



No. 26

WEDNESDAY, 26 SEPTEMBER 2018

- 1 The House met at Ten o'clock a.m.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE. - The Speaker made a statement acknowledging the traditional people of the land.
- 3 PRAYERS AND REFLECTION. – The Speaker read Prayers.
- 4 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice were asked.
- 5 PAPERS. – The Premier laid upon the Table of the House the following Paper:-  
  
Tasmanian Dairy Industry Authority: Annual Report and Financial Statements 2017-2018.
- 6 PUBLIC WORKS, PARLIAMENTARY STANDING COMMITTEE ON: REPORT. – Mr *Brooks* brought up the following Report of the Parliamentary Standing Committee on Public Works:-  
  
Major Refurbishment of Riverside High School (Paper No. 9)  
  
*Ordered*, That the said Report be received and printed. (Mr *Brooks*)
- 7 MATTER OF PUBLIC IMPORTANCE: PERPETUAL INTERMENT RIGHTS- Ms *Butler*, in accordance with Standing Orders, moved - That the House take note of the following matter:  
  
Perpetual Interment Rights.  
  
And the Question being proposed;  
  
A Debate arose thereupon.  
  
And the Question being put;  
  
It was resolved in the Affirmative.
- 8 BILL NO. 36. - The Legal Profession Amendment Bill 2018 was, according to Order, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;  
  
*Ordered*, That the Bill be now read the Third time.  
  
And the Bill was, accordingly, read the Third time.
- 9 BILL NO. 36. - A Message to the Legislative Council. -  
  
MR PRESIDENT

## Uncorrected Proof

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to amend the Legal Profession Act 2007”,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 26 September 2018.*

SUE HICKEY, *Speaker.*

**10** BILL NO. