever we are able, when our budget is able to afford these additional investments into our health system, we will make them.

Red Meat Industry - Government Support

Mr SHELTON question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[10.44 a.m.]

Can the minister update the House on the Hodgman majority Liberal Government's action to maintain and support the red meat industry in Tasmania?

ANSWER

Madam Speaker, I thank the member for his question and keen interest in the red meat industry and agriculture in Tasmania. It is an industry we are backing. The Hodgman Liberal Government is no better supporter of the agriculture sector than any other party or entity in this state. Agriculture is delivering 7500 jobs around Tasmania, particularly in rural and regional areas., and \$1.5 billion benefit to the Tasmanian economy. We have a target to achieve a \$10 billion part of our economy by 2050 and we have a strong plan to deliver that. Part of that is our plan over the next five years to deliver a \$150 million investment because we believe in this sector. This sector is vital to Tasmania. It is a key competitive strength we have and we are proud of it.

The Government is keenly aware of the challenges in the red meat sector across the state and we are committed to facilitating a sustainable future. We have acted decisively to address the challenges to respond to the Swift closure of the Devonport city abattoir, and TQM is now continuing that with the port facility and service. I put on the record my thanks to the Minister for State Growth and Treasurer for taking a leadership role in that regard to deliver -

Opposition members interjecting.

Madam SPEAKER - Order, Mr Bacon, Mr O'Byrne, and Ms O'Byrne.

Mr BARNETT - I established the Tasmanian meat industry working group on 17 November and last Friday I was pleased to attend the first meeting of that group. Their task is to address the short-, medium- and long-term issues for the industry and to deliver that report by 30 June next year. There is a very impressive membership of that group representing peak bodies and the Government, which is backing it to the hilt.

The group has done three things. It is very important that Opposition members and all members of parliament are aware of this. They have endorsed the support of \$400 000 being made available to help maintain meat supplied to the Tasmanian market in the short term as smaller abattoirs scale up to address the gap in the supply chain. Second, they have endorsed and commissioned an economic assessment of the benefits of the red meat industry to Tasmania looking at the risks and challenges ahead. Third, they have endorsed the commissioning of a feasibility study into the red meat industry and the options for on-island processing going forward. In addition to that, they have committed to further consultation with all key stakeholders - the producers, farmers, transport operators and the like - across Tasmania.

We know the red meat industry is worth \$400 million to the economy. It is a very important part and we acknowledge that. It is vital. On top of that we have committed \$1 million to the red meat strategy going forward over this term of government. We have committed \$648 000 for pasture and livestock improvement over this term of government. It is our target to grow agriculture and secure its long-term future.

I still have not received a question from Labor on agriculture in this term of government - eight months and no question on agriculture from the Labor Opposition, not one. That is their interest - not one question. I want a question from Labor on agriculture, Madam Speaker.

Members interjecting.

Madam SPEAKER - Order. You are wasting valuable time and until you can all behave I am going to stand here and look at all the offenders, as is my wont. Do you think you can be good for 10 minutes?

Mr BARNETT - Thank you, Madam Speaker. Labor has released their so-called big picture vision for agriculture but they are playing catch-up. They have been led by the nose on certain other issues by the Greens and are now trying to play catch-up. Of course, they were the authors of 10 000 job losses under a previous term of a Labor-Greens government.

They say they are concerned about meat processing jobs being shipped offshore and stock transported live to the mainland. The only problem is that Labor's local abattoir vision would replace meat workers with robots. Let me quote the member for Braddon, Dr Broad, who has helpfully explained that Labor's new state of the art facility would feature -

Opposition members interjecting.

Mr BARNETT - Madam Speaker, let me quote my shadow spokesman. He is very embarrassed. I am going to quote it because this is on the public record, on ABC television. Dr Broad said there would be robotic assistance for slaughtering process.

That is the support - robotic assistance. There might be a method in the Broad vision for robots. Perhaps a robot can be programmed to pay dues to the Labor Party, maybe -

Members interjecting.

Madam SPEAKER - I have several points of order here. I am going to take Ms O'Connor first.

Ms O'CONNOR - Madam Speaker, standing order 48. The minister has been on his feet for just under seven minutes. I also note that there is a broad disrespect for your request earlier about control in the House.

Madam SPEAKER - Thank you, Ms O'Connor. I appreciate you drawing that to the attention of the House. Yes, minister, I do think you have gone to time.

Mr BARNETT - Would you like me to wrap up?

Madam SPEAKER - I would love you to wrap up, but first I would like to hear Mr O'Byrne's point of order.

Mr O'BYRNE - I was making the minister aware that it is now 2018. There are robots in dairies, there are robots out there, so welcome to the future.

Madam SPEAKER - Mr Barnett, I will give you 20 seconds.

Mr BARNETT - Yes, Madam Speaker, I appreciate that and the reference to Dr Broad and robots being backed up by Mr O'Byrne, the member for Franklin.

In conclusion, the Government is getting on with the job. We are addressing these matters very seriously; we are acting decisively. We are the authors of 15 000 new jobs since we have been in government. The other side have been the authors of 10 000 job losses.

Health - Additional Funding

Ms WHITE question to PREMIER, Mr HODGMAN

[10.52 a.m.]

Is the funding announced today by the Health minister and the Treasurer recurrent? Will it be provided next year and the year after, and the year after that? Or will doctors and nurses and other health professionals at the front line need to campaign again to force your Government to properly fund Tasmania's hospitals and health system?

ANSWER

Madam Speaker, as we have clearly said, this is additional funding that was not budgeted to meet increased demand. To 'flex up', as the Treasurer described it. That is a good thing for our health system because it will be the beneficiary of this additional funding.

We have increased recurrent expenditures, we have increased our capital investments, we have increased the support to our workforce to relieve the pressures in our health system. This is another

example of us putting additional funding on top of what is already a record amount of funding into our health system that we budgeted for just a few years ago.

This funding and all that we are doing to increase our investments into health, is only possible because of the strong state of our budget. It will relieve pressures in our health system. Yes, they are increasing, by some thousands at our emergency departments in recent years. That is not something that is uncommon to other jurisdictions. It is occurring right across the country and it is placing pressures on our health system. We will do what we can.

This demonstrates that the Leader of the Opposition is already demanding that we do this again next year. On the one hand she is complaining when we do it, now she is saying we have to commit to doing it next year as well. Our track record stands very strongly against Labor's when in government, including under the former health minister, Michelle O'Byrne. When Labor was in government, it cut health professionals, cut nurses, shut down hospital wards and closed facilities. Labor comes in here with a petition that is about a third of the size of the one that was presented to the former health minister, Michelle O'Byrne, when there were protests of a scale never seen before. That is because you were the minister who cut our health system. We are the Government that is rebuilding it, and we will do so when we are able, with additional funding. That is what this is all about.

Health - Consultation for Additional Funding

Ms WHITE question to PREMIER, Mr HODGMAN

[10.55 a.m.]

Prior to the Health minister and the Treasurer announcing health funding today, who was consulted? Did the Health department provide advice about this funding announcement and was it consulted about where and how this money will be spent?

ANSWER

Madam Speaker, the Government, through the ministers and those who have been referred to by the Opposition Leader, the Treasurer and the Health minister, consults with its departments about what we are doing, particularly when we are investing more into our health service.

This is a bizarre question by an Opposition party with has no policies of its own, that demands us to do more and then complains when we do. We continue to invest more, as we are doing. We continue to employ more health professionals, as we have done and will continue to do. That is possible with additional resources available to us. This flexing up of health funding will go a long way to improving the very health demands in our system the Opposition is constantly complaining about.

Forestry - Strategic Marketing Campaign

Mr SHELTON question to MINISTER for RESOURCES, Ms COURTNEY

[10.56 a.m.]

Can the minister update the House on the Hodgman majority Liberal Government's commitment to support Tasmanian's renewable and sustainable forest industry through funding a strategic marketing campaign?

ANSWER

Madam Speaker, I thank the member for his question. There is no stronger supporter of Tasmania's great resource industries than the Hodgman Liberal Government. The positive policies of the Hodgman Government have seen a dramatic turnaround in the fortunes of our renewable, sustainable forestry industry.

We know after the industry was smashed by the job-destroying Labor-Greens government, that the industry has strongly rebounded. Confidence is up, investment is up and production has more than doubled. Jobs are flowing and exports are at a 10-year high.

We know, from Jacki Schirmer's work that this industry supports more than 5700 jobs and injects almost \$1.3 billion into the state economy. It is a renewable, sustainable industry which is well placed to grow strongly as the world switches from a carbon economy to the bio economy of the future.

Our strategic growth plan for the Tasmanian forests fine timber wood product industry aims to capture this upswing and double the industry's value over the long term. To get there we need to invest wisely and ensure people are aware of the amazing offerings we have. That is why the Government is backing the growth plan with \$4 million over four years. It is why we are investing with the Commonwealth and industry in the National Institute of Forest Products Innovation. That is why we have provided \$1 million to the Tasmanian Timber Promotion Board to match industry contribution for a national campaign to promote Tasmanian timber.

Those industry contributions are coming from a wide cross-section of forestry companies, including Neville Smith Forest Products, McKay Timber, Britton Timbers, Porta, Hydrawood, Specialty Veneers, Corinna Timbers and Oak Tasmania.

The Tasmanian timber campaign will run across the country until mid-2021 to raise awareness of Tasmanian timber and its applications and increase the average selling price of Tasmanian timber in the national marketplace. The target audience includes architects, interior designers, joiners, shop fitters, builders and furniture makers. Campaign activity will include videos, stories and photography telling the story of Tasmanian wood, raising awareness and demand for Tasmanian timber with key target audiences through social media, digital media and trade advertising, educating key target audiences about Tasmanian timber through educational initiatives and email, providing quality assurance and a Tasmanian timber support line in conjunction with the University of Tasmania, sponsorships and trade show activity.

The purpose of this campaign is to let new markets know and also remind existing markets that Tasmania has some of the highest quality timber produced anywhere in the world. The aim is to make Tasmanian timber the go-to product for architecture and construction, interior design, fit-out and furniture production.

Tasmania's environmental record is second to none. Our level on environmental protection is more than three times the average level of protection across Australia and more than three times the world average. We still have almost two-thirds of the forest coverage which existed at European settlement. Half of the state is covered by forest and more than half of our forests are reserved, including 87 per cent or more than one million hectares of old growth forests. Our forest standards are the world's best practice. We plant three trees for every one that is harvested.

We have an outstanding record of managing our production forests. This campaign supports 5700 Tasmanians who rely on our forest industries for jobs by capitalising on those strengths. That is in stark contrast to what we saw under the Labor-Greens government. In these last few weeks, we have seen the somewhat blurred line between Labor and Greens disappear completely. We know that given the opportunity, they would go back and destroy more jobs in regional areas. We saw divisive politics this morning from the two questions we had from the Greens, coming in here and dividing communities, slandering reputations. We know that will happen again. We also know from what we have seen clearly demonstrated the past few weeks that Labor and the Greens are working in lockstep together. It has happened before and it will happen again.

The forestry industry, as well as other regional communities, knows quite clearly that the only government that will support jobs in regional areas is the Hodgman Liberal Government. We have strong policies and we are delivering. We have the most confident businesses in Australia. We are building houses, we have record approvals, we are re-investing in health and education. The Tasmanian Liberal team will continue delivering for Tasmania.

Lake Malbena - Tourism Proposal

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[11.02 a.m.]

Have you read any one of the 100-plus personal and community group submissions to the federal Environment department in the first opportunity any Tasmanian had to comment on the proposal to privatise Halls Island for a luxury helicopter access inside the Tasmanian Wilderness World Heritage Area? The majority of these submissions are from groups and individuals who would not call themselves Greens. The resolve in these submissions is strong. Do you accept your corrupted EOI process has all but guaranteed many of your own voters will be blockading the wilderness to ensure its protection for all to enjoy?

ANSWER

Madam Speaker, I thank the member for the question. Yes, I have seen submissions from those who are not supportive of the project. I have seen submissions. I have also received correspondence from people who are supportive. I respect the fact that there are many people, regardless of who they voted for, who will have views one way or the other on these matters, but that should not determine government policy nor should that corrupt process.

For the party that often demands of government the best possible process, in this instance where there are state and local government processes and, by virtue of a self-nomination, a Commonwealth process, where the proponent is able to meet those tests, I believe that they should be respected for not only doing that but be able to achieve that so-called social licence that some complain about.

Notwithstanding the fact there will be those who express their views to me and the Government, I believe they will no doubt attend rallies and perhaps be misled at them, as some would have been if they listened to what some were saying in recent public forums about the processes that have been undertaken.

For those people who are concerned about this, I say do not listen to the Greens or the environmental movement. Please take the time to understand the facts, the processes that have been

put in place. Those which the proponents have adhered to, who have willingly presented themselves to this point have received support for their project. This Government, nor indeed good process should not be influenced by what the Leader of the Greens would suggest we be, depending on who may or may not turn up to public rallies or may or may not write to the Government.

These matters should be independently, appropriately tested by good process as has happened with this case.

Time expired.

PETITION

Risdon Vale Medical Centre

Ms Standen presented a petition signed by approximately 177 citizens of Tasmania. The petition conforms with the relevant Standing Orders and rules of the House. The residents of Risdon Vale and surrounds draws to the attention of the House the lack of resourcing at the Risdon Vale Medical Centre. More general practitioners and longer opening hours are needed.

Petition received.

STATEMENT BY PREMIER

Integrity Commission Report No. 5 of 2018 - Report of an Investigation into Allegations of Misconduct by Adam Brooks MP

[11.08 a.m.]

Mr HODGMAN (Franklin - Premier)(by leave) - Madam Speaker, I rise on indulgence to note the findings of the just tabled Integrity Commission's Report.

The Integrity Commission has dismissed all of the allegations made by the Labor Party against me. I welcome the Integrity Commission's findings that I acted appropriately and that I took reasonable steps to ensure that Mr Brooks avoided a perception of conflict of interest and to investigate his compliance with the protocols.

As the report says -

Deliberate, detailed and documented steps were taken by the Premier, following advice from relevant senior State Service officers, to address Mr Brooks' conflict of interest issues.

...

... the evidence suggests that the Premier's intention was to manage and respond to the issues effectively.

In regards to Mr Brooks, the Integrity Commission has found that he did not at any time have a material conflict of interest and did not breach the Ministerial Code of Conduct. I am however

very disappointed at his failure to fully adhere to the robust protocols that were put in place to prevent any perception of conflict.

While the divestment of his business, his relationship breakdown and subsequent divorce proceedings were no doubt very challenging for Mr Brooks, his actions in regards to complying with the protocol as detailed in the Integrity Commission's report were very disappointing and fell short in my expectations.

I have spoken to Mr Brooks to express my disappointment in his actions. Mr Brooks has apologised to me and I have accepted his apology. Mr Brooks has already paid a heavy price for his actions. He is no longer a minister and has not been considered for Cabinet for more than two years. I will not be considering him for a ministry for the foreseeable future. Additionally, he will not continue to hold the positions of Government Whip of the Deputy Chair of Committees.

I have sought advice from the Crown Solicitor, who has confirmed that due to the scope of the Integrity Commission investigation, there is no longer a need for him to conduct a second audit of Mr Brooks' emails. I understand Mr Brooks will make a statement in regards to these matters today. However, it is important to note that Mr Brooks has previously been and is now dealing with personal health issues and is currently on medical leave, matters which I ask people to also respect.

ELECTRICITY SUPPLY INDUSTRY RESTRUCTURING (SAVINGS AND TRANSITIONAL PROVISIONS) AMENDMENT BILL 2018 (No. 64)

First Reading

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

MATTER OF PUBLIC IMPORTANCE

Meat Processing

[11.12 a.m.]

Dr BROAD (Braddon - Motion) - Madam Speaker, I move -

That the House take note of the following matter: meat processing.

The Tasmanian red meat industry is at the cross roads with the closure of the Devonport abattoir and the Government is not really discussing the problem, let alone solutions.

We saw again today in question time the minister attempt to ridicule our position, our vision for a new state-of-the-art processing facility in the north of the state. He highlighted his ignorance in that he does not understand modern meat processing. There are robotics in modern meat processing, minister; there is technology that will scan and cut each individual carcass to maximise recovery. This Government is clueless. It does not understand the industry and modern processing technologies. That was highlighted today in question time with the minister's pathetic attempt to ridicule our position.

When Brazilian giant Swift decided to walk away from the Devonport abattoir, the Hodgman Government all but ground to a halt on the issue. We had an issue with a change in the Primary Industries portfolio and it was left up to the Treasurer to come up with a solution. The industry raised the vulnerability of the issue two or more years ago with the then minister, Jeremy Rockliff, and the Government simply put in place a stopgap measure to try to get themselves past the election and did not do anything else. There was no planning, no contingency.

When Swift shut down its lamb line in Longford last year, again the Government did not react. This Government is not prepared. It does not put contingencies in place. Instead it waits for a disaster. It waits for an industry to be on its knees before it even thinks about acting. Crisis management is not good governance and the red meat industry deserves better.

The Liberal legacy of the last few years is 400 jobs lost in the industry and a processing capacity of at least 700 000 sheep and lambs per year gone. That has gone under your watch, and what have you done? You are putting in stopgaps.

We are not prepared to wait for the Government to get its act together. That is why we put out a vision. We believe the state needs a brand-new state-of-the-art abattoir in the north of the state. There should be industry ownership and it should work on a service-kill basis. The Government's response is to wait for at least another six months to put a working group together to put a report together. The working group is chaired by a Liberal member who is up for election before this group is due to report. This appears to be a political appointment. The terms of reference include references to 'other issues as directed or requested by the minister'. That is overly restrictive and again highlights the political nature of this. Why not say something along the lines of 'any other matters hereto'? No, if the working group wants to stray from the script, they have to get permission from the minister. This is not good enough and we need action now.

Tasmania needs more processing capacity. There is a window of opportunity because there is drought currently in New South Wales and Queensland. Sheep and lambs are in demand, but when that drought breaks, and it will, extra lambs will flood into the meat market and that will depress the price of lambs in Tasmania. There will not be enough capacity to process those lambs in Tasmania. Every time you export sheep or cattle it takes jobs with it.

But do not take our word for it. There are comments coming from a long-time Liberal supporter, Doug Dickinson, a long-time lamb producer and hide buyer who has been involved in the industry since he started droving at a very young age, when he was about 16 years old. Doug has been turning over around 8500 lambs per year and was hoping to get up to 12 500. He has been selling through Devonport that is now shut. When he was asked how he felt about the situation he said he was:

... bitterly disappointed as a grower, as a farmer and as a person who is very passionate about the industry. It has been a disgrace. I warned the Government up to three years ago about what was going to happen.

We have been giving you the benefit of the doubt and saying it was two years ago you were warned, when according to Doug it was three years. I will quote him further:

You could see the market disappearing with the crowd that controlled the meat market. Swift closed the sheep and lamb section at Longford and put 150 people out of work. That sheep and lamb section was doing 500 000 to 600 000 sheep a

year. Coles was doing 20 000 a week. Woolies were using Devonport. Melrose Meats are no longer here.

That is what has been lost from this industry under your watch. When we asked if our plan was feasible, he said 'absolutely.' Your long-time Liberal supporter backed us in holus bolus. He wants to see this brand-new state-of-the-art facility as well. When talking about the working group he was asked if he was a Labor supporter and he said he was traditionally a Liberal person 'but not for very long', and went on say:

I am bitterly disappointed. It is a disgrace. It has been an absolute disgrace. They have sat on their hands. They have had the warning. The sheep and lamb industry, without the wool, is worth \$180 million a year and they have totally disregarded it. You ship 850 000 lambs now. They have sat back and seen 400 workers lose their jobs when the meat should be processed here.

That is coming not from us but directly from somebody who knows a hell of a lot about the industry.

We have seen three different Primary Industries ministers in almost as many weeks and it was left up to the Treasurer, Peter Gutwein, to come up with a plan. With Devonport being the only sizeable pig facility in Tasmania, the Tasmanian industry was facing a complete shutdown, despite warnings two years ago. With a solution negotiated now it is likely that TQM will keep that going for another couple of years, which is, of course, welcome.

The other side of the debate is about the service kill of 250 cattle a week and 3500 lambs. This is the end of the lamb industry as we know it in the state. The capacity for 700 000 lambs has gone out of the state now unless we do something about it. We can get the smaller abattoirs to scale up, but what about the issues around that? What about the waste? What about how busy that one meat inspector left in the state will be? That is right - there is only one meat inspector for the entire state. How are they going to have the time to make sure these smaller abattoirs can cope with their waste and extra yarding of stock and so on?

The Liberals seem to be completely reliant on the smaller processors to make up for the lack of action over the three years they were warned. They just push it off to another committee and give Leonie Hiscutt something to talk about in the lead-up to her election. These things need a plan. They need something to start now. There is a window here. We need large-scale extra processing facilities and we need action, not another six-month wait.

Time expired.

[11.19 a.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Madam Speaker, I am very pleased to speak on this issue of the red meat sector in Tasmania and note the pale, so-called vision of the Opposition. They call it a vision. They put out a media release on Sunday after not asking a question on agriculture in this place for the last eight months since the Government has been re-elected.

Not one question on agriculture and then they say they have put out a vision. What sort of vision is that? They put out a media release on Sunday. The media release identified the key ingredients to what we have already decided, already acted upon.

You were not listening to my answer during Question Time. I made it very clear. Of course we take the Tasmanian red meat industry very seriously. It is worth \$400 million. This pale imitation of a policy or vision is limp-wristed at best.

You have no plan for agriculture. You have never had one. You have never had a policy for fisheries or seafood. It is a disgrace.

Dr Woodruff - We do. It is the same as yours.

Mr BARNETT - I am talking about the Labor Party. We have a strong plan. It is worth \$1.5 billion and 7500 jobs. We have a plan to get it to \$10 billion by 2050.

Let me address some of the spurious allegations made by my counterpart: this limp-wristed approach from Labor. We have acted decisively. Three things: I established the working group on 17 August and it had its first meeting last Friday. It has backed the \$400 000 to address the supply chain gaps to support smaller abattoirs. I know you would support that, Dr Broad. Second, we have announced an economic assessment. This will look at the economic benefits of the meat industry and also at the risks and challenges facing the industry. Work has to be done on the terms of reference of the feasibility study, but the working group has supported it. It was on the communique and the website last Friday yet, on the weekend, you announced the need for a feasibility study. Well, hello, it has already been announced. We already have the working group.

You are a tail-end Charlie, Dr Broad. Get on board and support the Government. Support these initiatives and support the working group. I will put this to the Opposition: please have input to the working group. Please make a submission and make a contribution to the working group.

I have a lot of confidence in the working group members, chaired by Leonie Hiscutt, MLC. She is a farmer with a background in the meat industry. She knows her stuff. The deputy chair is Jim Wilson, former president of the Tasmanian Agricultural Productivity Group. You have Alan Broomby from the Tasmanian Island Pork Alliance, Jen Robinson from Sprout Tasmania, Brett Hall and Georgie Burbury representing the TFGA, and Oliver Stankovski from the Australian Meat Industry Council. From the Government there is the secretary of my department and the secretary of State Growth. The group will provide advice and recommendations to the Government. There is a further meeting before December.

Ms White - How many jobs have been lost? Is it 400?

Mr BARNETT - That is an allegation from the Leader of the Opposition. Jobs are the top priority. Under their government, they lost 10 000 jobs. We have created 15 000. We are not backing away from that.

I am looking forward to working with this group. We have invested \$1 million in the red meat industry. This was a commitment made by our former minister for Primary Industries -

Ms White - Which one?

Mr BARNETT - Jeremy Rockliff, prior to the election. \$1 million on the table. On top of that you have \$648 000 for pasture and livestock improvement.

Say well done, congratulations, this is good news. Get on board. Support it. I am not downplaying the importance and the challenges to the red meat industry. I am acknowledging at least one point from the Opposition, Dr Broad. Regarding on-island processing, all options are on the table. It is a very important industry. That is why the feasibility study will be underway once the terms of reference are sorted.

You are tail-end Charlies. You have tried to say you have a vision. It is a joke. You put out a media release. Get on board, make a positive contribution, stop criticising and being negative. You have not asked the minister for agriculture a question in the last eight months. I am the minister and I want another question. I want to talk about agriculture. You are having a go at me - personal attacks on me. I was born and raised on the farm in the Meander Valley at Hagley. We had beef and sheep, we grew potatoes, peas, poppies, and barley - that is the background. Do not attack me personally because I will not have it. I have the credibility and commitment to support the primary industries sector and agriculture. I have the support of the TFGA for this working group. I call on the Labor Party to support the working group and make a positive contribution.

Time expired.

[11.26 a.m.]

Ms DOW (Braddon) - Madam Speaker, I begin my contribution by speaking in my role as shadow minister for small business and the lack of support for small business in this process. The Government says it is a great supporter of small business and denounces the role of Labor in working with small business, so the decision of JBS to pull out of the Devonport City Abattoir and its implications on small business is a good case in point. I have met with many small businesses in the butchering community along the coast and around the state.

I want to read into the *Hansard* a letter I sent on 24 October to the Premier and the Treasurer following representation I received from a local butcher who was concerned about the ramifications of the decision and how it would impact locally on the business, especially around Christmas. The butcher was also concerned about the impact of the decision on their brand, which they had built up as a local family business with an agricultural background and the ongoing viability of their business. I wrote:

I met yesterday with a concerned local butcher regarding the pending closure of the Devonport City Abattoir. This local butchery business will be severely impacted on by the closure of the abattoir. It is a business which relies on locally grown product synonymous with their quality, niche products and business brand. They proudly sell products locally in the north west region, and this is fundamental to the ongoing success of their business.

It is important to note that the pending closure of the Devonport City Abattoir will not only just affect the pig industry but also local butchers who rely heavily on this operation to process locally sourced beef and lamb. This business owner is seeking clarification on the current situation at JBS and timely confirmation of other opportunities for processing in this state.

As you will appreciate, they are leading up to the busiest period of time, being Christmas and would like to know what processing options are available and commence a transition plan as soon as possible to ensure as little disruption as possible to their business. I would appreciate you providing me with some further

information to assist this local business to better understand the current situation and the options that are available in Tasmania for butchers who need to process local meats to sell in their local businesses.

To date I have not had a response to that letter. I was trying to express on behalf of that small business the need for a sense of urgency. We have heard this morning that the Government said they responded decisively. The thing that is important to remember about this issue is there are many components to it. There are short-term, medium-term long-term implications and they require a coordinated response from government.

My colleague, Shane Broad, has already talked about this. Two years ago, we knew there was uncertainty at the Devonport City Abattoir with a support package being put in place by the Government to ensure people remained in employment there. At this time, it would have been good to start looking more strategically across the red meat industry and looking at what a long-term plan for the future might look like.

Some of the issues with the short-term response are -

The rapid response program was put in place to support employees who would be affected by the changes. We are grateful for that. There are now other alternative employment opportunities for those people in local abattoirs that have had to step up their facilities. They invest a great deal of money in their facilities to ensure that local butchers and local service kills can be done locally and business can continue as usual.

My work with those small businesses has been ongoing over the last few months, looking at, as we transition through this significant change, each of the considerations for those businesses. One of the things that stood out to me was that 15 abattoirs were listed on a media release by the Government saying they were willing to take on additional kills in a place to take on the work of these local butchers. There was no direct communication with those small business owners even after them making personal representations to the Government and engaging the media. We talked a few weeks ago about the importance for more resources at those local abattoirs to support the increase in demand they would be seeing and the compliance and inspection of the facilities. They were some of our key concerns.

When we look to the long term, we have rightly put out our vision in the development of an abattoir in the north. It is an important project. Planning by the Government should have occurred some time ago. From recent events they would be well aware of the uncertainty in the industry, as well as from previous events, with changes at Longford and also at Devonport two years ago and the need for further assistance. We stand by the work we have done, working and engaging with farmers, the industry and with local small businesses about the need for such a facility in the north of the state and for the planning of that to be imminent and to start pretty much straightaway.

I acknowledge this is a \$400 million industry, minister. It is very important to the Tasmanian economy and to the Tasmanian brand.

Time expired.

[11.33 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, it was interesting listening to Dr Broad talk about a vision for Tasmania, a vision for the meat industry. Apparently, it is the

first time we have heard Labor use that word in this place on a matter of policy. But it is not a vision to propose that there be a local facility for local producers. It is commonsense and a statement of policy position. It is certainly no vision. We have not seen anything even approaching a vision from the Opposition since we returned to this place after the election.

One of the issues we have in Tasmania is far too often we become captive to a major corporation or a major industry at the expense of local producers and local supply chains. It would appear that the same thing has happened here and it has left our primary products in the meat sector in the lurch. As I understand it, this is an issue that has been on the radar of government for some time. Yet we have come to a point where the Devonport abattoir is closing and our primary producers are being left in the lurch.

I strongly recommend to the minister and to his Government that they look at the model being proposed, for example, by Jan Davis, former head of the Tasmania Farmers and Graziers Association, which is about a cooperative model that involves or produces -

Ms White - That was our model.

Ms O'CONNOR - That was not your vision; that is Jan Davis's vision.

Ms White - It is not actually; read the press releases.

Ms O'CONNOR - Your press release that articulated your vision?

Ms White - The press release identifies very clearly a cooperative to be examined.

Ms O'CONNOR - Okay.

As I was saying, minister, it is a commonsense approach. Tim Morris, the former member for Lyons, would say that it puts the power back in the hands of primary producers. It makes sure that we are looking after our local producers first, protecting the local supply chains and not leaving industries in the lurch when corporations cut and run, as they so often do, from Tasmania. It is a cultural problem we have politically where we allow big corporations, whether it be Gunns Ltd or Tassal, for example, major corporations to call the shots with government. Then we become, as an economy, dependent on those major corporations so that when something happens, like the closure of the Devonport abattoir or the collapse of Gunns, the fragility of our small island economy becomes exposed.

If we are talking about some of the future challenges to the industry, I suggest that the erosion of our brand is a challenge to it. The erosion is coming about as a result of the assault on wilderness under this Liberal Government and the fact that Tasmania's wilderness underpins our brand but we have a government who wants to turn the World Heritage Area into a theme park. A brand must have integrity. This is a debate that we had the other night in this place on the Brand Tasmania Bill. Without integrity, the brand is weak. If we do not protect Tasmania's wilderness, the brand will be weakened. If the brand is weakened, it impacts on our primary producers and our export sector, as well as having broader economic implications.

Another challenge for the meat industry, and this is not just in Tasmania but globally, is the accelerating trend of young people, particularly, choosing not to eat meat. The reasons that young people are making this choice are twofold. This is based on the evidence: they are making that

choice for animal welfare reasons; and because livestock emissions are a major contributor to global warming. An informed generation of young people is walking away from the traditional, if you like, Australian diet. For example, at the Hill Street Grocer, you can have a vegan Christmas this year. There is a whole range of choices now for people who have chosen not to eat meat.

How the industry tackles that is a major challenge for it. We have an edge in that the quality of the meat that is produced in Tasmania is of the highest possible standard. It is underpinned by a brand recognised globally but which we believe is fragile because of the policies of this Government. At the end of the day, for the industry, dealing with the reality of young people making informed market choices will be a huge challenge in the future.

We will gladly support the proposal that has been put forward and dressed up as a vision by Labor. It is a good economic model, a collective approach, a cooperative. It brings all of the producers in and does things on a scale appropriate for Tasmania. It is focused on a future where we are protecting our brand and exporting quality produce overseas, but also making sure that people in Tasmania can have access to quality meat and vegetables.

As we know, a lot of our best produce goes offshore. It is very hard for a Tasmanian, for example, to buy abalone or a crayfish. It is extremely expensive for the average person to buy King Island beef. Looking after the food security of our own people is really important and, as we know from the evidence of the community sector in Tasmania, we have food deserts where children and families cannot access quality food and fresh produce, and that should be a priority of any government.

If Labor is serious about presenting a vision for agriculture and primary production they should also be talking about protecting the brand and the attributes that underpin it.

[11.40 a.m.]

Mr SHELTON (Lyons) - Madam Speaker, the Government is well aware of the challenges facing the red meat industry and we are committed to addressing them. We have already acted decisively to address the issues resulting from the JBS decision to close the Devonport City Abattoir, the DCA, ensuring the continuation of the pork industry, and it is critical at this time of the year to make sure that the pork industry is capable of meeting the needs at Christmas time.

The minister has also established a Tasmanian meat industry working group to address the short-, medium- and long-term issues for the industry. The group is made up of a broad representation of industry peak bodies and government. It has endorsed the Government's action plan in making available \$400 000 to maintain the meat supply to Tasmanian markets in the short term and the smaller abattoirs to scale up and address gaps in the supply chain. It has already addressed the economic assessment and feasibility study into the establishment of further on-island processing and the group will also be undertaking further consultation with producers and stakeholders.

At this point I need to declare an interest. As most people are aware, I am part-owner of a property at Bracknell with my brother and mother that produces red meat. We produce lambs and beef. We believe we look after our stock in a fashion that is perfect for the growing of red meat. They are somewhat spoilt. I often go crook about my brother when he is feeding the cattle because they have only to feel a little bit pinched and he is out there with another bale feeding them and the efficiency goes out the door. We look after our stock very well and it has worried me for a number

of years that by selling into the industry this perfect product that we produce is sold into a commodities market.

I need to compliment the Premier for last week. I was in the Speaker's Chair so was not able to contribute to the Brand Tasmania bill, but as Ms O'Connor has said, I believe that bill will strengthen Brand Tasmania. What we have put in place is good for Tasmania and businesses can attach themselves to Brand Tasmania because of the strength of the brand and it is getting stronger. We need to be able to sell our lamb and beef under a Tasmanian brand. That means we need local abattoirs so it can be grown and processed in Tasmania and sold into other markets that are high value. I was in Singapore recently and the eating habits of Asians are changing to a more European style so a rack of lamb is available to them and, in talking to people in the industry, that is where the lamb industry is aimed. The issue is that the big players over the years have purchased these abattoirs, and lack of investment in those abattoirs has led to the problem we are facing now.

When Swift and JBS look at purely the cost per unit, the Brooklyn plant was upgraded in Melbourne to cater for the supermarket kill they had under contract, then they lost that contract and decided about 18 months ago to close down the Longford processing of lambs and send them to Brooklyn. From an employment point of view that is an issue. We need more on-island processing and with this committee that has been set up we are helping some of the small abattoirs grow. Whenever there is an issue out there, there are also opportunities, so there are opportunities for small abattoirs at the moment to ramp up. There is also the possibility of whatever comes out of the committee about on-island processing. The ability comes from the fact that we have this marvellous resource we are producing here every day and there are more lambs produced in Tasmania than there ever was, with many going across the strait, but the farmers and producers need that competition in the market.

Ms White - There is no option here for processing.

Mr SHELTON - There are options. I personally know the two owners of Tasmanian Quality Meats who only a few years ago established the business and they have done a fantastic job. I have visited TQM and seen what they have done and they have invested in that. There are opportunities out there and I am sure there are people in the industry now discussing it at the same time we are discussing it here today. That is absolutely vital to the industry that they move forward. As I said, out of every issue there are always opportunities and there are people out there now discussing what they might do with those opportunities as well as the committee that the minister has put together, and those people will no doubt talk to the committee inquiring into this to come up with the perfect solution.

I felt a bit perturbed when Dr Broad mentioned there was only one meat inspector in Tasmania. That may be the case, but it was 2011 legislation Labor introduced that put it out there that meat inspections can go to a third party, so the department's role now is making sure that there are enough people in that third party. There might be only one employed by the Government but there are meat inspectors out there who do the work. Every abattoir has to have a meat inspector. There are regulations in place. There will not be any disadvantage to -

Time expired.

Matter noted.

**COMMUNITY, HEALTH, HUMAN SERVICES AND RELATED LEGISLATION
(MISCELLANEOUS AMENDMENTS) BILL (No. 58)**

Second Reading

[11.48 p.m.]

Mr FERGUSON (Bass - Minister for Health - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

From time to time legislation requires amendment to ensure it remains up-to-date and to correct minor errors that may become apparent after legislation has been operational for some time. A number of such minor amendments have been identified in legislation administered by the community, health, and human services portfolios.

This bill makes minor and technical amendments to eight acts, being the Ambulance Service Act 1982, Disability Services Act 2011, Health Act 1997, Mental Health Act 2013, Pharmacy Control Act 2001, Poisons Act 1971, Right to Information Act 2009 and Youth Justice Act 1997. The amendments result from requests by various stakeholders to clarify or improve the operation of particular acts.

I will now briefly outline the reason behind each of the changes.

Ambulance Service Act 1982

A minor amendment to the Ambulance Service Act 1982 is required to clarify the authorised officer and infringement notices provisions to reflect the two key statutory roles under the act.

Currently, these provisions only refer to the Commissioner of Ambulance Services and officers of the ambulance service. However, the act now provides for the secretary's responsibility for licensing of non-emergency patient transport. That responsibility requires the ability for the secretary to appoint authorised officers, and for those officers to enforce the act with infringement notices as required. Sections 19 and 41B of the act are amended accordingly.

A further minor correction is required to substitute 'Commissioner of Ambulance Services' for 'Director of Ambulance Services' in the long title of the act.

Disability Services Act 2011

The bill also provides for an amendment relating to the phase-in period for the National Disability Insurance Scheme (NDIS).

Powers of authorised officers under state and territory legislation are still required in respect of monitoring NDIS-funded services. These powers apply to 'funded providers', which the Disability Services Act 2011 currently defines as state-funded providers. Therefore an authorised officer could not monitor a non-state-funded NDIS service to ensure that persons with disability are receiving appropriate care. The bill therefore allows the secretary to extend the definition of 'funded provider' so that it captures services provided with NDIS funding.

Further, a change is required to add a definition in the Disability Services Act 2011 for 'therapeutic purposes' in respect of restrictive interventions approved under the act by the Guardianship Board or secretary. The act provides that a restrictive intervention is any action that restricts the rights or freedom of movement of a person with disability. The secretary can approve restrictions for up to 90 days that involve restrictions of a client's environment for behavioural control. The board can also approve those restrictions for a longer period, but has further powers to approve restrictions that involve restricting the client's liberty.

The act provides that restrictive interventions do not include actions taken for 'therapeutic purposes'. 'Therapeutic purposes' are intended to relate to the treatment of health conditions. For example, a client with a broken leg may have a leg cast fitted which restricts their movement, which would not require an approval as it serves a treatment purpose.

A recent judicial review of a client's circumstances indicated that a definition of 'therapeutic purposes' could be interpreted as having a broader scope than intended. For example, it could in fact be taken to include things done for preventing an injury to the disability client in the future. That is obviously a necessary restriction in some cases, but it is also the kind of restriction that is intended to be approved by the secretary or board. The bill therefore inserts a definition to clarify the intended scope, based on national best practice, for restrictive interventions and therapeutic purposes.

The bill also amends the period for which a restrictive intervention may be approved by the board after a hearing. Currently the period is six months or a shorter period. The amendment retains the default period as six months, but allows for a shorter or longer period up to two years where agreed to by the senior practitioner who is appointed under the act. This is to prevent the burden on persons with a disability of having their long-term care arrangements subject to a full board hearing every six months.

Health Act 1997

The Health Act 1997 requires amendment to correct the current reference to the Medicare principles and commitments. These principles and commitments are both defined by reference to Schedule 1 of the Tasmanian act and section 26(2) of the Commonwealth Health Insurance Act 1973. Section 26 of the Commonwealth Act was repealed in 2007 and correcting this definition is well overdue. The principles and commitments remain defined as they currently are in Schedule 1 of the Tasmanian act. A related amendment to section 5 of that act corrects the reference so that it refers specifically to the federal Financial Relations Act 2009. That is now the act that provides for the funding agreements which provide for the manner in which the principles and commitments are met.

A further amendment is proposed in the bill in relation to the Hospitals and Ambulance Service Advisory Board, or HASA board. The HASA board is established under the Health Act 1997 as a statutory committee, but the board has not had a membership since 2002 and the function is redundant as the secretary has the power under the Tasmanian Health Service Act 2018 to appoint advisory panels as required. The bill repeals the relevant provisions concerning the HASA board.

Mental Health Act 2013

Changes are proposed to correct terminology in the Mental Health Act 2013. These changes replace the incorrect term of 'continuing care order' with the correct term of 'treatment order'.

Pharmacy Control Act 2001

Two technical issues have been identified with the Pharmacy Control Act 2001. The first relates to pharmacy depots, which was identified as a future amendment during earlier amendments to the act, and the second to family trusts.

Pharmacy depots are places, such as a general retail shop in geographic areas without a pharmacy, where prescriptions - other than for narcotic substances - can be deposited and sent to a pharmacist who dispenses and return the medications to be collected. Pharmacy depots were previously regulated in Tasmania's legislation through the Pharmacy Code made under the act. Amendments made through the introduction of the Pharmacy Control Act 2001 in 2010 meant a Code was considered unnecessary at the time, and the provision was repealed.

The bill provides a head of power under the act for regulations to be developed to regulate pharmacy depots as appropriate in future, subject to the usual regulatory impact assessment process. This would be to ensure that any growth in pharmacy depot arrangements is done in an appropriately safe manner for consumers. For example, there may be powers prescribed to inspect depots to ensure the storage and supply of dispensed medicines is done properly, securely and safely.

There is also an issue with the treatment of family trusts under the Pharmacy Control Act 2001. Recent changes to the act addressed this issue in most circumstances but Crown Law advises there is a further situation where a pharmacist shareholder of a company is holding those shares as a trustee of a family trust, unit trust or other body corporate. Such a person is then exempt from needing to hold an 'eligibility certificate', as the certificate is held by the body corporate and the requirement for a trust to comply with the limitations relating to beneficiaries does not apply.

At present, in a situation where a company applies to the authority for an eligibility certificate to hold an interest in a pharmacy business and a pharmacist holds shares in that company on trust for other persons - that is, beneficiaries - the authority cannot refuse to issue an eligibility certificate solely on the basis that one or more of those beneficiaries are not pharmacists or close relatives of pharmacists. The bill includes amendments to ensure that both the legal interest and the beneficial interest in each share in an applicant company is held by a pharmacist or a close relative of a pharmacist.

Poisons Act 1971

The bill includes a minor amendment in respect of poppy grower's licence conditions under the Poisons Act 1971 to reflect the current administrative requirements. Under section 54E, it is currently a condition of a poppy grower's licence that they must have a valid contract with a manufacturing chemist before growing can commence.

Amendment is required to extend this condition to require the poppy grower to also have a 'notice to grow' in respect of paddock location, and size for each season issued by the Poppy Advisory and Control Board. This assists with adequate compliance activity to be undertaken under the new five-year licensing regime. This amendment was not included in the previous amending legislation as the final requirements for the proposed 'notice to grow' were not finalised at that time.

A further change is made to section 47(10)(a) of the act to insert cross-references to new sections of the act that were not included in the initial drafting of these amendments.

Right to Information Act 2009

The bill adds the statutory position of Commissioner for Children and Young People to the list of statutory offices generally excluded from the Right to Information Act 2009. This is consistent with exclusions for other similar statutory positions such as the Ombudsman, the Health Complaints Commissioner and the Anti-Discrimination Commissioner.

This amendment was not progressed when the Commissioner for Children and Young People Act was developed, as the office of commissioner was not considered a public authority of the kind captured by the RTI Act. This amendment gives certainty to that position.

Like other statutory offices generally excluded from right to information, people can still make right to information requests of the commissioner if the information relates to the administration of that office. In other words, administrative information about how the office functions can be sought under right to information, but not the sensitive information gathered by the commissioner pursuant to that office's functions. The Commissioner for Children and Young People often holds information supplied by other government agencies and right to information requests may still be made to these agencies for the source information and assessed appropriately.

Youth Justice Act

The Youth Justice Act provides for the statutory role of 'detention centre manager'. The act defines 'detention centre manager' to mean the person in charge of a detention centre. It does not, however, contain any supporting appointment provisions.

The detention centre manager's powers and functions under the act are significant. This makes it appropriate to identify who holds the detention centre manager role with a greater degree of certainty. The detention centre manager's functions are performed in practice by a senior State Service officer. The performance and exercise of the powers, functions and obligations of the detention centre manager under the act are included in that officer's statement of duties.

The amendments provide for the formal statutory appointment of the officer as detention centre manager. The inclusion of standalone appointment provisions for the detention centre manager's appointment reinforce the statutory powers of the role and enable the incumbent to the role to be clearly identified. There is no additional remuneration for the officer arising from this amendment.

Another amendment clarifies the delegation provisions for this officer. The detention centre manager's current power to delegate is limited, as the detention centre manager can only delegate his or her functions or powers to either the Director of Corrective Services or a person nominated by that director. This was a legacy of the act's original operation when it was thought that the manager would only wish to delegate to staff of the adult prison.

In modern practice, the detention centre manager requires the ability to delegate powers to the manager's senior staff to provide for the proper exercise of the manager's statutory functions when the manager is away or otherwise unavailable. The bill therefore provides for an amendment to remove the limitation on delegation.

Madam Speaker, the bill contains a number of small but important amendments to clarify the operation of a number of acts within the community, health, and human services legislative portfolios.

I commend the bill to the House.

[12.02 p.m.]

Ms STANDEN (Franklin) - Madam Speaker, I signal Labor's general agreement to the amendments outlined in this bill, which are largely administrative in nature. We can see no problems with the majority of the amendments, in particular amendments relating to seven of the eight of the acts - the Ambulance Service Act, the Disability Services Act, Health Act, Mental Health Act, Pharmacy Control Act, Poisons Act and the Youth Justice Act.

I do, however, want to flag that in Committee stage Labor will be opposing the clause in relation to the Right to Information Act 2009. I should flag that I have not had the opportunity of a briefing in relation to this bill so apologies if I have misunderstood some of the relevant events. As I understand it, the Commissioner for Children and Young People Act was brought into legislation in 2016 but it has been amended twice since - on 16 November 2016 and 31 March 2017. I believe the Commissioner for Children and Young People Act replaced the Children and Young Persons and their Families Act in 1997. The gist of our concerns in relation to the Right to Information Act relate to the intention of this bill to remove exemptions for the Commissioner for Children and Young People and we believe that the Right to Information Act 2009 already provides extensive exemptions for personal information, including exemptions for the personal information of a person, information related to the investigation of a possible breach of the law or the fair trial of a person, or the impartial adjudication of a particular case or information obtained in confidence.

I note that the previous Children's Commissioner and indeed following that the interim Children's Commissioner both have claimed that the Commissioner for Children and Young People should be exempt because of their investigation powers and the need for confidentiality.

The former commissioner, Mr Morrissey, wrote to the then attorney-general, Mr Groom, on 14 July over 16 months ago and the Interim Children's Commissioner, Mr Clements, wrote further on 7 December 2017, almost a year ago now, to flag their belief for the need for the exemption.

No action has been taken and it does beg the question why? Labor believes it is because the RTI Act already provides exemptions for investigations of a breach of law in section 30 of the act and exemptions for information obtained in confidence in section 39.

The Government has had an opportunity when it reviewed the legislation and amended it in November 2016 and March 2017 to make these amendments and has been afforded therefore the opportunity to look at this. Twice now it has set aside the recommendations of the former Children's Commissioner and the Interim Commissioner on the basis that already the Right to Information Act 2009 provides adequate exemptions.

The act also provides for exemptions relating to internal briefing information of a minister and internal deliberative information which the Commissioner for Children and Young People has previously relied upon extensively. In addition to this, I am not sure exactly how this would apply, but under the Children and Young Persons and their Families Act 1997, exemptions already exist to protect children and risk notifications.

Labor notes that the Children's' Commissioner role has never been exempt. Since the Commissioner for Children legislation commenced on 1 July 2000 there has been no legislative provision to prevent Right to Information or Freedom of Information requests being made to the Children's' Commissioner.

On 5 April 2011 the then minister, Jacqui Petrusma, said that it took an RTI for an audit of children in out of home care by the then Children's' Commissioner to be released. We note that Labor has previously RTI'd the Children's' Commissioner around correspondence to and from the minister and her staff to the Children's' Commissioner relating to Ashley Youth Detention and out of home care after concerns were raised about the former minister for Human Services, Mrs Petrusma, and about her staff attempting to interfere with the role carried out by a statutory officer and specifically the Commissioner for Children.

Finally, Labor's concern in relation to this amendment relates to the timing of this amendment and the politically motivated appointment of Ms Leanne McLean to the position of Commissioner for Children and Young People. We note that the position was first advertised to the market in September 2017 and that the secretary for Health and Human Services, Michael Pervan, was appointed as chair of a committee including Ms Kym Goodes, CEO of TasCOSS and Ms Ros Cornish. As we understand it, there was a significant gap following that initial process. Following the election, the establishment of the Department of Communities Tasmania, rather than readvertising the position, there was some concern with the initial process undertaken by the initial panel.

Around May or June this year 2018, the panel was re-established under Ginna Webster, secretary of Department of Communities Tasmania together with the former panel members Kym Goodes and Ros Cornish, with the addition of Mr Tim Bullard, secretary of the Department of Education and Ms Jenny Gale, Secretary of Department of Premier and Cabinet.

Labor notes that the opportunity was there for the declaration of conflicts of interest and we wonder why, given that Tim Bullard is in the Education portfolio and clearly has regular interactions with Ms McLean as the Deputy Premier's chief of staff, and Ms Jenny Gale also has a significant conflict of interest, given she is the Deputy Premier's former chief of staff and recently was a senior executive within the Department of Education and Ms McLean's boss when she was chief of staff to the Deputy Premier.

We believe the opportunity was there for both Mr Bullard and Ms Gale to absent themselves from the panel when it was reconstituted. I am advised Mr Bullard was appointed to ensure there was a gender balance on the selection panel, but it begs the question why it was not simply the case that Mr Pervan continue on the panel as he was previously involved at the beginning of the process from September 2017. That would have been a simpler way to deal with any potential conflict of interest.

Finally, we note that the timing once again is particularly concerning, given that we understand Mr Jaensch as Minister for Human Services received a recommendation from the panel of two candidates who were suitable for appointment to the position of Commissioner for Children and Young People. I believe it is particularly disappointing that the minister has compromised Ms McLean's appointment from the beginning by forwarding only one recommendation to Cabinet, rather than two names that were put forward as potentially suitable for the role.

Mr Deputy Speaker, I will leave it at that. In summary, we have no objection to seven of the eight amendments put forward, but the objections we have in regard to the Right to Information Act 2009 relate to a couple of things. One is that we believe there are already extensive exemptions that relate to the release of personal information and we cannot see a coherent reason for making these changes now, particularly as the Government has had an opportunity in the past to do that and did not act, so we have to ask why. Second, why is it, particularly given the timing of the

appointment of the Commissioner for Children and Young People, that the Government is potentially looking to absent the new commissioner from provisions in relation to RTI?

[12.13 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I rise on behalf of the Greens to support the Community, Health and Related Services Legislation (Miscellaneous Amendments) Bill 2018. I would like some clarification around the change to terminology within the Mental Health Act 2013. The fact sheet does not provide any information about the purpose for that change. I can assume that it may relate to the accuracy, or rather the inaccuracy, of the existing terminology, where the term 'continuing care order' is used and is now proposed to be replaced with the term 'treatment order'. I would like to understand the reason for that change. I do not have any problem with it and I assume it has been supported by the stakeholders, but perhaps the minister could provide me with some information about who raised that as an issue that needed to be changed and whether there was any discussion or disagreement or controversy about the basis for that change.

I have some more substantive questions in relation to the amendments proposed to the Pharmacy Control Act. This seems to be a very important change. I would also like a bit more information about exactly what it provides. Not being of legal training myself, I want to understand the motivation for this change. I assume it relates to ensuring quality of service provision within companies that apply to be credited as a pharmacy business and to ensure that the agglomeration of business interests that is occurring more and more under the current global economic environment does not lead at some point to a dilution of quality in the people involved in pharmacy businesses and essentially that these do not just become shelf companies running pharmacies without the appropriate qualifications and the duty of care as professionals to put the interests of the community, the consumers, first above business interests.

Also in relation to that section of the bill, I note there are some changes that enable regulations to be developed to regulate pharmacy depots, so it is again tightening up on the regulations for those pharmacy depots. Could the minister please clarify whether a pharmacy depot could be a supermarket? The second reading speech said 'a general retail shop in geographic areas without a pharmacy'. As I read the act, pharmacy depots are places without a pharmacy where prescriptions can be deposited. We are not talking here about making any changes to the dispensing of non-prescription medications. It is this delicate balance that we have, particularly in regional areas and remote areas, of making sure we do not change the conditions so that big pharmacy suppliers cannot come in and take over the space accredited pharmacists provide as a service to their local community. I would like the minister to discuss what a pharmacy depot is, but otherwise that sounds like a very sensible move.

With respect to the changes to the Right to Information Act, I have listened to the member for Franklin, Ms Standen's comments and she raised reasonable questions. The Greens do not believe the points that have been raised by Labor are enough to outweigh the recommendations of two independent Commissioners for Children and Young People. Mr Mark Morrissey, in July last year, recommended that the Commissioner for Children and Young People be excluded from the Right to Information Act. That was supported by the acting commissioner, Mr Clements, in December.

We respect the concerns. There are reasonable questions about why this Government has been so laggardly on amending that part of the Right to Information Act. In government the Liberals have been as tardy and obfuscating as possible about the application of the right to information.

This Government is totally obstructive and will do everything it possibly can to hold on to information and not reveal it to the public. We are talking about the part of the Right to Information Act that deals with the decisions of ministers and delegates to not be reviewed. That is a fundamental breach of the spirit of right to information. Liberal ministers delegate certain decisions to senior staff so they are not able to be reviewed under the Right to Information Act by the Ombudsman. This is a recognised loophole in the Right to Information Act 2009 confirmed by the Ombudsman in a response to a question which we wrote to the Ombudsman earlier this year. The Liberals choose to not amend that loophole.

The Greens introduced a bill on 15 March this year and the Liberals voted against plugging that loophole. It was a public display of self-interest to make sure the secretive processes which underpin the actions of the Coordinator-General's office, underpin the sale of Crown land to private interests around Tasmania, underpin the abuse of the tourism proposals and the sham that is going through at the moment around Lake Malbena and the corrupted processes with that approval. All these things are hidden as much as possible from public eyes.

An example last week was the Minister for Primary Industries refusing to release a joint letter from two members of the Marine Farming Planning Review Panel, their letter of resignation and their letter with reasons for resignation.

Madam SPEAKER - I am sorry, Dr Woodruff, I have been advised you are straying off the subject matter.

Dr WOODRUFF - Thank you, Madam Speaker. The reason I am providing these examples is because it needs to be on the public record that the minister, in bringing forward this bill, has not made the most important change to the Right to Information Act, that the ministers' delegates must be able to have their decisions reviewed by the Ombudsman. The Right to Information Act does not provide the transparency it ought to because of a loophole in the Act.

I understand Labor's concerns about providing an exemption for the Commissioner for Children and Young People and their question why? Why focus on this now? Why not focus on the real abuse of the Right to Information Act, which this Government practises every day by keeping essential information away from Tasmanians to make sure that the interests of big business are met. The interests of the public, the community whose land it is, whose marine system it is, whose wilderness areas it is, whose nature and recreation areas like the top of Rosny Hill it is are not met. Ministers repeatedly delegate decisions to senior staff so they never have to be reviewed, so there is no paper trail, so there is no possibility for legal review or challenge, so there is no way people can really understand how much money is being siphoned out under Liberal ministers to private interests.

I look forward to the minister's response for why he did not plug the loophole in this bill. It is an obvious opportunity for this miscellaneous amendments bill. It should have been done. The Liberal Government will not increase accountability and transparency for the Tasmanian people unless there is a major rupture in what is happening on that side of the House. We may well see that happen today.

[12.27 p.m.]

Mr JAENSCH (Braddon - Minister for Human Services) - Madam Speaker, my colleagues and I are prepared to stand up and cop the gratuitous character assessment and the wide-ranging assault on the motives of members of the Government in this place from Dr Woodruff. I do,

however, condemn Ms Standen for her reckless attack, under privilege, on the professionalism and integrity of senior public servants involved in the recent appointment process of the Commissioner for Children and Young People. I believe that is an abuse of the privileges of this place. I will reiterate on record my confidence in the integrity of the senior public servants and the community sector participants in the appointment process for the Commissioner for Children and Young People and the probity advice that was sought to confirm that independently as a basis for that appointment proceeding.

I rise today in particular to speak on the addition of the statutory position of Commissioner for Children and Young People to the list of statutory offences generally excluded from the Right to Information Act 2009. Under the Commissioner for Children and Young People Act 2016 the Commissioner for Children and Young People may initiate an inquiry or investigation or undertake monitoring in relation to the wellbeing of a child or young person in Tasmania. The Commissioner has extensive powers to gather the highly sensitive information needed to effectively carry out their investigations. Given the similar powers the Commissioner for Children has to other officers such as the Custodial Inspector to gather highly sensitive information, it is reasonable that the Commissioner be exempted from some parts of the right to information process, just as the Custodial Inspector has been. These officers all hold confidential and sensitive information, much of which is sourced from other public authorities which are subject to RTI.

This amendment will bring the Commissioner for Children and Young People in line with other officers, including the Ombudsman, the Anti-Discrimination Commissioner, Custodial Inspector and the Health Complaints Commissioner in the same way and on the same grounds. The Commissioner for Children and Young People will, through this bill, be treated the same way for the same reasons. In response to questions raised by those opposite in regard to the reasons for this, is the Opposition perhaps proposing that we revoke or roll back the relevant exemptions from these other similar, other important statutory public authorities, if their argument is to hold?

I am also advised that there is a secondary matter at play here wherein, because a portion of the information that might currently be sought directly under RTI from the Commissioner for Children and Young People is also able to be sourced by directly applying to other agencies and public authorities which are subject to RTI, there is some duplication and the potential for the scarce resources allocated to those independent commissioners and others to be tied up producing information on RTI requests that could be sought from larger agencies with more resources to do that, and potentially from both, which is a wasteful use of our resources.

I have been advised that the fact the commissioner's investigation activities have ever been subject to an RTI in itself was an oversight during the original drafting of the act. This bill provides the opportunity to correct that. The amendment was, as noted by others, requested by the former commissioner for children and young people, Mr Mark Morrissey, and endorsed and requested again by his successor, the interim commissioner, David Clements, as demonstrated in the letters I tabled in parliament last week.

Ex-commissioner Mark Morrissey, who originally requested the change, stated that:

... in my respectful opinion, the release of information obtained in the context of an investigation, inquiry or exercise of my monitoring and review functions should not be governed by the RTI Act.

Mr Morrissey also noted that the Commissioner for Children and Young People Act 2016 contains confidentiality provisions and procedural safeguards applicable to the inquiry powers under the act. Further, he stated that:

... my capacity to undertake this monitoring function will be adversely affected if I am required by RTI processes to release information gathered in the course of carrying out my monitoring function.

As I said before, interim commissioner David Clements also supported this change. Like other offices, this amendment does not limit applications for information about the administrative matters of the commissioner's performance, budget and so on, but it appropriately excludes the information gathered in the performance of their investigative functions in particular. It is appropriate that the source public authority respond to any RTI request, given their operational responsibility for it.

Like all such offices, this amendment does not prevent a person from seeking information relating to the administration of the office under RTI. In other words, administrative information about how the office functions can be sought under RTI but not the sensitive information gathered by the commissioner pursuant to the office's functions. This change is about shielding children's personal files and identity from potential RTI release. The amendment was not progressed when the Commissioner for Children and Young People Act was developed as the office of the commissioner was not considered at the time a public authority of the kind captured by the RTI Act. This amendment gives certainty to the position and follows the recommendations of the two former commissioners.

I note, for completeness, that this Government agreed to draft legislation providing the children's commissioner for partial RTI exemption on 14 August this year to address the oversight in the original drafting of the act, and this was prior to any interviews for the existing position. I think that the connection being drawn between the two processes is unfortunate.

To recap, the failure to include this exemption was an oversight in the original drafting of the act. The bill brings the RTI provisions for this position of Commissioner for Children and Young People in line with other similar positions and for the same reasons. This amendment has been requested by successive independent commissioners for children and young people in order to enable them to fulfil their roles thoroughly and independently and to ensure the best interests of children are first and foremost in their considerations so they can fearlessly prosecute their independent role of investigating the circumstances of children and young people.

On that basis, I thoroughly support this bill and believe it adds to the abilities of the commissioner to do their work properly.

[12.36 p.m.]

Mr FERGUSON (Bass - Minister for Health) - Madam Speaker, I thank each contributor from around the Chamber for speaking on this important legislation. As has been agreed, there are a range of amendments that are more or less housekeeping and making sure that the legislation is contemporary and kept up to date.

I strongly disagree with the assessment by the Opposition regarding the amendment to the RTI Act, but I will come to that in a minute, because any suggestion to try to link that to a politically motivated appointment to a commissioner for children and young people role is utterly rejected by the Government. In fact my colleague, Mr Jaensch, demolished the attempt to make an argument

that was raised today by Ms Standen, which only repeats the rubbish that was brought into this House last week during question time. I reject outright those accusations that have been made. The minister and the Premier have clearly demonstrated the due process and indeed probity that has been followed and audited in the Government coming to the conclusion to appoint the exceptional individual who has been appointed to that role, Ms Leanne McLean, and she ought to be supported by every member of this House. Every member of this House should endorse and congratulate her.

Ms Standen - You compromised the process.

Mr FERGUSON - You shake your head and mutter things over there, but all you are doing is undermining an exceptional person being appointed and the community confidence in that person to be able to get on and do their job as a strong, effective and independent advocate for children and young people. I reject the accusations that have been flippantly made and for political reasons by members opposite. Mr Jaensch has been clear on this.

Opposition members interjecting.

Madam SPEAKER - Order, please.

Mr FERGUSON - Noting the potential for this behaviour from the Labor Opposition, which is nothing but stunts, the Government even ensured there was a probity audit to ensure that conflicts of interests, real or perceived, were audited and checked to make sure that due process was followed, and yet, Ms Standen, in your contribution - I will not be lectured by you -

Ms O'BYRNE - Point of order, Madam Speaker. The minister must put his comment through the Chair, not directly to Ms Standen.

Madam SPEAKER - The minister is fully aware of that, thank you.

Mr FERGUSON - Thank you, Madam Speaker. I do say through you to Ms Standen, your contribution was an appalling slur on Ms Gale, Mr Bullard, Ms Webster, Ms Cornish, Ms Goodes, and Ms McLean. It is an appalling slur and I quite commend -

Ms Standen - You chose the panel.

Mr FERGUSON - All the Labor Party has now is interjections and being rude. They have been found wanting, slurring good people who have done the job of the community in making a good recommendation to the Government to ensure that the robust appointment has been achieved.

Ms Standen - Look at your track record. You had an excellent children's commissioner who found the position untenable.

Madam SPEAKER - Order, please.

Mr FERGUSON - This behaviour is not acceptable at all. The Government rejects it. Through you, Madam Speaker, I invite the Opposition to cease this attack on the appointment because, in so doing, you are undermining the individual who has been appointed to this role and you are undermining community confidence in the role, which is important. It should not be treated like a political plaything, the way we have witnessed here today.

In relation to this, I note that the Opposition shadow made a comment in her contribution that she had not had the benefit of a briefing. I remind members that if there is something in the bill that you want more information on or some further details, it is always open to you to seek a briefing. This bill was tabled last week. Had it been tabled with just two days' notice, it is still reasonable to seek a briefing, and one would be provided.

I am going to go now to Dr Woodruff's contribution and thank her for her far more constructive comments. I note you have asked questions that go to the broader policies on RTI, which is not something that I am the minister for, but you are always entitled and able to approach that issue in other fora.

In relation to the continuing care order, I am advised that this is an error that was in the Mental Health Act 2013. The use of the term 'continuing care order' was a feature of the 1996 act and for reasons, goodness only knows, that terminology slipped into the new Mental Health Bill 2013 inadvertently and quite unremarkably. But it is not the correct term to have used; so, it is just housekeeping to tidy up to ensure that the new term that is defined is 'treatment order'. That is the consistently correct use of the word through the act.

Dr Woodruff - 'Correct', minister, in what sense? For accuracy in terms of the procedure that is happening? Or is it what the consumer groups prefer to be used in that situation?

Mr FERGUSON - I cannot answer the last part of your question but 'treatment order' is the contemporary and agreed terminology for an order that is imposed by the Mental Health Tribunal, in relation to consumers and mental health services that require an order, having had an assessment, and the usual tribunal process. What previously happened is that under the 1996 act, similar arrangements were referred to as 'continuing care orders'. The use of that term inadvertently slipped into the new bill and into the new act and it is really a drafting correction. I trust that is useful.

Dr Woodruff asked me about pharmacy depots. I am advised that we need to have the head of power in the Pharmacy Control Act to ensure there is a head of power there to regulate in this area. Currently, the absence of the head of power means that the arrangements between pharmacies and regional communities where, for example, a general store or perhaps a newsagent, in an area where there is no access to a pharmacy, are quite casual. This is about firming up the arrangements and ensuring that there is a head of power to allow future regulations to regulate in this area. I have given one example; I will not name it if you do not mind, but there are places in Tasmania without close access to a pharmacy. There is a desire by local people to be able to drop off their non-narcotic prescriptions at that depot, perhaps with a signature I would imagine, to authorise the script being filled by the third-party pharmacist who would then ensure that the delivery is made back to the depot. That person in the community can receive their prescription or their repeat prescription with greater convenience, without having to transit to a distant pharmacy. The intention is to provide the head of power. We already have pharmacy depots in Tasmania; the issue at hand is that it is not regulated and we seek to have that head of power in the act.

I thank members for their contributions. I encourage a more supportive environment for our new children's commissioner. I commend the bill to the House.

Bill read the second time.

**COMMUNITY, HEALTH, HUMAN SERVICES AND RELATED LEGISLATION
(MISCELLANEOUS AMENDMENTS) BILL 2018 (No. 58)**

In Committee

Clauses 1 to 4 agreed to.

Schedule 1

Consequential Amendments

Ms STANDEN - Minister, what information is currently available under RTI that will not be available after the exemption for the Commissioner for Children and Young People?

Mr FERGUSON - Mr Chairman, that is an unusual question because it was thoroughly answered in the second reading speech. The schedule we are now looking at adds the Commissioner for Children and Young People to the list of statutory officers who are generally, but not entirely, excluded from the Right to Information Act 2009. This is consistent with other such positions which have significant access to information including sensitive information.

We do not want RTI applications to be able to obtain private confidential children's information because, under this Government, we have given the powers to the Commissioner for Children that the Labor government refused to give the Commissioner for Children - for example, greater investigative functions.

Ms Standen, I am sure you can appreciate that previously, where the Commissioner did not have such investigative powers, perhaps there was not a requirement for the office holder to have some similar standing under the RTI act as other statutory officers - for example, the Health Complaints Commissioner.

It is important that general addition be added. However, the Commissioner's office can still be RTI'd. That relates to the administration of that office. That is how the differential will work. It is important it not be politicised in this way. Regarding information that might be sensitive within the remit of the Commissioner's office, much of that source information will be from government agencies who, as the minister, Mr Jaensch, outlined, are far better resourced and supported to still be able to be RTI'd in relation to those matters and to assess them under the current act.

Ms STANDEN - Minister, can you confirm that under the Commissioner for Children and Young People Act, the only significant change was the capacity to instigate own motion investigations and that confidential children's information would not be available under the Right to Information Act 2009?

Mr FERGUSON - You are asking for an opinion and I am not going to give one. It is not of that nature.

The Children's Commissioner has wide-ranging information gathering abilities, including investigative and monitoring powers, which you did not mention. They are similar powers that are also held by the Health Complaints Commissioner, the Ombudsman, the Custodial Inspector, the Auditor-General, the Anti-Discrimination Commissioner and the Public Guardian. For these reasons it is appropriate that those statutory officers be joined by the Commissioner for Children in having the same level of engagement with the RTI Act, which does not detract from the fact that

members of the public and members of the Opposition will be able to continue to lodge RTI applications with the office of all of those statutory office holders in relation to the administration of their offices.

Finally, as Mr Jaensch has outlined the interim Commissioner for Children and Young People and the previous Commissioner for Children and Young People, Mr Morrissey and Mr Clements, have both requested that this change be made at law. We have considered that request and we are obliging it so they can get on and do their job but the children's and young people's files are not interrogated by the Labor Party.

Ms O'BYRNE - Minister, how many times has private confidential information been released through the Children's Commissioner under an RTI?

Mr FERGUSON - How many times? I do not know.

Ms O'BYRNE - Then, minister, would you ask one of your advisers because that seems to be substantive to the reason that we need to do it to protect this information. I have yet to see evidence that that has been an issue that has presented itself. Perhaps the advisers could give you that information.

Just for the note, you are refusing to answer the question. You are refusing to seek advice. *Hansard* cannot see the minister sitting down.

Ms STANDEN - Minister, can you outline how applicants will know what agencies to apply to to obtain and source documentation if not through the Commissioner for Children and Young People?

Mr FERGUSON - Thank you, Ms Standen, for your question. In a hypothetical scenario where an RTI is more appropriately addressed through a department of government the Commissioner for Children and Young People would be able to refer the person to the relevant agency for an RTI application. That would be done as a courtesy. I am advised and reminded that agencies already have public information available on each of their websites about how RTI applications can be made.

Ms STANDEN - Minister, given that the former commissioner for children and young people, Mr Morrissey, wrote to the acting attorney-general on 14 July 2017, more than 16 months ago, to raise this issue, why has the Government waited more than 16 months if this is such an acute problem?

Mr FERGUSON - I have not described it as an urgent issue. The Government takes advice from agencies as well as the office holders of this position. It has taken time to develop this legislation. It is an omnibus bill that picks up housekeeping matters. Taken together it is important legislation. For example, the changes to the Health Act relate to an error or an omission since 2007. I have not described them as urgent but they are important. We respect the advice of Mr Clements and Mr Morrissey in requesting this amendment. The arguments have been made as to the rationale for it but it is not described as urgent by me. I encourage you to support it without repeatedly politicising this office.

Ms STANDEN - Minister, I withdraw the word 'urgent'. Is this actually a problem given that we believe the exemptions are covered under the RTI Act and there is no need for this further change in legislation?

Mr FERGUSON - I would be repeating myself if I answered the question again. It is a desirable amendment to the legislation to improve it, to respect the information gathering and investigation and monitoring duties of the Commissioner for Children similar to those other statutory office holders.

I am not going to go around in circles. I encourage the member to recognise that while the Labor Party might wish to take cheap political shots, the timing of this legislation has no relationship to the recent recruitment process.

Ms STANDEN - Minister, given that you received advice from the former children's commissioner more than 16 months ago and then from the interim commissioner almost a year ago, do you believe that you have compromised the independent role of the Commissioner for Children and Young People in Tasmania?

Mr FERGUSON - No.

Schedule 1 agreed to and bill taken through the remainder of the Committee stage.

Bill read the third time.

SECURITY AND INVESTIGATIONS AGENTS AMENDMENT BILL 2018 (No. 51)

Second Reading

[12.59 p.m.]

Ms COURTNEY (Bass - Minister for Building and Construction - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The purpose of the bill is to make it easier for retailers to protect their stock from shoplifters by providing an exemption to their employees from requiring a licence to undertake bag checks. The overwhelming majority of Tasmanians are law-abiding citizens, but for some antisocial offenders and petty criminals, retail theft has become all too common.

The Australian Retailers Association estimates the cost of shoplifting equates to 3.5 per cent of all turnover. In Tasmania, retail turnover is over \$6 billion, so losses from theft have been estimated at around \$200 million or more per year. While this is a significant cost to businesses, ultimately the consumer pays with higher prices and increased cost of living pressures.

We have consulted retailers and have heard their frustration about being virtually powerless to act to prevent offenders taking advantage of loopholes in the law -

Sitting suspended from 1.00 p.m. to 2.30 p.m.

SECURITY AND INVESTIGATIONS AGENTS AMENDMENT BILL 2018 (No. 51)

Second Reading

Resumed from above.

Ms COURTNEY (Bass - Minister for Building and Construction - 2R) - Madam Speaker, I will continue from where I left off before the suspension.

We have consulted retailers and have heard their frustration about being virtually powerless to act to prevent offenders taking advantage of loopholes in the law which allow them to steal from retailers with little or no consequence. Anecdotal evidence suggests thieves are aware that retail staff have no power to inspect bags if they do not give consent, and can and do take advantage of this. We have been told of instances where thieves, sometimes operating in small groups, distract retail staff in order to steal products, and then walk out the door challenging retailers with comments such as 'you can't touch me' as they leave with the unpaid goods in a bag, trolley or under clothing.

In addition, a retailer must employ a licensed security guard if they wish to search a customer's bag while they are inside their business or shop. For many businesses, it is cost prohibitive to employ a licensed security agent, and as a result, choose to employ retail staff in the role of 'greeter'. Greeters are employed to discourage dishonest behaviour. However, under the current legislation they do not have the power to search bags.

In anticipation of the introduction of this amendment bill, no compliance action has been taken against businesses choosing to use retail staff in this manner, but there has also been no opportunity to fully train these staff in the correct way to conduct bag checks.

In order to address this issue, the amendments to the Security and Investigations Act 2002 provide an exemption to retail staff conducting bag checks from requiring a licence to undertake bag-checking security activities. The exemption will allow retail staff to conduct bag checks when there are clear and visible signs prominently displayed at each entrance to the store, stating that allowing a bag to be checked is a condition of entry, and inspections are limited to bags in possession of persons leaving the property.

This will allow Tasmanian retailers, large or small, to make it a condition of entry that customer bags can be inspected. As consenting to a bag check will be part of the condition of entry to a store, anyone refusing to allow a bag check could be denied entry.

The amendments also provide for the Director of Consumer Affairs and Fair Trading to require retail staff conducting these checks and inspections to adhere to a Code of Conduct. The director has indicated that the endorsed Code of Conduct will be based on the Australian Retailers Association - ARA - bag check guidelines, which will clarify that retail staff may not forcibly search a shopper. The guidelines state that retail staff may only request that a customer present their bag for inspection and may not touch the customer, the bag or the contents of the bag, and they may not detain the customer.

An education campaign to communicate the exemption and the Code of Conduct to retail staff and Tasmanian consumers will be initiated by Consumer, Building and Occupational Services, to ensure everyone fully understands their rights and responsibilities when it comes to conducting and consenting to bag checks.

I commend this bill to the House.

[2.34 p.m.]

Ms O'BYRNE (Bass) - Madam Speaker, I paid careful attention to that because we are up to our third second reading speech. I followed every single word.

I seek now to move that debate on this bill stand adjourned.

It is important that this House takes the time to deal with significant matters that have presented themselves in the public today.

We have had tabled in this House, an Integrity Commission Report into the investigation into the allegations of misconduct by Adam Brooks MP.

The Premier, after tabling the document on indulgence, managed to give his explanation and his precis of what had gone on. No such other opportunity has been provided to any other member of this House to investigate, understand and comment on the concerns that we have on this Integrity Commission report.

This is a matter of great significance. This report goes to the honesty and behaviour of not only a minister at the time -

Members interjecting.

Madam SPEAKER - Order, please.

Ms O'BYRNE - but a member of parliament. The honesty with which they undertook their business, the information they gave to this House, the information they gave to the investigators, the information this Premier gave to this House about how this former minister had done nothing wrong, had been cleared. The Premier stood up and said, 'This matter has been resolved because I have been found to have been cleared and so has the minister'. The former minister was only cleared because you could drive a truck through the standards this Premier expects from his ministers within the code of conduct. There is nothing that a member of the Government can do that would make this Premier respond in a way that sanctions their behaviour.

That is why we seek to adjourn the debate, not because the matter is not important but because the very integrity of the behaviour of the members of this House is in front of us today.

Mr Brooks appeared in Estimates and said something he knew to be not true. In this report Mr Brooks said that the answers to Mr Bacon's questions resulted in 'a bit of a debacle' - a bit of a debacle, Madam Speaker. During budget Estimates, Mr Bacon asked Mr Brooks -

Do you have any day to day interactions with MMS?

No.

Do you use an MSS email address?

No.

You do not use an MSS email address?

No.

At all?

Mr Bacon was giving him yet another chance to get himself out of trouble.

No.

What did a minister of the Crown then do after misleading a committee - and this is why we need to adjourn the debate today because this needs to be addressed - a minister of the Crown then went home and accessed the email account from his home, late in the evening of 9 June 2016 and in the early hours of 10 June, so he was there for quite some time. He collated a significant number of sent and received emails and he double deleted them. He did not tell the Premier that he had deleted a truck load of emails. He did not tell anybody doing an investigation at that point that he had deleted a number of emails. However, he then suggested, 'I have a great idea how to clear my name, why don't we do an audit of my emails?' He had already sought to interfere with evidence that showed that he had behaved inappropriately.

The Premier then came into the House and said he had been cleared and had apologised to the Premier and the House. He has not apologised to the House, Madam Speaker. He has definitely not been cleared. He has not been found guilty on the code of conduct because you could drive a truck through it; you could do anything under this Premier and not get held to account. The former minister misled the committee, misled the Premier, misled people all the way through, and misled this House. This is all about the integrity of the way business is conducted here.

If we cannot believe and have faith in anything that is said on that side of the House, because they now have a habit of being untruthful, if we cannot trust anything in this House, it cannot do its work.

Every day we stand here and ask questions expecting to get genuine answers. Every day we receive information from this Government believing it to be true. What has been shown is that this Government will do anything to get themselves out of trouble. The Premier will pretend that nothing is wrong when his own minister lied to him. I cannot understand how you would preselect somebody to run in an election when you cannot trust a thing they say.

It says that he did not advise the Premier of his email activity, but he did advise the Premier that -

I believe the most appropriate way forward is for you to temporarily reassign my Ministerial responsibilities ... while an independent audit of my email account is conducted.

after the emails had already been deleted. He had already taken away anything that might be incriminating. The former minister who misled this House will argue that none of the emails mattered. However, the report says that while personal emails were removed, they were not the only ones that were removed. He removed a host of evidence and then said, 'It is okay, I will get an audit done of my emails and everything will be okay'. This is absolutely dishonest.

It says here that -

Mr Brooks' concerns about protecting his ... privacy do present as being ... held. However, the circumstances as they existed also suggested that Mr Brooks was, at least in part, motivated by a desire to prevent the emails from being obtained and read by other parties with an interest in whether he had dealt with his conflict of interest effectively ...

He must have been aware that if exposed, it could threaten his Cabinet position. Well, there is a motivation, Madam Speaker. If you are worried you might lose a Cabinet position, you can say and do anything if you are a member of the Hodgman Government. What a legacy for this Government to maintain.

It is not plausible that this minister has not acted in a way to ensure that this House is not fully informed of his behaviour. He was at that stage a minister of the Crown. The Premier said that it is okay because he apologised, so everything is all right. I am glad the Premier does not mind his own team lying to him, but we mind on this side of the House. The community of Tasmania minds. If you cannot trust them to tell the truth, then what is the point of having a government that will consistently lie and to be held not to account at all? For the Premier to say that it is okay because he is not going to get his salary as a Whip, I am so sorry if that is the only punishment that the Premier feels might have an outcome. The reality is that you must tell the truth when you are in this House.

It says here that Mr Brooks' written advice to the Premier was inaccurate. He must have known that to be the case. When did the Premier know that the former minister, Mr Brooks, had lied? Did he continue to participate in debates on this matter in the House, claiming he knew an independent audit would be undertaken? Clearly an independent audit could not be undertaken because you had to go hunting to find the emails in the first place. The former minister did every single thing he could to ensure those emails were not on the public record. When Mr Brooks, before he was formally appointed a minister, told the Premier he would not take a role in the management of the relevant businesses, this did not happen. This former minister lied and this Premier will not do anything about it.

Time expired.

[2.41 p.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, the Government does not support the motion, which I believe has been moved by Ms O'Byrne, to adjourn debate. I am not sure because I missed the earliest part of Ms O'Byrne's contribution. I am not sure what the Labor Party is attempting to foreshadow the House ought to do. If it is not debating the Security and Investigations Agents Amendment Bill 2018, what is it that you want to do? You have not said or did I miss it?

Ms O'BYRNE - Point of order, Madam Speaker. The Leader of Government Business cannot come in to the House and not check with a single one of his colleagues. We want to bring on the subject of this report, which has been tabled in the House and referred to on indulgence by the Premier and that no-one in the House has had an opportunity to debate.

Once again it is not believable that the Leader of Government Business did not ask his colleagues what had happened.

Madam SPEAKER - It is not a point of order but it was a clarification of your question.

Mr FERGUSON - It really was. It was really hard to understand. I have asked everybody, including the Clerks, what has been foreshadowed but I am not getting anything. Nor did I get anything from you just now, other than you want to discuss the subject. Frankly, that is not much information for us anyway. We are in Government business time for the afternoon until 6 p.m. We have Government business, which is listed on the blue. There is no indication by the member what would happen. Even if we were to agree to the adjournment question we would be calling back on our bill. We are in Government business and we have four bills to deal with this afternoon.

I will address some of what I have listened to. I, and the Government, do not support the spurious tactic that has been displayed. What is clear is that the Labor Party want to have a 35-minute debate on the Integrity Commission report. To be blunt, we are having it. I have just listened to the Labor Party give seven minutes of opinion on it. I am sure that, subject to Madam Speaker calling more people, we will hear more of that but we are in Government business. This is plainly the Labor Party's latest political strategy; they are attempting to derail the business of this House today. Am I down playing the importance of the Integrity Commission report? No, I am not but this is not the time for it at all.

Mr O'Byrne - Now you are hoping it all goes away. Talk about manipulation.

Mr FERGUSON - Can I be heard?

Madam SPEAKER - Order, please.

Mr FERGUSON - There is time tomorrow for the Labor Party. You could use private members' time. You have the MPI tomorrow. That is a further time and opportunity that you could use if you want. The Premier gave a contribution earlier today which put a lot on the record and debunks some of the things that Ms O'Byrne has attempted to claim. This is a political strategy. Let us call it for what it is. This is a stunt. That is what it is. An important report has been tabled in the House. Members can read the report, the public can read the report.

Members interjecting.

Madam SPEAKER - Order.

Mr FERGUSON - What the Labor Party wants is for the Government to be distracted from delivering our plan and our legislative program, which is sitting here on the blue to be considered today. We are in the middle of important legislation to deal with crime in the community and that should continue. Neither the contribution from the Deputy Leader, nor the many interjections peppering across the Chamber are very persuasive that we should move onto to one of these other bills. That is how the Standing Orders work.

The fact is, as members would know, after a piece of government business is concluded, the Speaker will call for the next item of government business during government time.

You have other opportunities through the week and you know it. If you do not know that, you do not have advice. You have private members' time tomorrow; you have the MPI tomorrow. You could negotiate with the Greens about their time. We are not supporting this adjournment motion, which is a very poorly executed attempt to try to derail the business of this House today.

Ms O'Byrne - You dropped this deliberately today so you would not have to defend this behaviour.

Mr FERGUSON - I am not sure what you are saying over there. I know you have a lot to say. I cannot hear you because you are being rude. I am trying to explain that we are not going to allow -

Madam SPEAKER - Order, please.

Mr FERGUSON - Thank you, Madam Speaker.

The Labor Party has attempted, and is attempting, and in a very poorly executed way, to try to derail the House. The Government has business before the House. I do not understand why they are so squeamish about dealing with these bills.

I forgot that members also have opportunity on the adjournment three times this week if they want to talk about all of these matters. It is open to you to do that. Do not try to derail important legislation which is before the House in the final week of the parliament this year. If you are so poorly organised that you cannot think about opportunities where you can raise these matters, you have not done your work. We do not support the adjournment.

[2.47 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, Mr Ferguson needs to understand that it is the business of this House to examine questions of integrity, the ethical conduct of members and the previous conduct of ministers as well as the premier of the day's response to evidence of misconduct on the part of one of his former ministers and members.

We would support the suspension of Standing Orders to bring this matter on for debate. We are having a 35-minute debate about examining the detail of the Integrity Commission report which was -

Members interjecting.

Madam SPEAKER - Order. We are having a debate about adjourning the previous debate.

Ms Archer interjecting.

Ms O'CONNOR - That is right. Thank you, Madam Speaker. Ms Archer, I remember when you were in the Chair. Any time anyone started sniping away, like you do, you came down on them like a ton of bricks. It is a very different scenario now, isn't it?

We have before us a damning Integrity Commission report as a result of a referral made by the Labor Party. I note this report was handed to the Premier on 21 November, which is almost a week ago. This means when parliament was sitting last Wednesday, the Integrity Commission report would have been with the Government. That is worth noting.

It is also important to read into the *Hansard* the findings of the Integrity Commission's report. Parliament should debate this report and the matters contained herein. It goes to a cultural problem within this government under this Premier where, apparently, you can sit in the Long Room, two-and-a-half years ago, lie your face off three times, go home, transfer some emails, double delete them, and go to the premier of the day and say, 'Let's have an audit of my emails'.

It is important that parliament examines this report and the finding herein. The findings are this:

On the basis of the evidence obtained by the Commission:

- Mr Brooks' advice and updates to the Premier about his involvement in the operation and management of his business interests was influenced in part by a longstanding view that he had no material conflict of interest, and that the assertion that he did was politically motivated misinformation.
- Mr Brooks omitted to accurately inform the Premier about the true nature of his ongoing involvement in the operation and management of his relevant business interests while he was a Minister.
- Mr Brooks did not provide the Premier on 7 March, 20 May or 10 June 2016 with an accurate update about his ongoing involvement in the operations and management of his relevant business interests.
- Mr Brooks did not properly advise the Premier on 7 March, 20 May or 10 June 2016, that the objective of the Protocol - that he have no involvement, in any form, formal or otherwise, in the management and operation of any of the relevant businesses - was not being met.
- Mr Brooks did not provide the Premier with an accurate account of how a filtering system prevented him from accessing or seeing business-related emails on 10 June 2016.

It is a matter of public record that we still have no result on the email audit from the Premier to date, so the information that we have on this question of ethics, of integrity, of transparency, is information that has been provided to us by the Integrity Commission, not by the Premier, who instituted the audit of Mr Brooks' emails. It is a damning indictment not just on Mr Brooks but on the Premier, who took on faith a former minister who had told bare-faced fibs to a parliamentary Estimates committee across the Estimates table. There was no probing on the Premier's part of statements that had been made by Mr Brooks in relation to his blatant misleading of the House, assurances Mr Brooks had given the Premier about distancing himself from MSS, and then following that misleading to the House, assurances that he made to the Premier about his email account.

We believe this goes straight to the Premier's leadership and a culture in this Government of dishonesty, deception and contempt for parliamentary processes and transparency. It is all laid out in the Integrity Commission's report and we certainly believe the parliament should be given every opportunity to examine this report in detail. Given Labor's move, I am disappointed that the Premier is not in here today to speak to this or to defend his actions or the actions of his Government.

Ms Archer interjecting.

Ms O'CONNOR - Thank you, Ms Archer, whatever you said I did not hear, but it is more -

Ms Archer - I just said that because it is procedural he doesn't need to be here.

Ms O'CONNOR - Whether or not it is procedural, there is a matter that is being put before the House that goes to the integrity of the Premier, the integrity of Mr Brooks, a damning report from the Integrity Commission about this Premier's handling of his Cabinet and conflicts of interest and serial misleading of this House, so the Premier should be in here.

We will be voting to support the continuation of this debate and we know it will be a topic for question time and discussion during this week, but the report was tabled today and it is a matter for the House to examine it on the day it is tabled. There are forms available to us for doing it and that is what the House is being given the opportunity to deal with now.

[2.53 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, the Labor Party's motion is to adjourn debate on Government business before the House so we can bring on debate on the report of the Integrity Commission into the allegations of misconduct by Adam Brooks MP. This is a lengthy report. It has taken two years to be finalised. There are 70 pages of evidence findings here which conclude that the Premier was lied to by Adam Brooks, that Mr Brooks also misled the Solicitor-General, and that he went home after being found to have lied to a parliamentary inquiry and deleted emails - not just personal emails, but emails that directly linked him with the ongoing management of his business. This report has a very important determination by the commission on page (v) that says:

The Board of the Commission determined to refer the matter to the Premier for his consideration and action. The Board has made no specific recommendations as to what action the Premier should take.

and the report was tabled.

Whilst the Integrity Commission may have found that there was no perceived or real conflict of interest, there are other very serious issues raised by this report that the Premier needs to show leadership on.

The Premier today came into this House - on indulgence, nonetheless - and said that had accepted an apology from Mr Brooks. Madam Speaker, Mr Brooks lied to the Premier and he lied to the parliament. An apology just does not cut it. If you look at what is in this report, and I go to page 57, finding 251, it says:

It seems likely that Mr Brooks may have had some concerns that his ongoing influence and involvement in the management and operation of MSS was contrary to the objective of Step 2 of the Protocol and the Premier's expectations. However, on 7 March 2016 and 20 May 2016, Mr Brooks advised the Premier in writing that *'I have also removed myself from all management and operational decisions of relevant businesses, by appointing a business manager and appointing an independent agent to deal with the business manager on my behalf.'* He repeated this advice to the Premier, after Budget Estimates, on 10 June 2016.

Despite the appointments of Mr Crawford and Mr Bramich, Mr Brooks continued to maintain involvement in and exert influence over management and operational decisions of the relevant businesses. Even if this involvement was not of significant nature, or was required or unavoidable for legitimate reasons,

Mr Brooks' written advice to the Premier on these dates was inaccurate and he must have known that to be the case.

Three times he lied to the Premier and the Premier is happy to accept an apology.

This goes to the integrity of a member of this House who is representing the seat of Braddon. The community of Braddon deserves better. It is shameful that the Liberal Party preselected somebody who was under investigation by the Integrity Commission at a time when this information probably would have been known to the Premier because of conversations that would have taken place between him and the member.

Mr Brooks continued to exhibit poor judgment and cover his tracks when he was found out by Mr Bacon, the member for Denison at that time, when asked questions about this in Estimates, because he went home and double-deleted emails, not only ones that related to his personal or private interests but emails that related specifically to the management of his business, in contravention of the protocol the Premier had put in place.

Again, the report of the Integrity Commission identifies that on three occasions as a minister, Mr Brooks assured the Premier in writing that he had removed himself from all management and operational decisions relevant to the business. This was not the true situation at any of these times. This is a direct quote from the Integrity Commission report:

Mr Brooks must have been aware of the inaccuracy of these assurances. Mr Brooks was obliged to inform the Premier - who was under the impression that the Protocol was effectively managing the conflict of interest issues - that the stated purpose of the Protocol was not being met. He never did so.

What does it take for this Premier to hold his Government ministers or members to account and uphold the integrity as we, as parliamentarians, should exhibit every single day? It was not only one occasion that Mr Brooks did the wrong thing. It was on three occasions, and in writing, that he lied to the Premier. On numerous occasions he also failed to advise the Crown Solicitor of the deleted emails after he had gone home after being found out lying to the Estimates committee that he was still using the MSS account.

This is a most serious matter. The fact that the Premier comes into this place and says Mr Brooks has apologised and that is the end of the matter is insufficient.

Mr Hidding - He didn't say it was the end of the matter.

Ms WHITE - Oh, he lost his Whip's allocation, so he lost an allocation of a small sum of money.

Ms O'Connor - He said he would no longer be the Whip or the parliamentary secretary.

Ms WHITE - He still maintains his responsibilities to the people of Braddon, who right now are probably feeling very confused about the whole situation, given that Mr Brooks has shown himself to be deceitful and dishonest on multiple occasions and that his motivation was about protecting his and the Government's reputation, despite his assurances that everything was properly accounted for with the establishment of an independent person to help manage his business interest.

Whilst there may not have been a real conflict of interest with Mr Brooks' mining interests and his responsibilities as a minister in the Cabinet, there can be no doubt about the fact that he is not an honest person and that his integrity has been found wanting. The Premier's lack of leadership in holding him to account, even against the ministerial standards but even more broadly the standards of this House that we sign up to when we swear allegiance to the Tasmanian people, is a sign that this Premier has failed in his duty of responsibility to the people of Tasmania. He is more interested in saving his own skin and saving the reputation of his member for Braddon than he is in upholding good governance and making sure the integrity of this House is maintained.

[3.00 p.m.]

Mr BACON (Clark) - Madam Speaker, there is no doubt that the legislation before the House should be adjourned so this matter can be fully examined by this parliament. This started with Mr Brooks misleading an Estimates Committee of this parliament. Later that night, it has come to light today, Mr Brooks returned to his home, accessed the email account that he said did not exist, double deleted emails after he had forwarded them on, and then repeatedly lied to the Premier, not just about that but a range of other factors as well.

No right-thinking Tasmanian believes the way to deal with this is for the Premier not to table the report but to have the report tabled, get up on indulgence, put his spin on this report and then not have this House examine the Integrity Commission report. Mr Brooks has claimed to have been cleared by this report, which is an extraordinary thing for him to do. The report shows time and time again Mr Brooks acting in a deceitful way to try to stop the Tasmanian people from finding out the truth about his behaviour while a minister of the Crown.

The findings in the report say that -

On the basis of evidence obtained by the Commission, Mr Brooks while a Minister:

...

- Had ongoing involvement in the management and operation of MSS, contrary to the Protocol established with the Premier.
- Exercised influence over the operational decisions of MSS, contrary to the Premier's written expectations.
- Had not removed himself from management and operational decisions of MSS, contrary to his written advice to the Premier.
- Was participating in decisions concerning the operations of MSS, as the Crown Solicitor's audit was tasked with determining.
- Was provided with information in relation to MSS that was not otherwise in the public domain, as the Crown Solicitor's audit was tasked with determining.
- Had ongoing involvement in the management and operation of MSS based in part on his concerns about his obligations to protect a significant matrimonial asset.

- Had an ongoing involvement in the management of the operation of MSS based in part on his concerns about his obligations to fulfil his fiduciary obligations as the former sole director of MSS.

Mr Brooks calls it 'a debacle' in his evidence to the Integrity Commission. That is one way to talk about it. We have seen the Premier time and time again refuse to insist that his ministers act with the utmost standards in the way they treat the public. We expect a minister of the Crown to be honest when dealing with the public. We accept that we are misled by the Government all the time. What is really starting to hurt is that they are starting to lie to each other. Not only Mr Shelton and Mr Hidding up the back lying to each other about whatever it is, but the Premier sets up a protocol so that someone who runs a mining business can be the mining minister -

Mr SHELTON - Point of order, Madam Speaker. Mr Bacon just commented on the backbenches. Because of my hearing I did not pick it up. I hope he was not accusing me of anything?

Mr BACON - I accept that, Madam Speaker. Obviously it is hard to be offended if you did not hear what the person said. This is honestly what I would like to say to Mr Shelton: I believe he is the only honest one left on that side of the House. We know Mr Shelton is as honest as the day is long. If he had been the mining minister we would not be here today. We would not have to adjourn this legislation to debate this report because Mr Shelton is an honest man.

What we have in this Cabinet is no-one else who could put their hand on their heart and say the same. We have seen, time and time again, ministers of the Crown willing to mislead the Tasmanian people in the parliament, outside the parliament. This is a symptom of the Premier's weak leadership.

There is no starker example than what we have seen when it comes to Mr Brooks and the investigation from the Integrity Commission. The Premier is too weak to hold his ministers to account. Time and time again, they have misled the Tasmanian people. We now have, in black and white, a report from the Integrity Commission that says that not only did Mr Brooks mislead the Estimates Committee on three occasions, but then under the cover of darkness, return to his home, encapsulate these emails that he did not want to see the light of day, send them on and then delete them. He did not just delete them once, he double deleted these emails so that they would never see the light of day and prove that he had been lying to the Premier ever since he was made a minister.

This is a disgrace. It is very important that this House fully examine this matter. The report tabled today deserves a thorough going over by this House, not just the Premier saying, 'All is forgiven, Mr Brooks; come home, Mr Brooks'. That is not good enough. This has been going on for far too long. The Premier knew about these allegations before Mr Brooks was endorsed as a Liberal candidate. Someone who has acted in this manner is not fit to be part of a major political party in Tasmania.

The Premier needs to explain what has gone on. We need a full examination from the House of this Integrity Commission report. Mr Brooks has put out a statement today disputing some of the findings in the report. If the Government wants to dispute this report, that is fine. Set out exactly where the report is incorrect, where it is subjective, or whatever the words are that Mr Brooks used. Now is the time to prove that what is in this report is not true. If Mr Brooks has put out this statement and it is not backed up by other members of the Government, by the Premier

and other members of his Cabinet, that is fine but they need to say that. They need to say that they accept what is in this report, not what Mr Brooks has done and said that he does not accept all of it. If they do not accept this report, now is the time for the Government to explain exactly where the report is subjective; which bits they do not agree with.

If there is some error in fact or there is something they do not think is correct in this report, then they should set out exactly which parts of this report are not accepted by the Government. I am not sure if Mr Brooks' statement went out today on Government letterhead, but if it did, now is the time for the Government to back it up. If they do not believe it is in this report, get up and set that out.

Dr BROAD (Braddon) - Madam Speaker, we need to adjourn this debate because this goes to the very heart of Government. The preamble of the standing and sessional orders from August 2018 states -

As Members of the House of Assembly we recognise that our actions have a profound impact on the lives of all Tasmanian people. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

What we can see from this report is that the member for Braddon falls short of the highest ethical standards. As they say in political scandals, more often than not, it is the cover up that gets you in trouble. What happened here? The former minister was caught out in Estimates because he was using an MMS email. So what did he do? He went home and he covered up; he sought to delete evidence, to remove evidence so that the true situation would not be found. That is not acting in the highest ethical standards.

Time expired.

The House divided -

AYES 11

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

NOES 11

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

PAIR

Ms Houston

Mr Brooks

Madam SPEAKER - Whilst there is no chance of this going to a procedural motion due to the fine balance of this House because we will still be in government business, I believe this is a matter of public interest and debate would have been a sign of good governance.

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

Motion agreed to.

Debate adjourned.

SECURITY AND INVESTIGATIONS AGENTS AMENDMENT BILL 2018 (No. 51)

Second Reading

Resumed from above.

Madam SPEAKER - My understanding is that debate on this bill has been adjourned but it is government business so we must go on to orders of the day.

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, I seek leave to suspend so much of Standing Orders so that we can debate the motion without delay.

Madam SPEAKER - Sorry, the advice I have from the Clerk is that we are definitely back on to the bill.

Mr FERGUSON - Madam Speaker, point of order. To clear up some apparent confusion, we are in government business and I will not reflect on the previous vote but I will say that this is the time the Standing Orders provide for government business. There is time tomorrow afternoon for opposition business and the Government would not try to move a government bill during Labor Party private members' business. On the point of order, the House is considering the second reading of the Security and Investigation Agents Amendment Bill. That is how the Standing Orders work.

Madam SPEAKER - Thank you. Who is planning to speak to it?

Mr O'BYRNE - Madam Speaker, point of order. On those standing orders, it is pretty clear what has happened here. I will not reflect on the vote that has been taken, but it was clear that the express will of this House was to debate a matter of importance. We debated it, the motion was passed by this House, and now this Government - and this is the second time in two weeks - is using the Standing Orders to guillotine debate to stop discussion on a matter of public importance. What we had here - as the Premier flees the room, flipping away -

Mr FERGUSON - Madam Speaker, the member is now seeking to debate. I rise to make a point of order on relevance. The only debate now is on the second reading of the bill. The Government has brought the bill back on for debate and we seek to have debate resume without further speeches unless it is relevant to the bill.

Mr O'BYRNE - In terms of the bill, if you are talking about shoplifting, talking about dishonesty and talking about the integrity of the Government, this is the second time in two weeks

this Government has used the Standing Orders to delay the will of the House in debating a matter of public importance. We had the Premier, on indulgence, get up after the Integrity Commission report had been dropped, make a clearly self-serving statement about his innocence and otherwise, then run out of this House to a media conference. He did not give the journalists any chance to read the report prior to questioning, and now when the House had made its express view that we want to debate this, they use the Standing Orders to pervert the will of the House. This is a disgrace. This is a protection racket. They will do and say anything to protect their own skin. Shame on that side for not allowing us debate.

Madam SPEAKER - My ruling is that is not a point of order and we have gone around and around a bit on this. The Standing Orders say that we must progress with this bill and I believe the Deputy Leader of the Opposition has the call.

[3.18 p.m.]

Ms O'BYRNE (Bass) - Madam Speaker, this bill goes to the issue of the behaviour of members of our community, legally and illegally, and we have seen this Government doing everything it can to avoid the same scrutiny being applied to its own actions. As I was saying when I rose to my feet before, we have had three second reading speeches. I have one, two and the final second reading speech. The bill before us seeks to exempt retail staff from the -

Mr Ferguson - I need all afternoon to read this.

Ms O'BYRNE - I am sorry. Were you talking to me then?

Mr Ferguson - Just discussing it with somebody else, actually.

Ms O'BYRNE - Just checking; I would not want to speak over you, Mr Ferguson.

The bill seeks to exempt retail staff from the requirement to hold a security licence for the purpose of conducting bag checks if the person is employed by a retail business and undertaking bag checking or inspection activities defined as security activity under section 3B(d). The Government has made it very clear that this is somehow going to cut down on all of the shoplifting that is going on. We know - and it was advised in the briefing as well - that major stores are already conducting these checks illegally, or without sanction, I believe was the phrase that was used. We have chosen not to sanction them in the current times. No compliance action has currently been taken against businesses choosing to use retail staff in this matter. A number of smaller businesses are doing the same thing. I am not convinced that it will give great effect to a reduction in shoplifting. Having said that, it does provide a proper structure and support for staff who are currently being asked to do bag checks.

We had a briefing on this matter. I appreciate the former director coming in, even though he is doing something else, to provide the briefing. I thank him for that conversation. It led to some significant changes that are not in the second reading speech. I will set out the understanding I have been given. If the minister can then commit to those in her response, we will be comfortable then to trust the process of the code of conduct. We will reserve the right that if the code of conduct does not include those things, we would seek to amend this bill in the upper House.

We had significant concerns about safety after speaking to people representing the staff involved in this. None of us want to see what we now know to be not just petty thieving that has

gone on, but more organised shoplifting syndicates. We do not want to condone and continue that behaviour but we have to be concerned about people in our retail sector.

Of the staff who were surveyed by the SDA, 88.14 per cent reported that they had been subjected to verbal abuse from a customer in the past 12 months. The 24.35 per cent of the respondents subjected to verbal abuse say that this happens to them every single week, 14.94 per cent of respondents have experienced physical violence from a customer and 11.62 per cent of respondents said the incidents of customer abuse or violence involved behaviour by a customer that was sexual in nature. A further 4.07 per cent of respondents said customer abuse had been directed to them online; 74 per cent of respondents were female and 25 per cent were male. A lot of women in the service industry were noticing this behaviour and 64.93 per cent of respondents were from the cashier front-end service registers. They are the people who will be asking now, under this legislation, to formally conduct bag checks.

The code of conduct provided by the Australian Retailers Association nationally has been deployed by our major stores. If you ask most of the people who work in our large stores - and I have done some surveying of people working - they all say they are asked to conduct bag checks already. Bag checks require them to say, 'Can I have a look in your bag?' They are not to touch the bag, they are not to touch the person, and they cannot take action. They can call the security agent, if the store has one, if they feel under threat. In terms of day-to-day activities, bag checking is already occurring and it is not stopping shoplifting. We might have a further discussion about the sort of things that might be possible in that space.

There is a concern that we do put our retail staff into situations of risk. A number of national standards have been developed in major retail and fast-food chains. In September last year, a forum was held in Melbourne with major companies and employer groups to address the issue of abuse and the part that employers need to play in protecting staff having to confront abusive and violent customers. At that stage, employers were very supportive of compensation. They agreed that workplace directives should not place employees in threatening or abusive circumstances. The concern was that the bill, in its original form to us, did exactly that. In particular, it was doing it to young people.

Many of the cashiers in our service industry are minors. They are children, 16- or 17-year-old young people, who are being asked to do this. This was the significant concern I had in the briefing. This behaviour should not have been taking place in the first place. It was not work that is permissible under the current legislation and it was putting people at risk because it potentially creates a conflict situation.

The significant concerns we raised were whether training would be provided; if so whether that training would be mandated and was it appropriate for people under the age of 18 to be asked to do that? It was a robust discussion. I thank the department very much for having that conversation with me. It is something that we need to be very aware of. Clearly, until it is legislation the code of conduct cannot be finished.

I am advised that: the Government has agreed that the code of conduct will be a mandatory code of conduct; training identified by the director will be mandated; training will be provided to staff; and staff will be advised of their rights to seek training. You must have access to training, not just in induction processes but signposted for them as well. We will not be asking it of young people under the age of 18 because I believe we have a greater obligation to people who are not yet adults to make decisions about how safe they feel in doing that.

I am sure the minister will be able to confirm that all of those things will be included in the code of conduct, which will be a mandatory code. If that is the case, then we are comfortable with it progressing to the other place. I am assuming that the draft code will be amended. By the time this reaches the other place they will be able to view that and we can make that decision.

What happens if someone says, 'I do not feel safe'? An employee has reason to believe that the bulky bags that are going out might contain products belonging to the store. The person they identify might be someone they feel threatened by who represents a physical risk. What happens if they do not take action because they are frightened? This act does not go to the other legislation that would cover individuals' rights in that circumstance. Given the impact of debates in parliament in understanding intent of legislation, it would be useful if the minister could indicate that she would not expect anyone to lose their job because they felt frightened and did not take that action. As I said, from the survey, the vast majority of people who were surveyed were women; 74 per cent of them were women, and 88.14 per cent of respondents have been subject to abuse from a customer in the past 12 months. A quarter of the people surveyed said it happened weekly and 14.49 per cent said that they had experienced physical violence.

What we do not want to do is increase the risk for anyone in any circumstance. We want to look at other areas to resolve that. I wonder if the minister could update us on the Liberal Party policy document circulated prior to the election that gave a commitment not only to bringing in this legislation but also to look at funding for CCTV for businesses.

If that is being rolled out at the same time, it might provide a measure of increased security for staff. We do not want to see further increases in the levels of shoplifting. We do not want to see the business of shoplifting we have. This legislation provides a legal framework for checks that are already happening. I do not know that that goes in any great way to reducing the level of shoplifting but perhaps in conjunction with other initiatives it may do that. It certainly provides a framework around the code of conduct that many larger stores have adopted. But if you go into smaller stores there are signs saying that your bag can be checked. Of course, that is not legally the case at the moment so it does provide a little legal protection for staff. We should not take any action that increases danger to staff in the service industry or compels them to undertake behaviour that they feel is unsafe and that they end up being dismissed for not pursuing.

With those precautionary notes if the minister could commit to those in writing, I understand that there was a desire not to do a fourth second reading so I understand why we are looking at it through the code. So long as the code is mandatory and includes those provisions, then we are reasonably comfortable to accept it, bearing in mind we withhold our right to move amendments to the substantive legislation in the upper House if the code does not reflect the commitments that have been given.

[3.29 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the Greens support this bill. We have a number of things to say about the pre-conditions for the bill. We have heard a range of views presented in the community through the media, people have contacted us through email, some phone calls, and there is a range of views. There have been views expressed to me about invasion of personal privacy and the thin end of the wedge, and those comments are entirely understandable in the current climate of deep concern in the community about surveillance and privacy in general. I respect where those concerns are coming from and understand that is why legislation needs to be targeted precisely in what it is attempting to capture. I believe this legislation satisfies those criteria. Conversely, I have had views from people who think it is reasonable and needs to be done. Shop

owners are left in a very difficult situation because they do not have the ability to protect their business and livelihood from people who choose to pick things up and walk out the door without paying for them. On the balance of the views, we support the bill.

Although we understand, agree with and support the rights of business owners to protect their goods from being stolen, we are concerned at the conditions in our Tasmanian society that cause people to commit theft and steal from other people. There is a range of reasons. These have been well investigated by academics in the fields of psychology, cognitive therapy, behavioural sciences, and in retail and business areas. There is a well-documented range of reasons why people choose to steal, particularly from retail places, looking at that set of circumstances. What we see from that research is, there is a relationship between an increasing rate of shoplifting and increasing social disadvantage, poverty, homelessness and other reasons that cause people to be in a situation where they need to take goods in order to fulfil the functions of their everyday life.

In Tasmania we have seen an unprecedented rise in rental prices and many people are struggling to pay the rent. There has been a very fast and steep increase in the price of rental properties. There has also been a very steep increase in the price of new houses for sale, and both those factors mean that if people are forced, through circumstances, to sell and move to another area or, more commonly, because their landlord chooses to take their rental property out of the market, or they need to move from one rental property to another area where it is more expensive, people in those situations have far less disposable income available to them. Some people end up having no disposal income available to them after they have taken out rent, utilities, food, petrol, school fees, and some people, very sadly, but more and more, cannot afford to pay for those necessities.

In Tasmania the consumer price index has been steadily increasing since 2015 and is now 0.8 per cent higher than the national figure. The consumer price index is an indicator of what is called a 'basket', and the total basket is divided into a number of major commodities groups and covers items such as food, alcohol and tobacco, clothing and footwear, housing, household contents and services, health, transportation, communication, recreation, education and financial and insurance services. These are all what we consider in modern Australia to be the basics of life, the basic expenditure categories. All of those categories are individually, and as a collective, increasing in cost and it is not the case that people's incomes are rising at the same rate.

Here we are with the Education Union striking on a regular basis. They are currently striking at the moment because teachers have not had a pay rise. We have a proposal by the Government to make no change to teachers' pay, so we clearly have a situation where we have housing prices going up, rental prices going through the roof, food and especially petrol, all going steeply up. That is the backdrop for a situation where we have a government that is not putting the focus as it needs to do on dealing with those issues that people are feeling a terrible squeeze because of; where we have a government that is not actively looking at a long-term strategy for affordable housing, that is not pushing back in any structural way against the huge increase in properties that are flying out to become Airbnb instead of remaining in the market for people to rent. That is one of the key factors in the increase in the rental housing price increase in Hobart.

As I suppose most members do when they go to events, I hear stories, and a few weeks ago I was speaking to a woman on the eastern shore who had three young children and her landlord had just given her notice because he wanted to put the house price up. He did not want her and her three children to live there anymore, so she found herself without a house within the month. Her three

children were all doing well in nearby schools, and she knew she would not be able to find a house within the school area.

Sadly, people are in increasingly desperate circumstances across Tasmania and there is a whole range of reasons that people choose to steal. Some of those factors are within the role of governments to do something about; to reduce the situations where people are desperate and choose to take that pathway to solve the problem. People choose to steal because they want to have money and status, particularly young people. They want to have the latest fashion, the latest look; they want to keep up with their peers, and that in particular is one of the reasons young people steal.

They also want to own goods, they want to consume particular items, they want to enjoy particular experiences, so they choose to steal to get things that they want. People also steal in situations where they can see there is a low risk, where it is easy for them to say, 'Oh, I forgot, I didn't realise'. People are more likely to steal in circumstances where they think they can get away with lying about their intentions. People steal because there is a lack of sufficient security and oversight.

We have heard stories from small retail businesses about the expense of bringing in security guards or bringing in extra surveillance equipment. It is high. That will have an impact on their business. However, if their goods are walking out the door they are forced to make those hard decisions.

People steal because of mental health illnesses. Mental health disorders, such as bipolar, anxiety disorders, substance use disorders and personality disorders are linked to an increasing rate of kleptomania.

Another reason for an increase in stealing is a lack of personal connection with the shop. People are more inclined to steal from large chain stores and international corporations because they can convince themselves that the impact is diluted and the effect is so far away and is so tiny and insignificant that they do not need to take any personal responsibility.

The bill offers a solution to a small part of those things. It will make it harder for people to say they forgot, but they will have to fess up because someone is able to look in their bag. It will not do anything about the cost of living issues. It will not do anything about the underlying poverty that is forcing more people in Tasmania to live in desperate circumstances.

In the history of convict transportation to Tasmania, people were transported because they were political prisoners, such as the outspoken Irish political activists, or they were desperate, poor people in such extreme poverty that they stole a pie, a loaf of bread and some buttons. At Port Arthur we see the history written before us. With the hindsight of a couple of hundred years we think it was an injustice that people were transported to the other end of the earth for such minor acts. Some people choose to steal in Tasmania now to put food on the table for their children. The services that support the poorest people will tell you these stories. Parents are forced to do illegal acts because they feel the services are not there for them to provide food, to help with the electricity bills, to care for their children.

I am not condoning illegal acts but it is the job of government to assist when the price of living is going steadily higher. Every year this Government has been in, the consumer price index has increased. Since December 2015 to September 2018, the index has been going up every single year. That has a real effect on people's lives. If the Government wants to bring down shoplifting rates in

some of the poorest areas where the shoplifting rates are highest, the best thing is to introduce services to help people who are in desperate need of housing, to pay their electricity bills, to help them with food and petrol. They are the essential services that people so desperately need.

It is incumbent upon the minister to understand that is the greatest contribution he could make if he is serious about the fortunes of retail businesses in certain parts of Tasmania. Having said that, we do support what is in this bill and the ability of shop owners to be able to protect the goods they have for sale.

[3.46 p.m.]

Mr FERGUSON (Bass - Minister for Police, Fire and Emergency Management) - Mr Deputy Speaker, I have a few things to say in my role as minister for Police. I commend my colleague, Ms Courtney, for her work and prior to her, Mr Barnett's work in this area. It has been really positive and backs our agenda of helping keep Tasmania safe.

Shoplifting is stealing. If you are taking something that does not belong to you from another person and taking it for yourself -

Mr Barnett - It is a crime.

Mr FERGUSON - It is against the law. It is a crime. We should name it for what it is without making excuses, ever.

I share Dr Woodruff's compassion for the poor. I agree we should do all that we can to lift people out of poverty and take away from them any sense that there is a need to take from another person something that does not belong to them. Let us not make excuses for the shoplifting that is occurring in the Tasmanian community. In some cases it has been a scourge and a chronic problem that had to be arrested and dealt with. We are not talking about people who are not able, for reasons outside their control, to not be able to feed themselves.

I am proud of this legislation. It is an important contribution to supporting our business community, to protect their business interests and to allow them to be successful as a business, employ staff and not be ripped off by people who want to break the law.

In the broader reforms regarding police and law and order, we have taken very strong action to address the important and pressing issue of outlaw motorcycle gangs in 2018. It has been one of the signature reforms of this Government in this calendar year. We have done that without a scrap of support from the Labor Opposition. It has been appalling to see their politicking on this, in a culture that we needed to bust up -

Ms O'Byrne - You were being so nice. There we were coming up with things to improve this legislation and you are being nasty.

Mr FERGUSON - A sub-culture that says you can have organised crime and then you can do the pretence of social motorcycle riding clubs. We have been dealing with that.

Ms O'Byrne - Here we were, doing some really nice work together on this.

Mr DEPUTY SPEAKER - Order.

Mr FERGUSON - As part of that, we have continued to push for tough penalties for child sex offenders. We have committed to employ more than the number of police officers that the previous O'Byrne ministry sacked. We have put on those 108 extras, and 125 more to come over this term of Government.

Mr O'Byrne - He is misleading the House.

Mr FERGUSON - This bill is an important contribution to a crackdown on shoplifting.

Mr O'Byrne - There are no consequences. Apparently, it is a minor breach.

Mr FERGUSON - If you feel aggrieved by that, Mr O'Byrne, go and look in the mirror because you did sack 108 police officers.

Mr O'Byrne - No I did not. It is not true.

Mr FERGUSON - You can argue that another day.

Ms O'Byrne - There is the truth and the lie. You can choose whichever one you want.

Mr DEPUTY SPEAKER - Order.

Mr FERGUSON - The Hodgman Government will enhance the rights of retailers. More than \$200 million a year is what shoplifting is estimated to cost Tasmania.

Ms O'Byrne - All this does is solidify things that are already happening. It will not cut down on it. It is disappointing he does not understand it.

Mr DEPUTY SPEAKER - Order, Ms O'Byrne.

Mr FERGUSON - That is huge. That is a huge impost predominantly on small businesses in the retail sector. It does affect the success opportunity for businesses. They are a major employer in our state.

As my colleague, Ms Courtney, has already outlined, under the current legislation only security guards have the authority to search bags. This bill makes it easier for retailers to protect their stock, their asset, from people who want to steal by providing an exemption to their employees from requiring a licence to undertake bag checks. I can imagine that a small business in Launceston's Brisbane Street or Elizabeth Street, for example, might not be able to stretch the dollar to be able to employ a dedicated security guard on their front door, and fair enough too. We need to be able to do what is fair, what is common sense and what is practical. Allowing their employees to be able to undertake bag checks has been a gap in the law and I applaud my colleague for bringing this legislation forward. It is important.

Enabling retail staff to carry out inspections on customers' bags as they exit a store, as long as these inspections are carried out in accordance with the code of conduct, is good. It is not just the retail community that will welcome this strongly, as I know they have, but shoppers will appreciate it as well because that \$200 million in losses in the retail sector in Tasmania every year represents an extra margin that retailers have to put on their product to recover the cost of the stolen goods.

That means this bill will put downward pressure on the retail cost of goods that people are buying every day in our shops in Tasmania.

It is also important to know - and I know this was brought up by Ms O'Byrne - that the code makes it clear that retailers cannot ask employees under 18 to carry out bag inspections as part of their duties, and that protects young employees by -

Ms O'Byrne - It actually doesn't say that yet. Once again you are not being truthful.

Mr DEPUTY SPEAKER - Order, Ms O'Byrne.

Mr FERGUSON - This protects young employees by removing the risk -

Ms O'Byrne - You are wrong. We sought that assurance but the draft code does not say it yet.

Mr DEPUTY SPEAKER - Order, Ms O'Byrne.

Mr FERGUSON - This protects young employees by removing the risk of being placed in situations where they feel uncomfortable or unsafe.

Ms O'BYRNE - Point of order, Mr Deputy Speaker. Just a point of clarification. I did not say that the code does include it. I said we have -

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

Ms O'BYRNE - No, I am being misrepresented because we have yet to have the assurance from the minister that that will be the case.

Mr DEPUTY SPEAKER - You know the appropriate place to do that and it is not now.

Ms O'BYRNE - The minister also knows that he should not be untruthful when he is on his feet.

Mr DEPUTY SPEAKER - The point of order is not accepted.

Mr FERGUSON - I understand that peppermint teas are available and I encourage you to get one.

In addition, a copy of the code must be provided to all employees who will be conducting bag checks and is to form part of staff training, and again it is about striking the right balance in these areas. Good on you, Ms Courtney; that is the right approach.

Stakeholders are right behind this. The bill has the strong support of the Australian Retailers Association, Tasmanian Independent Retailers and the Tasmanian Small Business Council. I happen to know it is supported by retailers in my home city of Launceston. To that end I want to make a point about some of the history here which former minister, Mr Hidding, was instrumental in, in introducing a significant effort to crack down on a chronic spate of shoplifting that was occurring in Launceston. I want to commend a few people in saying that this has been more or less mission success for Tasmania Police and I would like to commend the former minister, Mr Hidding. You did a good thing there.

Rene Hidding sat down with 70 or so retailers in the Launceston CBD who were fed up with the shoplifting and stealing that was going on. It was affecting the businesses quite significantly, some more than others. It was a chronic problem. Together with Commander Brett Smith, Inspector Darren Hopkins, Sergeant Justin Bidgood and the local team in that northern division, there was a significant crackdown on Launceston retail shoplifting. The business community considered it chronic.

It was very clear, both anecdotally and from later investigations, that there was an organised pattern of shoplifting in the Launceston area. Some evidence made it clear as well that product was being stolen, including valuable food items, jewellery items, mobile phones - things that often were quite small but valuable - and being placed on sale pages on social media. Part of the campaign was to inform consumers and users of social media to be very careful what you buy because you are not allowed to buy things that are stolen. That message was posted on Tasmania Police's social media page which has more than 100 000 followers, so it has had incredible penetration into local social media user groups - fantastic. After the briefing from owners, it became clear as well that people became better informed and it helped to abate the demand for those stolen goods in the first place. I will not disclose how, but there were very positive investigative means that helped identify who was behind this organised stealing ring and there were raids and a lot of stolen goods recovered, and that helped to disrupt and break the thread of that stealing continuing.

I want to say as well that some of our CBD retail leaders, including Luke Dawson and Rod Patterson, were fantastic and great central drivers. That is a great example, one of the better ones, of the community working hand-in-hand with government, Tasmania Police and Crime Stoppers, that great link between the community and police, so that information can be passed anonymously, people can be followed up and you can break down these organised crime syndicates to whatever extent they are occurring.

Mr Deputy Speaker, I have mentioned Inspector Darren Hopkins and since I have mentioned his name, I advise members that he has been through a terrible trauma recently but members will be encouraged to know that he is making a strong and positive recovery. Wonderful support has been shown from the Tasmania Police community and family as well as the broader Tasmanian community, and his family feel really touched at the support they have received. I knew members would want to know that while he has a long road in front of him, Darren is recovering really positively and we should all continue to support him and others who go through such traumas.

In conclusion, we have a couple of other initiatives we are rolling out, including increased police presence across our state, including in shopping precincts, and also in the near future we will have more to say about our rollout of a scheme to support small businesses put in more CCTV so they can be doing more sophisticated monitoring of their own properties and inventory. These initiatives taken together demonstrate that we are seeing more than ever before a real commitment from government to crack down on shoplifting, which is stealing. It is an important step in our overall suite of police policy towards keeping Tasmanians safe, which is exactly what they deserve from every member of this House.

[3.57 p.m.]

Ms COURTNEY (Bass - Minister for Building and Construction) - Mr Deputy Speaker, I will endeavour to respond to the matters raised by Ms O'Byrne and thank all members for their contributions. I also strongly concur with Ms O'Byrne's comments regarding abusing staff, because it is never okay under any circumstances and it is very distressing to hear when that happens. We can send a very strong message to the whole community that it does not matter how rushed or

frustrated or annoyed you are, venting your frustration at a person who is simply doing their job is not acceptable in any circumstance. Ms O'Byrne, one of the reasons for bringing this forward and one of the key purposes was to clearly set out the rights and the obligations of retail staff and people who are shoppers as a further step to try to ensure that retail staff are treated with respect because that is something we feel very strongly about.

We all deserve to live safely and free from the impact of crime and this is what this bill seeks to do. I want to be clear around a couple of matters raised by Ms O'Byrne. Because we want this bill to succeed we have promptly responded to her concerns and there have been some really useful ones. I want to make it clear that the draft code of conduct will remove any doubt that persons under the age of 18 are not to conduct bag checks.

Ms O'Byrne - The minister said there is a code of conduct that says that, but the draft code of conduct I have does not. Is there an updated one?

Ms COURTNEY - I have a draft updated code of conduct.

Ms O'Byrne - Are we able to get a copy?

Ms COURTNEY - Yes, we will make sure that that is circulated to all members.

In the current draft code of conduct, which will become the code of conduct, the exemption under section 41 does not apply to persons who have not attained the age of 18. In terms of penalties the person or company instructing anyone under 18 to undertake a bag check, will be the one in breach of the legislation, not the underage person.

Ms O'Byrne - If they refuse to do it, okay.

Ms COURTNEY - I am making that clear.

Ms O'Byrne - If you are over 18 and you feel unsafe and you do not do it, is that a sackable offence? The legislation does not cover that but a broad commitment saying that you would not expect someone to be put in an unsafe position might give some clarity, if it is ever tested.

Ms COURTNEY - Yes, that is fine. I will try to get through all of the other points and I will make sure that I cover that. If I do not do it sufficiently, let me know and we will continue to explore that.

It does not apply to employees under 18 years old, which means they will not be covered by the exemption from the requirement to hold a security licence under the Security Investigations Agents Act 2002.

Since retail staff are only permitted to conduct bag checks if they comply with the Tasmanian Bag Check Code of Conduct, a breach of this requirement will mean the exemption no longer applies. As a consequence, they would effectively be doing the work of a security guard without a licence which is an offence under the act. The penalty for undertaking security agent activities without a licence is up to 1000 penalty units for a business and up to 200 penalty units for an individual, which is in the order of \$160 000 and \$40 000 respectively.

Compliance enforcement activities undertaken by the Director of Consumer Affairs and Fair Trading as the regulator of security licensing will ensure that employers do not put younger employees in situations that could potentially impact their safety while at work.

We have made it a condition that a copy of the code of conduct must be given to any employee required to conduct bag checks. The code is to be used to train staff in their rights and obligations when undertaking bag checks or inspections. This will also ensure they understand consumers' rights and obligations. The Director of Consumer Affairs and Fair Trading has undertaken to work with the Shop Distributive & Allied Employees Tasmanian Branch and other representative bodies to roll out training for Tasmanian retail staff in relation to the code of conduct. In addition, a broad communication campaign has been developed by the Department of Justice to provide information about the legislation to retailers, their staff and consumers.

Ms O'Byrne - The draft code of conduct says that the suggested practice could include staff training sessions. In conversations that we had, I understood training would be provided to anyone. Do we need to move an amendment to the bill that says that staff will be provided with training as specified by the director? Where will it say that staff will have access to training as opposed to could have access to training?

Ms COURTNEY - I will clarify that in a moment.

With regard to the information provided, this will involve providing a copy of the Tasmanian Bag Check Code of Conduct to the managers of all shopping centres in Tasmania as well as a media campaign through newspaper and social media. As part of regular consumer visits around the state, department staff will also deliver the code and signage to small businesses to make it easier for small businesses to comply with their obligation. These resources will also be available through the Consumer, Building and Occupational Services website and through Service Tasmania. These changes will ensure people are aware of their rights and that retail staff are provided with the appropriate level of training when they are in positions to carry out bag inspections.

Ms O'Byrne - I do not want to leave it open that training is optional and then training is not provided. I accept that the training will be different, depending on the nature of the environment. Mr Webster said appropriate training would be provided. I do not want move an amendment if the intent is there.

Ms COURTNEY - We have strengthened the draft code in regard to the provision of the code of conduct. It must be given to all staff.

Ms O'Byrne - That is on the staff training page?

Ms COURTNEY - Correct.

Ms O'Byrne - As an agreed principle?

Ms COURTNEY - As an agreed principle. It must be given.

Ms O'Byrne - I don't have the document.

Ms COURTNEY - I am sorry about that. We will get that circulated as soon as possible.

Ms O'Byrne - Under agreed principles now, say with the implementation of the bag check code of conduct -

Ms COURTNEY - Retail personnel involved with the implementation of the bag check must be given a copy of the code.

Ms O'Byrne - Then, does it say that the training is required? In the document I have, it is a suggested practice as opposed to a commitment to ensure that training is provided.

Ms COURTNEY - The Government is committed to providing training through the mechanisms that I have stated to retailers and staff. All staff have a right to approach their employer -

Ms O'Byrne - Then that becomes the problem because staff do not always feel empowered to make that request. In the conversation I had, I thought we had agreed that employers must provide training to staff. For instance, in the act, it says -

Security activity is carried out in accordance with the code of conduct issued by the Director under subsection (8).

We talked about whether a new provision was needed, which was -

(g) Staff conducting security activity in accordance with the code of conduct would be provided with training as specified by the director.

The view was that it could be included in the code.

Ms COURTNEY - The code of conduct itself forms part of the training, given that it is compulsory to provide it to a staff member. The content within the code forms part of the training of an employee.

Ms O'Byrne - It is difficult, because you were not at the conversations. I am not trying to undermine you at all. It was about staff being trained in how to assess the situation they were in. If your training is, 'Here is a code and this is what it says', that is different from what we talked about, which was training for staff who would be required to undertake a security role, understanding risk management and enact de-escalation behaviours. Most stores do an induction program that includes training. But actually saying that training in how to manage the circumstance safely would be included - that was the conversation we had.

Ms COURTNEY - Not having been at that conversation -

Ms O'Byrne - I appreciate the difficulties. We could go into Committee to have this conversation.

Ms COURTNEY - No, we can resolve it.

Ms O'Byrne - We want them to be trained in how to do this safely. We are talking about predominantly women in the service industry, over 85 per cent of whom are already in a slightly dangerous work environment.

Ms COURTNEY - As I said in my opening comments in my second reading contribution, we completely abhor any type of disrespectful behaviour to women, employees or otherwise.

Because of the change that we have provided and because the training will be provided, I am advised that the union and the SDA is happy with the wording that we have changed in the code of conduct and also with the commitment by the Government in terms of the training that will be provided to staff. Your point has been consulted with the SDA and this is the agreed position. That is my advice.

Ms O'Byrne - I have also spoken to them. They are the reason we had the conversation regarding concerns that training was provided and not just a copy of the code. The intention for a good resolution is there. We might seek to clarify that with them prior to it going to the upper House but maintain our right, if there is still a concern, to look at amending the bill in the upper House to include that.

Ms COURTNEY - I am more than happy with that. I have been advised that there was a comfort with how it is now. If you find that is not the case, we are more than happy to follow that up.

Ms O'Byrne - Let us be sure about that. The key things were not under 18s and access to training.

Ms COURTNEY - I will speak more broadly on the communication strategy. A communication strategy campaign has been developed. This will be sent to a range of retailers, shopping centre managers and industry associations, including the Australian Retailers Association, the Tasmanian Independent Retailers, the Tasmanian Chamber of Commerce, the Tasmanian Small Business Council and the Shop Distributive and Allied Employees Association.

Quorum formed.

Statement by Speaker

Disrespect shown towards Speaker

Madam SPEAKER - Honourable members, I would like to make a statement to the House. This afternoon I voted in favour to adjourn a debate to enable a new motion on a matter of public interest, being the Integrity Commission report tabled to the House today by the Premier into the email issues of Adam Brooks. I voted in the interests of good governance that this debate should be allowed to continue.

After I left the Chamber I was yelled at by a member of the Premier's staff regarding this decision, which he apparently disagreed with. I am not used to receiving such communications and I resent this tone.

While I do not intend to take this matter any further today, I stress that any further disrespect shown to the Speaker by the Government or members of ministerial staff will be referred to the Privileges Committee of the House for resolution.

I defend my right to vote in this House as my conscience dictates just as I do for every other member of this House. I never mind rigorous debate but I cannot be intimidated.

Ms COURTNEY - Madam Speaker, one point raised by members on both sides is what else is being done to address shoplifting. Mr Ferguson touched on this. In 2017-18 the Government allocated \$115 000 for a 12-month shoplifting awareness campaign, which was launched in Launceston on 11 May 2017. Former minister, Mr Hidding, had a strong role to play in that, as was outlined by Mr Ferguson. I congratulate members of Retail Watch and Cityprom in Launceston. Similar groups of retailers in different business areas have worked constructively with the police and Youth Justice Services to look at factors that encourage people to make these life choices or decisions to steal. They also support shopkeepers and police to try to address it.

Crime Stoppers Tasmania conducted a campaign to raise awareness among the Tasmanian retail sector, the business community and consumers, which included community engagement activities and a focus on organised theft and shoplifting during Crime Stoppers Week 2018. The main aim of the shoplifting campaign was to empower Tasmanian businesses to report, reduce and prevent instances of shoplifting. In addition, we have also made a commitment to provide no-interest loans to small businesses to install good quality, high definition digital recording cameras for CCTV. A funding pool of \$2 million will be available, with a maximum loan of \$10 000 per business.

Ms O'Byrne - How much of that has been spent so far? How many of those loans have gone out?

Ms COURTNEY - I will have to seek advice on how much of that pool has been spent. Regarding the Director of Consumer Affairs and Training, I have been advised that we can add wording to the code, Ms O'Byrne, that the induction of employees must include information on the code and how to deal with difficult situations arising from the code.

Ms O'Byrne - That is excellent. Thank you very much. It is a legal point that the advice -

Ms COURTNEY - That is fine.

Ms O'Byrne - Having only just got a copy of the new draft code, an agreed principle says that bag checks should not be conducted by employees if they have not attained the age of 18. Should that say 'will not'? I am not sure there is a legal interpretation of 'should'. The legal person in the box might be able to tell us. Should 'should' be either 'will not' or 'are not'?

Ms COURTNEY - Sorry, Ms O'Byrne, where are you referencing that?

Ms O'Byrne - I now have the new draft code. The new draft code of conduct on page 4 says:

Bag checks should not be conducted by employees who have not yet attained the age of 18.

I thought the intent was 'would not' be.

Ms COURTNEY - The intent is very clear.

Madam SPEAKER - Order, I have just had advice that this to-ing and fro-ing across the Chamber is not good for parliamentary debate. If you would sum up and then go into Committee it would be a far better way of handling it.

Ms O'Byrne - Can I seek advice, Madam Speaker? The code is a code of conduct that sits aside it, so it is not a clause that we would then come to in Committee. It refers to it but -

Ms COURTNEY - In response to what Ms O'Byrne has said by interjection, the front page of the Tasmanian Bag Check Code of Conduct clearly states:

The exemption under section 41 does not apply to persons who have not attained the age of 18.

Ms O'Byrne - Lovely. I am all good.

Ms COURTNEY - Excellent. If there are further concerns then we can address those because the intent from the Government is very clear.

In summing up I thank members for their constructive contribution. That is how we have tried to engage. I thank members for the feedback they have provided throughout the briefings as well as stakeholders and the appropriate union for the constructive way they have contributed. I thank the department for the work that they have done. I also thank my predecessor, Mr Guy Barnett, because this was instigated under him when he was the minister. I hope this will support retailers and their staff to conduct bag checks in an appropriate way and get the outcomes I think the whole community would like to see.

Bill read the second time.

Bill read the third time.

REGISTRATION TO WORK WITH VULNERABLE PEOPLE AMENDMENT BILL 2018 (No. 65)

Bill presented by **Mr Barnett** on behalf of the Attorney-General and read the first time.

ENERGY CO-ORDINATION AND PLANNING AMENDMENT BILL 2018 (No. 57)

Second Reading

[4.22 p.m.]

Mr BARNETT (Lyons - Minister for Energy - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

During 2015-2016, Tasmania experienced a significant energy security event resulting from a combination of the record low spring rainfall and an extended outage of the Basslink interconnector. Following this event the Tasmanian Government established the Tasmanian Energy Security

Taskforce to advise the Government how to prepare for, and mitigate against, the risk of such events in the future.

A key priority action the task force recommended and which has been accepted by government was the adoption of an energy security risk response framework. This framework sets the energy security risk reporting regime and the energy security oversight roles that will enable future energy security events to be mitigated and managed. This bill is about providing the necessary legislative amendments to strengthen the Government's Energy Security Risk Response Framework, as recommended by the task force.

These amendments to the Energy Co-ordination and Planning Act 1995 will give a statutory basis for the Energy Security Risk Response Framework. Central to the Energy Security Risk Response Framework is the formal creation and legislative recognition of the oversight roles of the Monitor and Assessor and the Energy Security Coordinator.

I will now outline the key functions of these two roles. First, the Monitor and Assessor role is to provide independent oversight and transparent public reporting of energy security, primarily electricity and gas, informed by primary level data provided by relevant energy supply providers. Second, the Energy Security Coordinator's role is to coordinate responses across market participants to manage electricity supply risks when water storages are at or below an 'energy security reserve' level.

Under the Energy Security Framework, energy in storage levels is regularly assessed against predetermined thresholds. If these thresholds are passed, or are forecast to be passed, the Monitor and Assessor and/or the Energy Security Coordinator will initiate response actions in accordance with the framework.

The Tasmanian Economic Regulator is currently undertaking the role of Monitor and Assessor, and the Director of Energy Planning is undertaking the role of Energy Security Coordinator. These roles are being undertaken via administrative arrangements that were implemented to ensure the reporting framework was in place for the 2017-18 summer.

The first annual report was issued in November 2017, and has been followed by monthly 'dashboard' reports on energy security status, as recommended by the task force. The monthly and annual reports are published on the Economic Regulator's website.

While the roles and functions are being fulfilled under administrative arrangements, it is appropriate for there to be a robust legislative basis. This is particularly the case in the event of any emerging energy security situation in the future, so that there is no residual confusion over roles and responsibilities. In particular, the legislation has robust provisions for the protection of confidential, commercially sensitive information that may be required for the Monitor and Assessor to fulfil its responsibilities.

Consequently the Government is now introducing the necessary amendments to the Energy Coordination and Planning Act to formalise the powers and functions of these two important energy security oversight roles.

In conclusion, I would like to inform the House that in addition to these legislative amendments, the Department of State Growth has commenced work on a full-scale review of the

Electricity Supply Industry Act 1995 and the Energy Coordination and Planning Act 1995, to be completed during 2019.

This will ensure that Tasmania has an effective and contemporary legislative structure that continues to promote efficiency and competition in the electricity supply industry and provides for a safe and efficient system of electricity generation, transmission, distribution and supply.

I commend the bill to the House.

[4.27 p.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I indicate that the Labor Party will be supporting this bill and thank the minister and his office for organising a briefing earlier today.

Essentially, this bill is necessitated by the incompetence of the Government. The only reason this has been recommended by the task force set up off the back of the crisis created by this Government's handling of the energy businesses in Tasmania and the energy supply in Tasmania is because of the incompetence.

One of the most remarkable things is in the second reading speech. In talking about the energy supply crisis in 2016 there was not one reference to the Tamar Valley Power Station. Not one reference at all to one of the key factors in undermining the integrity of energy provision and had been declared for many years as a redundancy asset to protect the Tasmanian energy businesses from the situation in which they found themselves in the middle of 2016. It is remarkable that in the second reading speech the minister refers to the drought and the breakdown of Basslink but refuses to refer to the fact that they were headlong down the sale of the Tamar Valley Power Station.

For those with a bit of understanding of history, during the big drought in 1967 there was a boat hooked up to the Hobart wharf and Hydro went through a very similar set of circumstances. At that time we did not have Basslink to offset energy provision, but we essentially had generators on the wharf out of Hobart to cover for the drought and the lack of energy that could be provided by the Hydro. That is why initially in the Tamar Valley we had an oil energy asset being built as a redundancy asset in times of extreme drought when the Hydro would not be able to provide the amount of energy to keep the lights on in Tasmania, keep business running, keep people either warm or cold, as it was at the time in terms of the season. There was no reference to that. It was later changed over to a gas-powered facility to ensure we had a redundancy asset for Tasmania.

We have had Basslink since the early 2000s and we had good management under Labor of our power source providing an absolute guarantee to our major industrials and residential homes. It was only when the Liberal Party got into control - this mob - trying to desperately plug holes in their budget, that they put the pressure on and wanted to sell it for a larger amount of money. They wanted to sell the Tamar Valley Power Station for a lot of money to plug up the Treasurer's mismanagement of the Budget.

With the greatest respect, minister, to say that this is just because of a drought and Basslink going down is dishonest. It misleads why it had to get an independent group to recommend we set up better protections to protect the Tasmanian people from an incompetent government. That is what this is about.

Eight or nine months after being elected, during a briefing between a minister and the Hydro, Hydro set a divestment process of the Tamar Valley Power Station that was to commence in

November 2014 after seeking endorsement of the shareholder ministers. As early as six or seven months in, they had their eyes on getting rid of the Tamar Valley Power Station.

During debates and GBEs at the end of 2014, the then minister, Mr Groom, referred to the Tamar Valley Power Station as 'a redundant asset' - 'poor Hydro being lumbered by such a redundant asset' - that asset that was originally designed to ensure that Tasmania had energy security in times of drought or other breakdowns of energy provision, including Basslink. We are pretty sure that advice was going around - and we are yet to see it but I am sure others will make reference to it - the redundancy asset was for energy provision in Tasmania, to keep the lights on, to keep our major industrials. At the time we read media report after media report of our major industrials having to make significant changes, significant interruption to their businesses because of the incompetence of government; this government, the guilty party, in terms of creating the energy crisis in 2016.

All through that Estimates hearing, Mr Groom was being lumped with the 'redundancy asset', 'It's a problem for everyone. We have to find our way through it', not thinking that something might happen and we might need it to keep the power on. Then, in August 2015, in a media release, the big visionary, Mr Groom, no doubt backed by Cabinet - it would be interesting to hear Mr Barnett's views about what his contribution was in Cabinet about this decision, and what his response was. You are a Cabinet minister. This would have been a Cabinet decision.

Mr Barnett - When?

Mr O'BYRNE - Back in 2015.

Mr Barnett - I wasn't.

Mr O'BYRNE - You were not in Cabinet?

Mr Barnett - No.

Mr O'BYRNE - No, you were in there.

Mr Barnett - I am correcting the record, just so that you know.

Mr O'BYRNE - I was not around in 2015.

Mr Barnett - I am just letting you know.

Mr O'BYRNE - Thank you.

Then that gives you even more freedom to talk about the caucus debate about this. You have to be circumspect about what you can and cannot say about Cabinet, so surely this went to caucus. If it did not, it would be interesting to see what kind of processes this Government goes through to make decisions.

The Government has today given approval for Hydro Tasmania to decommission and sell the combined cycle gas turbine, sacking the workers - ta-tas down the road -

Mr Jaensch - You are the ghost of Bryan Green.

Mr O'BYRNE - I remember when he said that a couple of times. No, there are no ghosts; he still treads around this place. We can sense his presence. But, ta-tas down the road.

Mr Jaensch - Ta-tas down the road. I thought we had heard the last of him.

Mr O'BYRNE - No, mate, it is a good one. It personifies what you did to those good, skilled workers, who were there doing well-paid, good jobs in Tasmania. Their role was to get the Tamar Valley Power Station ready in the case of either a drought or a serious breakdown in capacity for the Tasmanian energy businesses, to keep the lights on. But no, stars in his eyes, the big visionary, Mr Groom, energy minister -

Mr Jaensch - Bryan only wanted to keep some of the lights on.

Mr O'BYRNE - Mr Groom, energy minister, backed by the Cabinet -

A member - Driven by the Treasurer.

Mr O'BYRNE - That is right. They had a fire sale of an asset that was needed for jobs and to keep the lights on in Tasmania.

Mr Jaensch - We did keep them on. It was fantastic.

Mr O'BYRNE - Yes, and how much did those 200 diesel generators cost the state Budget? You got yourself into such a state. This is the reason we have this bill. You were so incompetent in managing the energy businesses; short-term greed; no long-term vision; and, no understanding of the history of Tasmania. We are moving into a time where climate change will have a significant impact and change the weather pattern in Tasmania, therefore causing issues for the agricultural industry and creating issues for our energy provision.

He is on the record saying -

Madam Speaker, as I indicated yesterday, the advice the Government has received from Hydro Tasmania is that the Tamar Valley combined cycle turbine is not required for energy security purposes.

Goodness me, that is why you had to be saved from yourselves by an independent group that is making recommendations to have a no-confidence vote in the management of the Government of energy businesses in Tasmania. We need to get some independent rigor here because you are not up to the task. That is exactly what this bill is about.

We are supporting this bill but it is borne out of Hodgman Liberal Government's incompetence which could have cost thousands of jobs and significant productivity. How much did those 200 diesel generators cost Tasmania, cost the budget at the time? It seems to be that the only time this Government acts is when there is a crisis - in the health system, in the housing system, in the pork industry and in energy. When there is a problem, all of a sudden, you scramble around as if it is a surprise.

This morning we found that 18 months ago the KPMG report, which again you refused to make public, told you this was going to happen. Now, all of a sudden, you are surprised by the fact that it happened and you have had to inject over \$100 million into the budget; a one-off, not recurrent

and no forward thinking. How many times will you guys be caught napping, asleep at the wheel? This is the reason we have this bill before the House. There is no other way to explain it.

All that time, the key 'redundant asset' could have saved Tasmanian taxpayers millions of dollars in flying down those generators. I remember, as the minister for infrastructure and emergency services, when we had to fly in two generators around the time of the Dunalley bushfires. I do not recall how much they cost us, but that happened because of a natural catastrophe.

The catastrophe we are trying to fix here is the Hodgman Liberal Government. In their rush for a short-term cash injection, when they had significant advice about the risk to the provision of energy in Tasmania, which you ignored, all of a sudden, when the predicament you were warned would occur, occurred, 'We will write a blank cheque and get all these diesel generators. No-one could have predicted the drought. No-one could have predicted Basslink would go out for so long. You were warned but your short-term thinking and lack of vision for this state for energy provision - virtually on any policy matter - plunged the state into crisis.

Mr Jaensch is smiling. He can smile. You talk to any of the major industrials around that time in 2016, you talk to any Tasmanian who relied on energy. You talk to anyone. They are still recovering and still doing the maintenance on some of the hydro lakes. They became so low and they are still recovering from the rubbish that was pulled through the turbines. You can smile but that was a crisis. You were warned about it. There is 50 years of history, 1967 drought -

Mr Jaensch - Infrequent water levels.

Mr O'BYRNE - That is why the water levels were low in 1967 during a drought. They pulled up a boat, filled it with diesel or oil at the time, and kept the lights on in Tasmania. The government of the day then twigged that we needed a redundancy asset. The oil generator in the Tamar Valley was transferred to gas, maintained, and then the energy minister saying, 'No, trust me, I've got this; I used to work in the industry and know all about it', went to flog off the redundancy asset which could have kept the lights on and saved the Tasmanian budget hundreds of millions of dollars around those diesel generators. This bill is born of your incompetence. This bill, which we support, because you cannot be trusted, is there to save you from yourselves. Let us not paint it up in any other way.

Regarding some of the aspects of the bill, I appreciate that this is essentially moving over from the current administrative arrangements that were put in place after the crisis of your making. We are supportive of that. I ask the minister when he is summing up to talk more about division for directions from the minister. It says that the minister may, in writing, give directions to the assessor and/or the coordinator with respect to the way in which they are to perform their respective functions. Given your history, that concerns us. If you have the capacity to tell those people what to do, given your form, your history, your incompetence and that you value for whatever reason short-term politics over a long-term energy vision for Tasmania, that concerns us. Minister, in your summing up, please indicate the scope of that and how you envisage that to be used.

I understand that from time to time with our energy businesses there is the need for commercial-in-confidence. Working in the NEM they will need to have protection from certain pieces. What also concerns me is sections 8N(1) and (2) where there is a confidentiality piece and 8N(2) provides that information provided to the assessor or coordinator on a confidential basis is not discoverable under the Right to Information Act 2009. I understand and respect that but it would be good to hear from the minister about perhaps giving an example of what might be in and what might be out.

Commercial sensitivity is understood on this side of the House but given this bill gives you the power to direct those people, you may indicate the caucus debate around the sale of the Tamar Valley Power Station but in a Cabinet circumstance, Cabinet solidarity, I understand the relative power of the Treasurer in making these decisions, particularly around that table. It may be of concern to the people of Tasmania that decisions are made with a lack of transparency and would have catastrophic consequences and yet again we could be thrust into this situation.

We know very well that there will be another drought in Tasmania: next year, or the year after; we know it occurs. All the evidence suggests they will be recurring more regularly. If wind farms and the concept of the Battery of the Nation are to be supported and get up, it does provide some level of mitigation, but if we have a repeat of the circumstances and if sadly you guys are still here, the Tasmanian people could have every right to be concerned about the future.

In summing up, we support the bill but let us not forget the fact that we are here because this Government plunged Tasmania into the biggest energy crisis in living history and that was a disgrace.

[4.44 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, the Greens will be supporting this bill but we have a few things we would like to comment on in Committee about the details of what this bill is planning, which is to formalise the MOU arrangement in legislation between the Office of the Tasmanian Economic Regulator in its role as monitor and assessor, and its ability to have access to information regarding storages from Hydro Tasmania. The bill will also establish a new role of an energy coordination and assessor and it provides the Office of the Tasmanian Economic Regulator with powers as assessor under that act.

The reasons for this bill are pretty much two that I can think of. One is the abject management and planning failures of this Government under previous ministers, and the other is climate denialism. We can sum it up succinctly like that. If only things had changed. It appears there is clear evidence in this bill that the Liberal Government has not recovered from its climate denialism. It is being administered by a domination of climate change sceptics. It is clear that every single piece of legislation in the area of future planning, anything to do with any of the core services, resources, management of large-scale infrastructure issues, any of the bills, speeches, anything that comes before this parliament, has ministers speaking to them who refuse to mention or reflect in legislation the reality of climate change. We even had the minister for Emergency Services, Michael Ferguson, a month or so ago, come in here with an emergency management bill that did not have an account of the central relevance of planning for climate change. What a disgrace.

Here we have a bill which manages to skirt around the reality of what is facing us as a future, but coded within it there is a clear recognition from somewhere within the minister's department or Hydro - I do not know where, but there are some good people in the department who, despite the poor leadership and climate denialism of a number of ministers, are managing to move us as a state, way too slowly, but nonetheless in the direction of understanding that we have to plan for energy security in the future.

In December 2015, those of us who were members at the time will not forget the announcement that there was a fault with the Basslink cable and it was no longer working. It came at a time when Hydro's dam storages were below the absolute rock-bottom 25 per cent they were allowed to go down to at the time. It was clear that things were in a desperate place because we had been in a

state of severe drought in that preceding winter and spring. It was on the record. The Greens had talked about it in parliament.

The Bureau of Meteorology had forecast this massive drought, driven by an El Niño, but before that the Japanese Bureau of Meteorology in May 2014, a full year and half before we had the energy crisis so-called in Tasmania, predicted that there would be an extreme El Niño occurring throughout the winter, spring and summer of 2015. Despite that, Hydro continued to trade away our water for profits to mainland Australia. They were using a mechanism which had been in place for some time and there is nothing wrong with the mechanism. It was simply not being used with due diligence. No-one has a problem selling excess water that can generate electricity, which can then be traded through the Basslink cable to mainland Australia. It is a good thing to increase the supply of clean power in Australia. Tasmania is well placed to contribute.

No-one suspected we would have a rogue Liberal Government determined to extract maximum profit from Hydro and either allow them or direct them - we will never know the truth - to max out the dam credit card and run it down so far that when the cable broke we were in a very bad place.

That failure to plan and the failure for due diligence, which the previous energy minister Matthew Groom must take some responsibility for, cost Tasmania \$126 million at least. It cost an enormous amount in carbon emissions from the diesel generators we were forced to import and run flat out for at least six months. As Mr O'Byrne pointed out, the Liberals were required to backflip on their intention to sell the Tamar Valley Power Station and bring that back into action.

We had no clean power generation planning for Tasmania. Hydro is a massive organisation that has been around for 100 years. It should have that level of risk management planning. It is not inconceivable that both those things could happen at the same time. It could happen again. We know there is a fault in the cable. We will have an extreme drought in Tasmania again. We do not want those two things to coincide in the future. The decision by Hydro to increase its minimum dam storage levels is a minimum part of that risk management planning.

Hydro Tasmania has recognised the reality of climate change in Tasmania. In 2007 Hydro formally wrote down the energy output of its integrated system by 10 per cent. That is a massive reduction. When the minister is able to listen he might be able to answer the question: has Hydro undertaken another assessment of the energy output of the integrated system in the past 11 years? In the past 11 years there has been a reduction in rainfall across south eastern Australia, according to the Bureau of Meteorology and scientists. Has there been a step reduction in rainfall going into the output from Hydro in Tasmania?

This is not the time for thought bubbles, back of the envelope ideas, or policy lacking in evidence. The Greens are concerned at the minister's full-on promotion of pumped hydro. He says the scheme would cost \$5 billion with the second interconnector. The minister has never provided the Tasmanian people with any credible accounting of the costs of that exercise, of the benefits and disadvantages of going down that route versus other routes.

The minister is missing some low-cost ways to make us energy self-reliant. Year after year Liberal energy ministers have missed doing the obvious small things that would make a difference to our energy security as a state and make a big difference to people's hip pockets. First, they could electrify the Tasmanian Government car fleet. Second-hand government electric cars would help people who want to buy an electric car who cannot afford a new electric car. It would introduce

Tasmanians to the electric car market and help us to move toward electrification of our total car fleet in Tasmania, which needs to happen as soon as possible.

Second, the minister announced earlier this week that he is going to cut the solar feed-in tariff by 30 per cent, from 28 cents down to 8.5 cents with a very small window period of one year, which does not provide a signal to the solar household installation market. What minister, who is committed to introducing renewable energy into Tasmania, would make a move like that? His decision is designed to drive down the small-scale solar installation sector, a sector that would create hundreds of jobs across Tasmania, particularly in regional areas and in small operations. Household solar is sustainable and creates ongoing work, because those systems need maintenance. It is good for individual householders as a way of reducing electricity costs and it is good for the planet.

I have a number of things to talk about in the Committee stage of the bill. We cannot talk about an energy security coordinator without understanding that a core task for that role will be to investigate Tasmanian liquid fuel security. The energy we use in a liquid fuel form is an equally large part of the energy we consume as a state from coal-fired power. From a domestic perspective, the amount of energy Tasmanians use as electricity to power homes and businesses is about 15 per cent of all energy. The amount of energy in the form of diesel or petrol in light vehicles, that is not in freight movements, is about 25 per cent of that total energy.

From an energy security perspective, there is clearly a lot of incentive to make big changes in how we use transport. As I mentioned, electrification of the Tasmanian fleet would make huge inroads towards that target. Unfortunately, at the moment nearly 100 per cent of all the essential transport services from freight and people movement in Tasmania come from liquid fuels and it is not yet electrified. Almost all of that liquid fuel, about 98 per cent, is imported. I do not have the up-to-date figure, but a couple of years ago we spent \$1.3 billion a year as a state on liquid fossil fuels for transport. We spend more on energy for motorised transport than we do on electricity.

If we think about energy security and the role of an energy security coordinator, we need to consider the fact that most of that petroleum comes from South-East Asia. We are at the end of the oil supply chain and as a result, we are exposed to unforeseen impacts of global events. Some of those unforeseen impacts will be related to climate change and extreme weather events. Clearly anything coming over the oceans is exposed to extreme winds and that is a concern for the security and safety of those vessels. They are also exposed to the unforeseen possibility of a terrorist attack or another calamity that could happen.

Because we have no ability to make or store that fuel on the island, we have a dependence on the importation of those fuels and very little control over the price. What we hear regularly is the increasingly large component that petrol prices play in the household weekly budget. Everything we can do to push back on that increasing component and make that energy secure and, importantly, renewable in its generation, has to be a core part of the work of the energy security coordinator.

That is all I need to say on this bill at the moment except that clearly anything happening in this space needs to be framed first and foremost within the context of climate change, and I look forward to the minister's comments on how he is going to be instructing those roles to do that.

[5.04 p.m.]

Mr BACON (Clark) - Madam Speaker, as the shadow minister for energy, my colleague, Mr O'Byrne, pointed out in his contribution that we will be supporting the bill. The reasons this

bill is required is due to gross mismanagement, and I would say greed, on behalf of the Government since they first came to government in 2014.

You have to go a little way back in time to really get to the genesis of not only this bill but originally the energy crisis in Tasmania. The former minister, Mr Groom, is often put up as the chief problem in the Government when it comes to the energy crisis. The cartoonists took particular delight in torturing then minister Groom but I suggest that if you look a little deeper and go a little further back in history, the real problem with this Government at the time and the real problem behind the Government's energy policy that led to the energy crisis can be sheeted home to the would-be premier, the Treasurer, Mr Gutwein.

As Mr O'Byrne pointed out, Mr Groom as former minister for energy had a longstanding hatred for the Tamar Valley Power Station. It started when he was in opposition and it continued as minister for energy. He called it a 'redundant asset' and looked to approve the sale of the Tamar Valley gas-fired power station so Hydro Tasmania could reduce debt by ridding itself of this redundant asset. It was a very short-sighted view, but I would say it is the Treasurer who is really to blame for the energy crisis we saw in this state.

There was particularly a problem when the Basslink cable was inoperable, but if you go back in time, those comments were made repeatedly by the former minister for energy when it comes to the Tamar Valley Power Station, no more starkly than in December 2014 at his first appearance in front of government business enterprise scrutiny, but it goes back a little bit further than that.

Madam Speaker, if you cast your mind back to when the Government was first elected, we had the Treasurer come in with his first budget which was brought down on 28 August. The thing that really stands out when you look at the dividend table for government revenue on page 6.29, Hydro Tasmania had two very large dividends, one for the first year that the Government was in, \$126 million in that first year. They squeezed as much as they possibly could in year one. Then you had two years where Hydro Tasmania would not be providing any dividend at all, and then a mysterious \$75 million in 2017-18 that was never explained at the time and has not been sufficiently explained by either former minister Groom while he was still here, or the Treasurer.

You only have to go back to some correspondence from Hydro Tasmania that was sent to both the Treasurer, Mr Gutwein, and the minister at the time, Mr Groom. The first one addresses the \$126 million the Treasurer was trying to squeeze out of Hydro Tasmania at the time. The letter sent on 22 July 2014 addressed to both the Treasurer and the minister is all around debt levels, borrowing limits and dividend recommendations, and sets out exactly that the stand-alone borrowing limit had been reduced to around a billion dollars, with around \$200 million of that being for the AETV. Basically, this letter says that if the dividends the Government had suggested of approximately \$125 million must be made by Hydro Tasmania on 31 December 2014, given Hydro Tasmania's poor forecast profitability from 30 June 2014, this payment would be funded using debt.

This is a government so hell-bent on squeezing dividends from Hydro Tasmania that they were going to force them to undertake to go further into debt to pay for that dividend. This is not good financial management. This is a government hell-bent on making the books look a lot better than they are by squeezing dividends out of Hydro Tasmania. It is not just something that affected us on paper when it comes down to it; this dividend of 27 July was approximately \$125 million, then there in black and white, on 28 August, they squeezed out \$126 million. Do not listen to Hydro Tasmania's concerns around the debt at all for that \$126 million.

When it comes to the \$75 million that was forecast to come out in 2017-18, it took a lot of time but I think the Treasurer brought down the Budget around 3 p.m. On the very same day, 28 August 2014, a letter from the chair of Hydro Tasmania at the time, Dr David Crean, set out basically what kind of dividends the Government could expect from Hydro Tasmania in the years ahead. If you look at that figure for 2017-18, it is not the \$75 million the Government was seeking to force from Hydro Tasmania through their budget.

It is not \$50 million, it is not \$25 million; it is a big, round zero that Hydro Tasmania was predicting in 2017-18. There was much conversation at the time with the Treasurer, with the minister for energy through budget Estimates about exactly where this \$75 million would come from. There was no answer given at the time.

After the energy crisis there was an investigation by the Public Accounts Committee, a number of RTIs, the Government refusing to hand over information; they frustrated that committee as much as they could. It turned out that the Tamar Valley Power Station was valued at \$75 million at the time. What a coincidence. Hydro Tasmania wrote to the Government to say that they could provide zero in that year. Effectively the Government said, 'No, we will take \$75 million' at the time that they had a valuation for the Tamar Valley Power Station of \$75 million.

The following August 2015 - I think it was 12 August - Mr Groom put out that now famous press release where he had given permission for the Government to decommission and sell the Tamar Valley Power Station because they did not believe it was important for energy security. On the same day he wrote a private letter to Hydro Tasmania with a whole range of things the Tasmanian public were never going to see until Mr Groom was forced to admit that his press release was at the very best misleading, if not downright dishonest. That had to be cleared up.

By publicly releasing that letter, we know that the advice the Government sought when they had given permission to decommission and sell the power station, as Mr O'Byrne pointed out, they sacked the workers. This led to a situation, when the Basslink cable failed for an extended period before the power station was up and running, to save Mr Groom and the Treasurer from the energy crisis. This \$75 million could not have been provided by Hydro Tasmania. The Government never gave an explanation about how it could be provided. It could only be provided if \$75 million was obtained from selling the power station.

It was Mr Groom who plunged the state into an energy crisis. That was not all of his own making. The chief architect was the Treasurer. We know he is still running the Government over there. He is leading a weak Premier around, with no care or concern shown by the Premier. That is the case. We have a very weak Premier. That has been illustrated again today with his unbelievable response to the Integrity Commission report. We have a Treasurer who will squeeze dividends from government businesses without care for exactly how that will affect their debt levels, how that will then flow on to energy security.

This bill is necessary because of the mismanagement of the energy portfolio by this Government. We hope that the new minister will make a much better fist of it than his predecessor. We hope that he does in the best interest of the state, but we know that an example has been set. The best thing to do is not listen to the Treasurer when it comes to energy security. Listen to the experts, not the Treasurer. We wish him well with this portfolio.

[5.14 p.m.]

Mr BARNETT (Lyons - Minister for Energy) - Mr Deputy Speaker, I thank the members who have contributed to this debate. I appreciate their contributions. I will respond to some of the

allegations, some which are baseless, others are provocative and others are appreciated. I will note those as well. Thank you very much, Mr Deputy Speaker. I know you were interested in making a contribution. I know your strong support for our Tasmania First energy policy. Let us address some of the issues that have been raised.

As a government, we see energy security as a top priority. That is why the Government under the leadership of Matt Groom, when he was minister for energy, commissioned the Tasmanian Energy Security Taskforce report headed up by Geoff Willis. It was a very important report. That report and its recommendations have been and continue to be implemented by the majority Hodgman Liberal Government. That is what we are doing. We are putting that in place.

First, the purpose of the bill is to provide a robust statutory basis for the Energy Security Risk Response Framework that was recommended by Geoff Willis, who was chair of the Security Taskforce. The taskforce was established in response to the energy security challenge in the summer of 2015. It was a very difficult and challenging summer with a drought and then the Basslink outage from 21 December 2015. It was used to identify ways to help future proof Tasmania from these types of energy security challenges going forward. The taskforce presented its final report in mid-2017. The Government moved swiftly to implement key elements of the framework in readiness for the 2017-18 summer. It was a swift response. It was achieved by administrative actions which have operated smoothly. It is now appropriate to firm up these administrative processes by putting them in legislation. I appreciate the feedback from the other side in terms of support for the legislation but I will respond to some of the allegations that have been made.

A key element of the framework has been established, with the Government directing the Tasmanian Economic Regulator to undertake ongoing monitoring and assessment of Hydro Tasmania's storages, issuing annual and monthly reports in that capacity. The Regulator has assessed that Tasmania's available energy supply is sufficient to meet demand over the coming 12 months. That is encouraging. It gives us confidence. Our stand on energy security and our position in terms of our Tasmania First energy policy is one of many reasons as to why we have the highest levels of business and consumer confidence in all of Australia, and why the economy is growing and we are creating more jobs.

As part of the framework I have directed the Director of Energy Planning to undertake the energy security coordinator role recommended by the taskforce. This role will ensure that if water levels fall below certain levels, mitigating actions be undertaken to plan for a recovery of storage levels.

Another key recommendation the Government has acted on is the establishment of a prudent storage level and the high reliability level. The high reliability level is a water resource sufficient to withstand a six-month Basslink outage coinciding with a very low inflow sequence and avoiding extreme environmental risk in Great Lake. The prudent storage level is essentially a storage buffer above the high reliability level, which is sufficiently conservative that the likelihood of storages falling below the high reliability level is very low.

Other taskforce recommendations are being managed and implemented by the Department of State Growth. I am pleased to be able to confirm that today. The Government has implemented the recommendations of the taskforce to ensure Tasmanians continue to enjoy secure and reliable electricity supply.

Mr O'Byrne's contribution was a reasonable attempt to rewrite history but from the Government's perspective it will not be countenanced. We will ensure that the facts are on the record. The record says that under the Labor-Greens government and the Labor government in the previous seven years prior to our election in March 2014, electricity prices went up 65 per cent. That is a fact and that cannot be denied. I notice a glum look across the Chamber -

Mr O'Byrne - No.

Mr BARNETT - It is a glum look and that is fair enough. I realise the hapless shadow minister from Franklin is not totally responsible.

What did happen during that very challenging time in 2015-16? The Labor leader at the time recommended power rationing - Bryan Green, the former leader. Under the former government, they allowed Hydro to drain the dams because there was such an incentive to get a financial benefit to Hydro Tasmania, and hence the Government, to plug their very big black holes at the time. I am only quoting the member for Franklin, Mr O'Byrne, when he was accusing our Government of short-term greed and no long-term vision. The short-term greed was very evident under the Labor-Greens government to get that financial hit to help fill and plug up the very big black holes at the time. That is on the record.

What is also on the record is that we kept the lights on under the leadership of the minister for energy at the time, Matthew Groom, and the Hodgman Liberal Government. We kept the lights on. There was no power rationing and under our Government we have capped the power prices, so in real terms those power prices are now lower than when we were first elected, short of five years ago. We have capped the CPI because we know cost of living is a top priority for Tasmanians. We know the cost of doing business is a top priority for business, large, small and medium. We know this is not in the minds of the Labor Opposition and certainly not the Greens.

I wanted to respond to the baseless allegation from the other side where Mr O'Byrne said that we have no long-term energy vision. For goodness sake, we have the Battery of the Nation. We are leading the nation with the low-cost, reliable, clean power. We have Battery of the Nation and I am calling on every member of the Opposition, including the Greens, to support our proposals for Battery of the Nation and our Tasmania First energy policy which is keeping power prices down.

Talking about power prices, I will quote the member for Franklin, Dr Woodruff, the Greens energy spokesperson, from a few days ago on 21 November 2018. This is this is the misleading and disgraceful politics pursued by the Greens member and the Greens more generally. This is specifically from Dr Rosalie Woodruff, who said:

Tasmanians endure the highest electricity prices in the country primarily because state-owned energy companies under the direction of the Liberal Government have constructed pricing regulations that ensure dividends return to the state Budget.

The Greens are saying we have the highest electricity prices in the country. This was reported in one of the daily newspapers. I now have the opportunity in my response to Dr Woodruff, the Greens member for Franklin, to make it very clear that she is dead wrong and in fact the opposite is true. You cannot put out public statements saying we have the highest electricity prices in the country when we have the lowest electricity prices in the country.

Dr Woodruff - You have been gouging money that you should have returned to Tasmanians. You have been gouging that money.

Mr DEPUTY SPEAKER - Order.

Mr BARNETT - I am calling on the Greens member to apologise and correct the record.

Dr Woodruff - You have been taking it and putting it in your coffers.

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Dr Woodruff - Mr Deputy Speaker, he is telling untruths.

Mr BARNETT - I am asking the member to come into this Chamber and to state on the public record that she is wrong and to correct the record that we have the lowest power regulated power prices in Tasmania. Go to the independent Economic Regulator to make it very clear -

Dr Woodruff - You are taking more out of people's power prices than any other government.

Mr DEPUTY SPEAKER - Dr Woodruff, you are officially warned for constantly interjecting.

Mr BARNETT - Mr Deputy Speaker, I am trying to make the point and am quoting from a media release from Dr Rosalie Woodruff on 21 November, which made its way into the public arena, where she said that Tasmanians endure the highest electricity prices in the country. She could not be more wrong. She is totally wrong.

Dr Woodruff - Because the Government takes the money that could be returned to people.

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Mr BARNETT - You are so wrong. Go to the independent source. Do not take my word for it. Talk to the Economic Regulator who says and has identified that Tasmania has the lowest electricity prices.

Dr Woodruff - You have written your laws to make sure people don't get money coming back into their pockets that they could do.

Mr BARNETT - If you refuse, be it on your own head. I have raised the concerns with you now on the public record. You have the chance to correct the record and apologise and to state the facts.

Dr Woodruff - I have stated the facts and I stand by them.

Mr DEPUTY SPEAKER - Order, Dr Woodruff. You are warned for a second time.

Mr BARNETT - Thank you, Mr Deputy Speaker. If I go back to the baseless allegations from the other side and specifically to the member for Franklin, Mr O'Byrne, let us make it very clear that the Tamar Valley Power Station is not for sale under our Government.

Mr O'Byrne - Why did you try to sell it? What about the press release saying that you have authorised the Hydro to sell?

Mr BARNETT - Let us make it very clear that energy security is a top priority and I will not be accused of suggesting otherwise.

Mr O'Byrne - Because you got caught. You won't be doing it now because you got caught.

Mr DEPUTY SPEAKER - Order, Mr O'Byrne.

Mr BARNETT - Our storage levels at the beginning of this week from 25 November are at 43.8 per cent. Prudent storage levels are 39.4 per cent and the high reliability level is 30.8 per cent, so Tasmania is doing well because energy security is a top priority.

There was a mention from Mr O'Byrne that we could have lost thousands of jobs. Goodness me, we kept the lights on under the leadership of Matthew Groom, and I protect and promote his leadership and the Hodgman Government at the time. We kept the lights on. Unlike Labor, we did not support energy rationing. We are the party that creates jobs in our Government. There have been 15 000 new jobs over the term of our Government compared to 10 000 jobs lost under the Labor-Greens government. Let me say *res ipsa loquitur*, which is Latin for the facts can speak for themselves.

You raised the issue about Basslink. That is in arbitration and I will not be commenting further on a matter that is in litigation. I will not be dealing with those allegations or views that have been put.

I will respond to a question asked about diesel generation and refer to the Parliamentary Standing Committee of Public Accounts 2017 report on the financial position and performance of government-owned entities. For Mr O'Byrne, the quote in that report makes it very clear. It says at point 22:

Approximately 220 megawatts of diesel generation were installed and operated over a period of two months from 15 March 2016 and contributed 55 gigawatt hours. The estimated cost was approximately \$64 million including the initial leasing and set-up cost was approximately \$50.5 million.

With respect to ministerial powers, under section 8L(1), (2) and (3), the minister may give directions in writing to the director with respect to the performance of the director's functions; the directions may be given generally or in relation to a particular matter; and the director must perform his or her functions in accordance with the direction. These are existing provisions that replicate or reflect the existing processes. The existing provisions of the Energy Coordination and Planning Act already give the minister a general power of direction to the Director of Energy Planning. It is set out under section 8 of the primary act, as I have noted.

It is appropriate for their powers of direction, including powers to request reports, to be consistent in relation to both these statutory roles. It is not intended to compromise the independence of these roles but to facilitate the meeting of the reporting to government. This is a very important process. We need to have that in the legislation to ensure that energy security is not compromised in any way, shape or form.

I now respond to the query in regard to confidentiality and confirm that this is important for commercial-in-confidential arrangements. They need to be protected as appropriate and I will outline some of that. Some of the detailed information the Monitor and Assessor needs to develop the monthly and annual reports has a high level of commercial sensitivity. This is because it has links to pricing in the national electricity market and the commercial operations of Hydro Tasmania. For this reason, there needs to be protection for this information provided by Hydro Tasmania to the Monitor and Assessor. This protection ensures that commercial operators can provide highly confidential information that is required to support the monthly and the annual reports, confident that the information will be kept confidential. Importantly, this does not impact on the public release of the monthly and annual reports, nor does it compromise the transparency of the overall reporting of Tasmania's energy security status. The question is fair and the response is also entirely appropriate and fair.

In conclusion, I respond to Dr Woodruff's query and the baseless allegation that the price cost of electricity in Tasmania being the highest in Australia. It is the lowest. Referring to the cut she alleges this Government is making to the solar feed-in tariff, that is not true. That cut was made by the Labor-Greens government. Her counterpart, Ms O'Connor, member for Denison, was in Cabinet in 2012-13 and -

Dr Woodruff - You cannot stand there and say untruths like that. You cannot stand up there and say those things. They are not true. You are bound to speak the truth in this place.

Mr DEPUTY SPEAKER - Order, Dr Woodruff. You are on two warnings. If you want to stay in this Chamber for the next half an hour, then I suggest you do not interject any more.

Mr BARNETT - Mr Deputy Speaker, I am alerting the member for Franklin to the fact that her counterpart, Ms Cassy O'Connor, was in the Cabinet at the time. Whether it was together with Nick McKim - I am not sure if they were both there but certainly one was there at the time - you had a Green member in the Cabinet at the time that Cabinet decided to cut the solar feed-in tariff from 28 cents to 8.5 cents. This was consistent with other governments around Australia, so I am not saying you were alone in that decision. I am saying it was the decision of the former government, a Labor-Greens government.

Dr Woodruff - Right now there is a 28 cent energy subsidy and you are cutting it to 8.5 cents. You are doing that.

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Mr BARNETT - If I had not decided to provide a premium of 5 cents to the solar feed-in tariff or a further 12 months from 1 January, that would have been a cut back to 8.5 cents in accordance with the decision of the Labor-Greens government in 2012-13, of which her counterpart was a Cabinet member. The member cannot deny the fact that her colleague was a member of the Cabinet at the time. It was a Labor-Greens government in 2012-13 and you decided that that solar feed-in tariff -

Dr Woodruff - So you are responsible for covering up Adam Brooks's email audit, are you, because you are in Cabinet?

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Mr BARNETT - The decision to cut the solar feed-in tariff was made in 2012-13. By 31 December this year, it would come back to the rate set by the Economic Regulator. I have made a decision on behalf of the Government with the full support of the Cabinet and the Government that there will be a premium of 5 cents for a further 12 months.

Mr O'Byrne - Minister, is this a Cabinet decision, or your decision? Just checking. You have said it was your decision.

Mr BARNETT - It is a decision of the Government. I brought in a decision of the Government with the full support of the Government. I am the Minister for Energy on behalf of the Government.

Mr O'Byrne - So it is a Cabinet endorsed decision? Just making sure.

Mr BARNETT - You know government processes, Mr O'Byrne. You know how they operate.

Mr O'Byrne - I do know the difference between a minister making a decision as a minister, and a Cabinet making a decision. I am just seeking clarification, Mr Deputy Speaker.

Mr DEPUTY SPEAKER - Order. You have the opportunity to ask that tomorrow in question time if you wish for clarification.

Mr O'Byrne - If he is refusing to clarify, it is an easy thing for him to do.

Mr BARNETT - I am not refusing. I am happy to take the interjection through you, Mr Deputy Speaker. It was a Labor-Greens government in 2012-13 that made the decision to cut the solar feed-in tariff back to 8.5 cents.

Mr O'Byrne - I get that, but my question is clear. The 5 cents, is that a Cabinet decision or your decision as minister?

Mr BARNETT - That is a decision of Government. It has the full support of every member of the parliamentary Liberal Party and the Government. Of course it has the support of the Cabinet and the Government. We are one and the same in that regard and I am the Minister for Energy.

Mr O'Byrne - I am not asking for support. Is it a Cabinet decision? Yes or no?

Mr BARNETT - You know how government works, Mr O'Byrne, you have been around long enough. You can hang your head in shame because you were part of a government that, under your watch, at least for seven years, power prices went up 65 per cent. Then during the 2015-16 period there was power rationing and under your watch the dam levels were reduced to such a low level that it caused a great amount of grief, pain and suffering, which was dealt with in a very admirable way by my predecessor in the Hodgman Liberal Government to keep the lights on, keep the economy running and keep jobs being created. We have now created more than 15 000. Overall, we have 250 000.

In conclusion, this is a bill worth supporting. I have been able to respond to allegations from the other side, many of them are baseless -

Dr Woodruff - Minister, you did not answer the two questions I asked you.

Mr BARNETT - Yes, I have.

Dr Woodruff - No, I asked you a question about whether Hydro Tasmania had done its modelling assessment since 2007?

Mr BARNETT - Yes, I do take the point from Dr Woodruff. I am happy to make an addition to my contribution to say that monitoring is ongoing. That is the work of the monitor and assessor.

I am not aware of any recent advice, but this would be encompassed by the information requirements that Hydro Tasmania must provide to the monitor and the assessor. They provide monthly updates and an annual update. This is all on the public record. I have provided a very comprehensive and full response. I have responded accordingly. I thank members of my department for their support. They provided support to others members in this place and that is appreciated. As a minister, I feel supported by the department and by my office as well and I thank them all.

I commend the bill to the House.

Bill read the second time.

ENERGY CO-ORDINATION AND PLANNING AMENDMENT BILL 2018 (No. 57)

In Committee

Clauses 1 to 4 agreed to.

Clause 5 -

Section 3A inserted

Dr WOODRUFF - In relation to proposed new section 3A, high reliability level and prudent storage level, it says:

The Minister, may, by order, specify in respect of each month, a level of energy storage to be -

- (a) the high reliability level; and
- (b) the prudent storage level.

I note that the definition in clause 4 for HRL means the high reliability level specified by the minister under section 3A(a) and that the prudent storage level is also specified by the minister under section 3A(b). This is a circular definition where it seems that the minister is responsible for establishing the high reliability level and the prudent storage level and since they are obviously incredibly important levels, does the underlying act specify where you must receive advice from and who you must consult with in order to do that and whether there is any formal consultation process for you to set those things?

Mr BARNETT - I am happy to respond to that and then I will be reporting progress to allow the Speaker to make a statement.

Let me just answer your question. First, with respect to the answer, yes, it is taking advice from the Monitor and Assessor. That is set out in section 6F, to monitor and evaluate the prudent storage level and the high reliability level and advise the minister where the changes in the levels are required. That is part of the role, function and responsibility of the Monitor and Assessor for energy security.

Clause 5 agreed to.

Progress reported; Committee to sit again.

STATEMENT BY SPEAKER

Respect for Speaker

[5.43 p.m.]

Madam SPEAKER (Statement) - Honourable members, I made a statement in the House today about an exchange I had with a member of the Premier's staff this afternoon. I am very pleased to report that the Premier has just spoken with me and the other person involved and we have agreed that it was a relatively minor matter and it has been resolved to the complete satisfaction of all parties involved.

I will not be making any further comment on this incident and given that the matter has been totally resolved, I have informed the Premier that I do not want the other person to be identified.

As I have said previously, I continue to strongly support the Hodgman majority Liberal Government's agenda which was endorsed by Tasmanians at the state election. However I reserve my right to be an impartial Speaker when it comes to any other matters before the parliament.

ENERGY CO-ORDINATION AND PLANNING AMENDMENT BILL 2018 (No. 57)

In Committee

Resumed from page above.

Clause 6 -
Part 2A inserted

[5.45 p.m.]

Dr WOODRUFF - Proposed new section 8B(1) says that the Assessor has the following functions:

- (a) to monitor and provide reports in relation to energy and storage and other sources of energy;

This is in relation to the Monitor and Assessor for energy security. Could you run through what forms of storage we are talking about and what other sources of energy we are talking about? Are we talking about commercial and residential, or only forms of storage that are generated by government-owned businesses? I need more information about that.

Mr BARNETT - To make it clear, energy in storage is actually defined in the bill under section 4(b), which says:

energy in storage has the same meaning as in Schedule 1 to the *Electricity Supply Industry Regulations 2008*;

which in summary is water.

Energy in storage relates to the water storages, particularly in our Hydro facilities of which we have 30 power stations around Tasmania. In terms of other sources of energy, it includes wind and gas generation of electricity as well as electricity imported from other jurisdictions. It would also include solar and other forms of energy. It is not totally prescriptive but certainly includes wind, solar and gas generation as well as other electricity imported. We have a link and that comes from the mainland. That is a summary and as concise as I can be with respect to that question.

Dr WOODRUFF - I assumed that energy in storage was water storage. As to other sources of energy, you have written in the clause notes 'wind and gas generation as well as electricity imported from other jurisdictions'. You have just mentioned solar. Solar was not listed in the clause notes but I take it from what you have said that solar would be included.

I also asked about what scale of energy generation from those other sources would be imported. Would it only be commercial or residential? Looking to the future we will have household-levelled storage which will form an increasingly important part of our electricity generation network and needs to be accounted for if we are going to have a full sense of what we have and where we need to be. It seems to be sensible to consider a future of distributed energy production, which is not as easy to account for but we need to be looking at that. If we are to properly manage our distribution networks such as TasNetworks and Hydro and the sustainability and profitability of those companies into the future we want to understand the relationship with the increasing uptake of household level electricity generation.

We need to consider the role of liquid fuels in generating electricity in Tasmania in the reporting of the Monitor and Assessor. It is a small but important component because it provides a stopgap in the small islands and in circumstances such as the energy crisis in 2016. We needed a top-up from diesel fuel generators to continue to provide power.

Mr BARNETT - Thank you for the queries regarding section 8B(1)(a). The role of the Monitor and Assessor is to report what is physically and able to be reported. That includes the water storage. There might be wind, there might be gas and solar. Solar at the moment is less than 1 per cent of Tasmania's energy capacity. A lot of the solar is behind the meter so it cannot be monitored or assessed. Over time, through technology, we might be able to make that assessment.

We have not talked about other forms of energy. We have not talked about hydrogen. You mentioned King Island and Flinders Island and other islands. There are different forms of energy available. They have to be innovative and they are supported by the Tasmanian Government. There is work being done at Bruny Island at the moment. I was with UTAS which is working with TasNetworks and the local community. It is good, innovative, forward thinking work providing energy options for Bruny Island. That is one we can showcase. They won an award recently.

In terms of monitoring and assessing, that is the answer.

Clause 6 agreed to and bill taken through the remainder of the Committee stage.

Bill read the third time.

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

Second Reading

[5.56 p.m.]

Ms ARCHER (Clark - Minister for Justice - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

This bill makes amendments to the Supreme Court Civil Procedure Act 1932 to update the act and address anomalies and deficiencies identified by the Supreme Court of Tasmania.

The amendments will address anomalies in the legislation that prevent judges from making and amending rules in relation to the admiralty jurisdiction of the Supreme Court; provide judges of the Supreme Court with the power to award pre-judgment interest when making a judgment that requires the payment of an amount of money; provide for representative proceedings in Tasmania; and enable the Associate Judge to exercise new powers to deal with applications in relation to pending appeals.

Section 197 of the Act empowers the judges of the Supreme Court to make Rules of Court for various purposes related to regulating and implementing the Act. The Rules of Court are primarily contained in the Supreme Court Rules 2000. However certain parts of the former Rules of the Supreme Court 1965 were retained after the Supreme Court Rules 2000 commenced and those parts continue to apply.

Practice and procedure in admiralty in Tasmania is governed by the Commonwealth Admiralty Act 1988 and Admiralty Rules 1988, and the Tasmanian Supreme Court Rules 2000, to the extent that they are not inconsistent with the Commonwealth legislation. Rules of the Tasmanian Supreme Court relating to admiralty are currently contained in the Tasmanian Admiralty Rules, one of the retained parts of the former Rules of the Supreme Court 1965.

The Supreme Court Civil Procedure Act 1932 still contains references to the repealed Colonial Courts of Admiralty Act 1890 (UK) and has not been updated to refer to the 1988 Commonwealth legislation that replaced it. This means that the Tasmanian Admiralty Rules cannot currently be amended through the usual power granted to judges under section 197 of the Act.

This bill updates the act so that it correctly refers to the contemporary Commonwealth legislation that governs admiralty practice and procedure and repeals redundant references to legislation that no longer applies. This will enable judges of the Supreme Court to amend the Admiralty Rules where required.

The bill also inserts a new section 35A into the Act to provide judges of the Supreme Court with the power to award pre-judgment interest when making a judgment that requires the payment of an amount of money. Pre-judgment interest is interest on a sum of money that a court may order a defendant in legal proceedings to pay to the plaintiff in respect of a period prior to judgment.

While there is a general rule at common law that pre-judgment interest may not be awarded, judges of the Supreme Court of Tasmania currently have limited powers to do so in certain circumstances through a small number of legislated exceptions.

However, a general unrestricted power to award pre-judgment interest in actions for the recovery of money or damages exists in all other Australian jurisdictions, for example under the Federal Court of Australia Act 1976 (Cth). Tasmanian magistrates already have such a power under section 25(1) of the Magistrates Court (Civil Division) Act 1992.

Debate adjourned.

ADJOURNMENT

Lake Malbena - Tourism Proposal

[6.00 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, I rise to seek the leave of the House to table the submissions that were released under the Freedom of Information Act federally. These are the submissions on the proposal to allow for luxury huts and up to a 120 or more helicopter flights and landings each year at Halls Island, Lake Malbena in the World Heritage Area.

I gave the documents previously to the Leader of Government Business in the House and the Leader of Opposition Business in the House some hours ago, given how weighty the documents are. As I understand it, I have the approval of both to table the documents.

Leave granted.

Ms O'CONNOR - Thank you, Madam Speaker. I want to update other members - all of whom were not at Town Hall today, with the exception of Dr Woodruff - on the very successful Keep Tassie Wild rally, which was attended by people from all walks of life. They were brought to Town Hall out of a deep love for the Tasmanian wilderness, an absolute determination to see it protected and remain publicly accessible to all Tasmanians.

It is fair to say as I stood on the stage and looked across the crowd in a packed town hall that there were many new faces there. I am certain that the people who attended Town Hall today are not your classic small 'g' greenies but most the wilderness holds a special place in their hearts.

The submissions that are now on the table have been made by respected organisations that have been comprehensively ignored by the state Liberal Government and then by the federal government in its approval of the Lake Malbena proposal. These submissions include: damning submissions from the Aboriginal Heritage Council concerned about 8000-year-old petroglyphs that the proponent of the Halls Island project would like to take his visitors in to see; and the National Parks and Wildlife Advisory Council which advises both state and federal Liberal governments against approving the development because of its impacts on matters of national significance including its impact on wilderness and cultural heritage values. There are also submissions from the Circular Head Walking Club, the Tasmanian North West Fishing Association, the Anglers Alliance of Tasmania, Tasmanian Professional Guides Association, the Pandani Bush Walking Club, the Tasmania Fly Tyers' Club, the Southern Tasmanian Licensed Anglers Association, Tasmanian

National Parks Association, North West Walking Club, Bushwalking Tasmania, Hobart Walking Club, Bird Life Tasmania, Friends of the Great Western Tiers, the Environmental Defenders Office, the Wilderness Society, the Tasmanian Conservation Trust and the Tasmanian Land Conservancy.

The opposition to this proposal is overwhelmingly strong. It comes from the broadest possible cross-section of the Tasmanian community. It is a fact that you do not have to be a greenie to love the wilderness, you just have to be a Tasmanian. The reason people came in such numbers to Town Hall today was out of an intense feeling of frustration and anger at not being heard. They are angry at being locked out and ignored through a process which began three years ago under this Government's opaque expressions of interest process. They are angry and frustrated because they have witnessed a wholly corrupted process that shuts out public input and happens behind closed doors. They are angry because state and federal Liberal governments have ignored the evidence of the National Parks and Wildlife Advisory Council, the Heritage Council, the Aboriginal Heritage Council and so many other recreational users of the TWA. They are angry because both levels of government have been ignoring the voices of Tasmanians who have longed loved and enjoyed the place and who recognise that this proposal is the thin edge of the wedge.

A number of excellent speakers came along today. One of them was a mathematician and wilderness expert, Martin Hawes who yesterday released, along with the Wilderness Society, his Lake Malbena wilderness assessment. It is important to remember that Martin Hawes was commissioned by the Tasmanian Government on two previous occasions to map the wilderness qualities of the Tasmanian Wilderness World Heritage Area. Martin Hawes knows what he is talking about. He found, using a universally accepted methodology for understanding impacts on wilderness, that if the Lake Malbena proposal goes ahead the wilderness values of Lake Malbena and its surrounds in the Walls of Jerusalem National Park will be all but lost.

For anyone who is interested - unfortunately, on neither side of the House does there seem to be much interest, although I did see the Attorney-General showing some interest - when you have mechanised access at the scale that this Government has approved of 120 or more helicopter flights and landings a year, you lose wilderness completely. That is why the Anglers Alliance, recreational fishers and bushwalkers are so frustrated.

I will leave the House with a definition of wilderness from the compromised World Heritage Area Management Plan, which talks about wilderness but takes no steps to protect it.

... it is an area of sufficient size, remoteness and naturalness to enable the long-term integrity of its natural systems, diversity and processes, the maintenance of cultural landscapes and the provision of a wilderness recreational experience.

All of it is placed under threat by this Government.

Time expired.

Mr Adam Brooks MP - Findings of the Integrity Commission

[6.07 p.m.]

Ms BUTLER (Lyons) - Madam Speaker, I voice my disappointment in the member for Braddon, Mr Brooks, and the findings of the Integrity Commission. I have gone through *Hansard*. Since I was elected to this position in this Chamber I have listened to Mr Brooks be quite abusive

towards members across the Chamber, as if it is a sport. It was always a swipe at our integrity and our transparency.

I will run through some of these quotes from the member for Braddon, Mr Brooks. This is one of my favourites. On 16 October he said -

This Government is about transparency and openness. I know those opposite find that funny because they were part of a government that hid and buried everything. They did not just burn the barn down when they got the hay out the barn as required, they also sold the farm as well.

This was said on 16 October 2018, when two years earlier the ultimate burying of documents, which is deleting emails twice, which is a very modern form of burying and hiding. He would say that across the Chamber in the House of Assembly to the Opposition, knowing full well that he had buried and burnt emails. Those are documents.

On Wednesday, 22 August we were discussing the Justice of the Peace amendments. JPs are meant to be people of very high integrity in our community. We completely support JPs. Mr Brooks said -

... it has to be the right person, the right calibre, the right credentials and the right character because it is a privileged position ...

He does understand what the concept of a privileged position is and having the right person for the right job. He does understand that, apparently -

It is important both in terms of certainty and providing a transparent process.

I do not know how transparent it is to lie in an Estimates Committee and then also to not provide the right information when asked by the Integrity Commission during the process. I do not believe he even gave the right information to the Solicitor-General about the deleted emails. I find that very offensive as a colleague of Mr Brooks and our positions here as members of parliament. I am quite disturbed by it.

He said:

We have heard those opposite whinge about transparency forever. It seems to be the job of that opposition. I would not like to open a debate about that on this bill because it is an important bill and it is about transparency.

These comments about transparency were made after Mr Brooks had knowingly deleted emails. I quote from the Integrity Commission report, that on 10 June 2016 -

... Mr Brooks proposed an audit of his email account to the Premier knowing that he had deleted emails from that account.

That is premeditated deception, and he continued for another two years to stand on that side of the Chamber and accuse us of not being transparent and deceitful when there is a clear, premeditated deception. Just to back it up, I really like this quote too -

We are always open to feedback and we are a government that acts on feedback and those suggestions and ideas. In some of them we will not necessarily agree

with those on the opposite side and some of them will be opposed, but I think we are a government that listens to the community and to the people in those positions who give us feedback.

I am really sorry but as far as I can see, Mr Brooks has done nothing other than deceive us, and it has been premeditated since 2016. He deceived his colleagues as well, he deceived your side as well as our side.

At the moment, as the chair of the spending scrutiny committee, I have only received one answer out of 338 unanswered questions on notice to this Chamber. That means there are 337 answers to my legitimate questions about government spending. I have been waiting three months and I have received one answer, and that is not good enough. It is another example of this Government being secretive and not transparent. We need to be better than this. We are elected as a service to our community and I am very disappointed in Mr Brooks.

Mr Adam Brooks MP - Findings of the Integrity Commission

[6.15 p.m.]

Dr BROAD (Braddon) - Madam Speaker, I rise to talk about the latest crisis in this Government, and that is the Integrity Commission report into the actions of Mr Brooks, the member for Braddon. It is outrageous that Mr Brooks put out a statement today saying he was cleared of everything, when this report by the Integrity Commission is damning of his actions. The most damning point is paragraph 264, which says:

Analysis of the MSS emails showed that the majority of the emails that were captured, forwarded and deleted by Mr Brooks were suggestive of his involvement in the management and operation of MSS, and his influence over MSS's operational decisions. Some of these emails did touch on marital, family and other related personal issues, and others did not relate to family or personal matters in any way.

This is the core of the cover-up and deceit from Mr Brooks. Mr Brooks was caught out in parliament during an Estimates process denying that he had access and used an MSS email account. So what did he do that night? He went home and deleted a whole bunch of emails, the majority of which, according to the Integrity Commission, were not to do with his family but to do with covering up his involvement in the business which he was supposed to have withdrawn from. This is the core of the cover-up and it is an outrage.

I have sat in this place and heard Mr Brooks say hundreds of times, 'I don't want to talk about issues to do with my family', yet he shamefully uses his family as a shield. This report shows quite clearly that his motivations were not necessarily protecting his family; some of that was in there, but the analysis of the MSS emails showed that the majority of the emails that were captured, forwarded and deleted, were suggestive of his involvement in the management and operation of MSS. That is the core of it.

He knew this was coming. He was advised in November last year of the Integrity Commission's investigation and the Integrity Commission sought to interview him. If we go back to that, the Integrity Commission could not interview Mr Brooks because of delays due to the election. Mr Brooks knew that this investigation was coming but he could not be interviewed because he was

busy because of the election. He knew he had deleted emails but the people of Braddon did not get a chance to know this. It was only after the election, after the decision had been made by the voters of Braddon as to the fitness of Mr Brooks, this was still hanging over his head.

He knew in November but did not make himself available because he was too busy due to the upcoming election in March. I think it was June before he was interviewed. He must have known he was in big trouble. I believe this should have been dealt with before the election. The people of Braddon should have had the opportunity to figure it out for themselves. According to the standing and sessional orders, fulfilling our obligations and discharging our duties responsibly requires commitment to the highest ethical standards. Going into the election, Mr Brooks knew from November that this investigation was underway. He must have known that the deleted emails would come back to haunt him, yet it was not dealt with until after the election. I believe the people of Braddon should have had the ability to make a judgment on this. They should have had this evidence presented to them so they could make a decision on whether the Premier saying that taking the Whip's position from him is good enough and he has apologised. The people of Braddon should have been making this decision. They should have had this opportunity.

It is outrageous. In November he did not avail himself because he was too busy due to the election. This is a cover-up. Mr Brooks has actively covered up his participation in his business. His argument to the Integrity Commission was that these emails were not deleted because they were recoverable. The Integrity Commission had to go to Microsoft to recover these emails. He double-deleted them. This is an absolute cover-up. This is not the behaviour of someone who is an innocent party. This is not the behaviour of somebody who has been cleared. This is an outrageous breach of trust in the people of Braddon that should have been cleared up before the election.

The people of Braddon should have had the ability to make the decision on who is fit to stand for office. To our constituents we owe accessibility, accountability, courtesy and understanding, but first and foremost we owe them honesty. We refuse to participate in unethical political practices which tend to undermine the democratic traditions of the state and its institutions. Getting caught out in parliament, going home that night and looking through your emails and double-deleting everything that could possibly incriminate you is not the highest ethical standards. That is not a standard that we should accept, it is not a standard the Premier should accept and it is not a standard I believe the people of Braddon would accept.

There is no doubt that Mr Brooks has been a popular candidate, but this is a shadow that has been hanging over him for a number of years. The people have not had the opportunity to make that judgment and they will not possibly for another three years. That is not good enough. Mr Brooks should consider his position very carefully and do the honourable thing. The Premier should also be seeking redress. This is not good enough for the people of Braddon. I believe Mr Brooks has to consider his position. He has not acted with the highest ethical standards and it is in this report, writ large, that he has not been cleared. He has been absolutely thrown in it.

David Gunson RFD SC - Tribute

[6.19 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Madam Speaker. I rise to mark the passing of and pay tribute to David Gunson RFD SC, one of Tasmania's leading barristers and solicitors. Mr Gunson was a formidable presence in Tasmanian courtrooms over many decades in Tasmania.

On a personal note, it comes as no surprise that Mr Gunson was a friend of 25 years from when I was first his apprentice-at-law, as we were then known, before we were allowed to be admitted to practice after serving 12 months in the profession as an apprentice to our master.

He was also a professional and personal mentor who instilled a lot of strength, courage, decisiveness and humility.

In August this year in a ceremony at the Supreme Court Mr Gunson, together with other senior practitioners, was awarded a certificate by the Chief Justice and President of the Law Society, recognising his 47 years of service to the legal profession.

Over the years his career traversed many areas of law and he maintained an extensive civil practice as well as appearing in Tasmania's best-known criminal trials. His capacity for an enormous workload while remaining extremely efficient was very well known. I can attest to that efficiency and huge workload.

He also received considerable public exposure by appearing in such inquiries as the Royal Commission into an attempt to bribe a member of the House of Assembly arising from the Rouse political bribery scandal as well as appearing in the Commission of Inquiry relating to the inquest of the death of Joseph Gilewicz.

Born in 1946 Mr Gunson attended St Patrick's College in Launceston before studying law at the University of Tasmania, graduating in 1968. Following the completion of his Articles at Butler, McIntyre and Butler, Mr Gunson was admitted to the Bar in 1971. By 1973 he was a partner at Lovibond, Valentine, Roach and Theissen a firm that later bore his name as Gunson Pickard and Hann, where I first worked.

His standing in the legal profession was confirmed when he was appointed as Senior Counsel in 2002. Mr Gunson was an active member of the profession over the years, serving variously as chair of the Legal Aid Commission of Tasmania, President of the Law Society of Tasmania as well as a member of the then Law Reform Commission of Tasmania. He maintained a full-time practice and an incredibly heavy trial load while serving in these roles.

Mr Gunson was also an active member of the Army Reserve, of which people may not be aware, reaching the senior rank of Brigadier and being awarded the Reserve Forces Decoration for long service. During his time in the Reserves, Mr Gunson served as a Judge Advocate and a Defence Force Magistrate of the Australian Defence Academy. I recall some of those trial matters required him to travel quite extensively, sometimes at least once a month. At that point, all the files would come into my office to look after. Many other practitioners around the firm inherited work that way as well. Perhaps best known for his high-profile criminal matters in Tasmania, a lesser known fact is that his work with the Army Reserve took him as far afield as Baghdad in Iraq.

His passing is a significant loss not only to the profession but also to his family. Before I express those condolences, two stories of note from my time working with him was that I recall I did not have a clue as to why he employed me. There was a fair bit of competition. There were not many places in firms left. Some firms would go on results and sometimes they would go on other reasons. Mr Gunson, I found out, used to choose people based on their results, purely on the subject of evidence. That meant you would be a decent litigator if you got a distinction in evidence. That was his top priority because that was what he had received in his evidence and found that was something we needed to know. He was quite correct. It is a most important subject.

Dr Broad - Ella got a distinction in evidence.

Ms ARCHER - There you go. I learned a very valuable lesson in my first week working attached to him as his apprentice. That was the art of 'be careful when you use a legal precedent'. The document I was given to update or to use as a statement of claim bore the old Supreme Court address in Macquarie Street and not the Salamanca Place address. I looked at it for hours and I could not find what was wrong with it. I never made that mistake ever again. I checked every word of every precedent document before it went out. A few stories there. I am sure we will hear many more on Friday at his funeral and his wake.

I would like to not only express the Government's deep condolences to his wife, Kerry, and to the rest of his family and particularly Chris Gunson, his son, for keeping me informed over the weekend of his condition. For that I am truly grateful. Vale, David Gunson.

Ocean Monarch Oil Rig - Threat to Marine Environment

[6.26 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, I rise tonight to speak about a matter of concern in relation to Diamond Offshore's Ocean Monarch oil rig that has been drilling for gas in Bass Strait and is now anchored in the Derwent River near the entrance to Ralphs Bay. Ralphs Bay is the only known spotted hand fish habitat in Tasmania. It is a very sensitive area, very shallow and very precious.

Previously this oil rig had been moored in Fremantle. Those waters are occupied by the invasive *Didemnum perlucidum*, otherwise known as the white colonial sea squirt. As its name indicates the sea squirt colonises pervasively and smothers ecosystems. It is known to reproduce very rapidly on bare metal, such as you would find on oil rigs. The Western Australian Department of Fisheries notes that the white colonial sea squirt is widely established in many ports, marinas and other locations in Western Australia and mentions its establishment serves as a cautionary tale of what can happen if a pest is not detected or recognised or attempts are not made to eradicate it at an early stage.

The department highlights the importance of prevention and early detection, which increases the opportunity of it not becoming established in the first place. It provides advice on good vessel management to prevent the spread of marine pests, and says to check pests on vessels before travelling. The white sea squirt, which has colonised other places around the planet, has had a terrible impact on local marine systems. It overgrows sponges, corals, biozones, hydroids and molluscs. It has been found in some areas, such as southern Brazil, to overgrow mussels and is potentially damaging to the bivalve industry. In Western Australia it is overgrowing blades of the sea grass in the Swan River estuary and decreasing the plant's rate of growth and photosynthesis. It has decreased habitat for native species.

This species is a curse. It is a potentially invasive species. We need to do everything in Tasmania to keep it out. I wrote on the 23 November, on behalf of the Greens and people who have contacted my office, to the EPA Director about our concerns. He has confirmed in writing that no visual inspection has been done on the oil rig to test for the existence of the white sea squirt. That oil rig has come from Western Australia. First of all, it originated in Singapore. Some cleaning was done in Singapore. That was done in April last year. After that it travelled to Western Australia and it inhabited the waters which we know are plentiful, unfortunately, for the white sea squirt.

Following that, it went to the Bass Strait and it has now come to Tasmania into our Derwent River. However, there has been no inspection of that oil rig since it has been in Australian waters. The last inspection took place in Singapore.

The response of the EPA was to issue an environmental protection notice. That has been provided to the company, Ocean Monarch, an American company. They are required, prior to anchorage, to develop an environmental management plan to submit to the Director's approval and it includes schedule 2, 2.9 -

Identification of any marine pest that may be brought into the area where the rig will be anchored.

And 2.10 -

Measures will be implemented to prevent any marine pest being brought into the area where the rig will be anchored and released from the rig into the environment.

I note that the environmental management plan has yet to be released. It is still sitting with the EPA. My question to the minister is: can the minister confirm that a visual inspection was done for this highly invasive white sea squirt before the oil rig anchored in the Derwent River?

Ms Archer - Did he answer that question?

Dr WOODRUFF - No, he did not answer that question. He has answered it by issuing a management plan but the management plan details have not been released. We do not know, importantly, whether any visual inspection has to be done of the oil rig and whether it will be done by the company or whether it will be done by an independent body.

We have an oil rig which has been anchored for some time in waters known to have the white sea squirt inhabiting them. It has now come to Tasmania without any visual inspection in between. It is sitting in the Derwent River. It represents a potentially significant threat to our native species. We need to have some immediate response from the minister to indicate that the visual inspection for that sea squirt was undertaken before it put anchor into the Derwent River.

Women in Parliament

[6.33 p.m.]

Ms O'BYRNE (Bass) - Madam Speaker, there are two aspects of the issue that I want to talk to. Members would be aware that I have a very long and sustained interest in the participation of women in parliament and the manner by which we increase participation, how we create a parliamentary life and work as something that women would aspire to be part of. Members would be aware that all of the research nationally and internationally shows that one of the greatest reasons women do not participate in the political process is because of the culture that they see played out in political environments, in parliaments and in political parties.

This has been a matter raised quite recently. In my CWP role, we have written to parliaments asking them to talk about what about they have done as Speakers, as Presiding Officers, as leaders of the political parties to create a safe workplace, particularly a safe workplace for women.

I have been concerned with this issue because intimidation and harassment occurs to women in parliament across the globe. We know that it is one of the most significant reasons that women do not put their hand up. It is also one of the reasons that they leave. We have seen that recently in federal parliament.

Dr Sonia Palmieri, a consultant on gender and political leadership and a former UN women's policy specialist, has talked a lot about the toxic workplace and the culture that exists for women. She says that we do need to change the way politics is done if we are to make it attractive as a clear option for women.

In this House, we do not present ourselves as a particularly attractive place for women to want to work. Over time, we have seen instances of the way that women are spoken to in this House. We call those out now but it is important to recognise that these behaviours are permitted by the culture that presides. That culture comes from the behaviour of senior leaders and permeates down to junior members of parliament and to staff.

We had the issue of former minister Mr Hidding and the bullying allegations that were levelled at him from a respected member of the upper House, Ruth Forrest, and the circumstances that played out there. We had a government then that refused to take Ms Forrest's evidence. She was not given the opportunity to state her case. The Premier listened to the evidence provided by former minister, Mr Hidding, and made a decision on how the situation had played out, so her voice was not listened to. When we are looking at women's agency, whether it be in life or in politics, the silencing of women's voices is a very important part of that.

We also had issues of intimidation that were referred to in the House today. It is easy to say we have resolved our difference and moved on, but I do think we need to draw attention to it. It is a cultural aspect that is happening in government that allows this sort of situation to occur. If there are never consequences for this kind of behaviour, then you create a culture where it exists.

Madam Speaker, that is probably why we are seeing at a federal level, Liberal women MPs fleeing the party at an ever-increasing rate, and possibly why we still see the Liberal Party failing to attract the sort of women that would be reflective of society. They do not look like an organisation that values women; they do not look like an organisation that respects women. If they do not look like it at an organisational level, then that culture is set all the way through.

I remind members that it is the standard that you walk by. If you allow these things to happen and you do not call it out, then you create an environment whereby it has legitimacy. We have seen it in women's treatment all the way through society; the language that we use shapes the reality that occurs.

I want to point out another extremely important facet. That is the fact that it is also illegal to act in a way that threatens or intimidates an MP, directly or indirectly, in an attempt to influence their vote. I caution members of the Government that if they cannot behave in an appropriate way because their culture does not contain it, that they do not respect women, that they do not respect this kind of women's agency or right to behave in certain ways, I draw them to the Criminal Code Act of 1924, section 70 -

Interference with Parliament: Unlawfully influencing Members:

- (1) Any person who, by force or fraud, or by threats or intimidation of any kind, interferes with the free exercise by either House of Parliament of its

authority, or with the free exercise by any Member of either House of his duty or authority as such Member, is guilty of a crime.

Charge: Interfering with Parliament.

- (2) Any person who, directly or indirectly, by fraud, or by threats of intimidation or any kind, influences a Member of either House of Parliament in the exercise of his duty or authority as such Member, or induces him to absent himself from the House or from any Parliamentary committee, is guilty of a crime.

Charge: Unlawfully influencing a Member of Parliament.

Madam Speaker, we have two issues - we have a Government that seems to forget that it cannot bully and intimidate people into voting a certain way. We also have a Liberal Party that is failing to give the appropriate respect that is required, not only to create a safe workplace environment in this place, but to attract women into the parliament because, quite frankly, why would you join a party that treats women the way the Liberal Party does.

Deloraine Agricultural Show

Westbury Agricultural Show

Tasmanian Small-Bore Rifle Association State Championships

[6.38 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries) - Madam Speaker, I will initially respond to the member for Bass and reject the allegations that have been made about the Government. Those members of the Parliamentary Liberal Party do not accept them.

Madam Speaker, I would like to pay a tribute tonight to those who are involved as volunteers to organise the Deloraine Agricultural Show, the Westbury Agricultural Show, and also the Tasmanian Small-Bore Rifle Association state championships.

First, the Deloraine Show, supported by the Deloraine District Community Bank and the Bendigo Bank. It was a terrific day we had last Saturday, 24 November. It is the 72nd year of the show. I had the honour of opening the show. I pay my respects, in particular, and commendations, to president Lynette Gleeson and the many members of the committee who did so much to make the show such a success.

It was one of the largest shows they have had in years in terms of sheep entries - a record number of 199 sheep entries - and amongst the highest record of cattle entries as well. In fact, I was advised that, with respect to the sheep entries, a higher number of entries than the Hobart Show, so it is a great to all those involved. There was something for everybody, including young children. It was a real family-oriented show with horse riding, equestrian, poultry, animal nurseries and the kids' corner. Both the Lions and Apex service organisations were involved with assisting and making it all happen, the preparation and parking. It was great to catch up with my colleagues and friends, Mark Shelton, Tania Rattray MLC, and the mayor of Meander Valley Council, Wayne Johnston. It was great meeting with the life members of the agricultural show and to thank them for their service to the show over so many years.

This was on the back of a good amount of rain last week. Deloraine is the heart of the Meander Valley and agriculture had a bit of a lift with that rain across the state, including the very dry east coast. As Minister for Primary Industries and Water, I am certainly very thankful for that rain and it has given the area a bit of a boost.

The woodchopping at the show was a real highlight. Matthew Gurr was participating and competing with his son, Daniel, and I pay special commendation and congratulations to Daniel, who is the world rookie champion in tree-felling and very talented. He beat his dad in that competition and I know they are fierce competitors but they are terrific guys. David Foster was compering. I had the opportunity to say a few words and thank them because the Axemen's Association does so much at all the country shows in and around Tasmania and most of the shows. They have woodchopping championships regularly and are supported by Sustainable Timber Tasmania, which is great and, as the former minister responsible I am pleased to know that commitment is ongoing. Special commendation to the deputy mayor, Mick Kelly, and Kelly Gang Timbers, who did so much because woodchopping has not been at the show for the last couple of years. It has returned and was very popular and that was reported accordingly. It was a great day out.

I have a special acknowledgement for the Westbury Show on Saturday 10 November, and Kevin Latten and all the committee who were involved. It is held over a number of days. They have the animal judging, but the main day is Saturday 10 November. I again attended with my colleague and friend, Mark Shelton. Wayne Johnston opened the show and that was his first official event as Meander Valley mayor. Attendance was up on last year, between 3500 to 4000, and this is the 155th year of the show, so it is a longstanding, fantastic effort over many years. Rotary assisted on the gate line and parking and the Ventura Scouting Club assisted with parking, with 75 community volunteers involved. To all the sponsors, judges and exhibitors, it was fantastic. I am pleased to have been able to play a part in the Hodgman Government's support for upgrading of the show facilities and the like and we had a tour there with the committee a few weeks ago which was terrific.

On Sunday 18 November the Tasmanian Smallbore Rifle Association had their state championship and there was a presentation of trophies and medals. I was unfortunately unable to make that, but I want to congratulate them on what they are doing. They have 13 state shooting meets a year plus a state championship which attracts competitors from the mainland and they do a great job. This is part of the community in and around the Sheffield area. The range club house based at Sheffield is old and in dire need of replacement. The Hodgman Liberal Government has been able to give \$20 000 towards upgrading that and I understand a prefabricated building will be fitted out to support them and is not far away.

It is great to see the volunteer effort in and around Tasmania for these country shows and through Jacquie Petrusma, our Minister for Sport and Recreation, and the Hodgman Government supporting country shows with funding support for upgrades as necessary. I look forward to supporting all the country shows in my electorate of Lyons and helping them to get those applications in and know we are able to support the country shows, because it is the volunteer effort that makes a big difference to help make all these shows so successful.

Where would we be without our volunteers? Today I met with Volunteering Tasmania and had some time with them over lunch. They have now been identified by the Hodgman Liberal Government as a peak body and have been financially supported accordingly. They do a great job. My first submission as a senator, as a member in public life, was to the Prime Minister on how we

can help our volunteers. It is always something to remember and support. We need to value our volunteers, recognise them and pay our respect to them because they help the world go around.

Health - Additional Funding

[6.45 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, I rise tonight to speak about the announcement made by the Minister for Health and the Treasurer earlier today regarding the additional \$105 million for Tasmania's health system. We asked a number of questions of the Premier today to get some details about how that money will be spent and how it will support the operations of the Tasmanian health system.

It is disappointing to learn today that funding is one-off. The Premier confirmed that in his response to one of my answers. It will not be recurrent, which means it will not enable the health system to employ staff on a permanent basis, which is what they desperately need. We have more than 200 vacancies in nursing staff across the state and the only way we are going to be able to recruit them to Tasmania is if we offer them permanent employment. The announcement today is an admission that there is chronic underfunding of the health system and it is the fourth additional injection of funds that has occurred since the June budget was handed down.

I would like to also update the House on some of the responses that have been provided from health professionals who also want details about where this \$105 million will be spent. The Australian Medical Association has called for urgent extra funding, as was detailed in their press release yesterday which was incredibly damning of the Government. In response to the announcement by the Government today, they have asked for it to be used to recruit additional staff to treat patients, improve safety in emergency departments and reduce access block. The AMA called on the minister to write the cheque out today and authorise the resources the hospital leadership teams need to get on with the job. Given that the Premier could not articulate how that money would be spent, I fear that the calls from the AMA will not be heeded.

We also know from what the AMA said in response today that local management knows best about what is needed and that within these individual facilities which are facing extraordinary bed block and patient loads at the moment, they need to be empowered to make decisions about how to allocate those funds.

One of the quotes from the story in the *Advocate* today from the AMA says:

In order to help our overstretched hospital staff and their patients, the minister needs to allow management to recruit the reinforcements they need to deal with the steadily rising level of hospital emergency demand. Dr Davis said health minister Michael Ferguson should also remove any red tape or unhelpful, unnecessary bureaucracy that was standing in the way of running the hospitals by the leadership teams.

Dr Davis was joined in comments today by the Australian College for Emergency Medicine, Tasmanian faculty chair Dr Brian Doyle, who pointed out that the root cause of overcrowding in Tasmanian emergency departments was access block. That is a lack of beds and lack of ability to discharge patients from hospital into other appropriate care, which is no surprise to any of us who have been watching the situation in the health system closely.

Dr Doyle said:

This is when there are no inpatient beds and patients are languishing in the emergency department, sometimes for days. More attention needs to be paid to resources, bed capacity and staffing.

HACSU has also responded to the announcement by the Government today and the secretary of that union, Tim Jacobson, said that the funding would only address the \$100 million deficit that was outlined in the recent KPMG report. That is the KPMG report that was provided to Government in March 2017, a report that remains hidden from the people of Tasmania. That report indicated to the Government at that time, 18 months ago, that there was a structural deficit in the funding of health. Had it been addressed then, who knows how the health system might be operating today?

Mr Jacobson points out because it is not recurrent funding, it would not address the shortfall in future years and that this announcement is just another band-aid. He points out that what the Health and Community Services staff want to see is a plan and he also says:

Staff are exhausted and a one-off injection of funds won't provide any confidence that future demand will be resolved.

Health and Community Services staff are already feeling undervalued by this Government. I am not sure they will feel any better after this announcement. It is a welcome relief for the health accountants, but not great news if you are on the front line.

The Australian Nursing and Midwifery Federation have also responded to the announcement by the Government today, with their secretary, Emily Shepherd, welcoming the additional funds but saying it would not address the shortfall that recurrent funding had created over the last four years. Ms Shepherd said:

The ANMF looks forward to further details as to how this additional funding will be used and whether this funding will be recurrent to assist with the implementation of sustainable strategies to support the health system and nurses, midwives and patients, both now and into the future.

What we know, unfortunately, is that it is not recurrent.

The final reference in this online news report on the *Advocate* is from health analyst Martyn Goddard, who said the \$105 million would not alleviate the current pressures on hospitals. He said:

The \$105 million in extra health funding announced does not give hospitals any ability to spend more money than they already are. It is a bit of an accounting trick.

He said the health sector had to be topped up every year and the funding was what was called for in the KPMG report. The recent KPMG and RDME reports showed that the funding gap between the allocation in the budget and the minimum amount that is actually needed to be spent was around \$100 million. That is what this is.

We know that all this is is really allowing the hospitals to continue to operate so they can pay their staff and perform as anyone would expect. It is addressing a funding shortfall that has now

become systemic and it is a shame that it has taken 18 months for the Government to acknowledge that. It is also a disgrace that it is not recurrent, because we will find ourselves in exactly the same situation in six months' time unless there is structural reform made to the funding of the health system in Tasmania.

The House adjourned at 6.52 p.m.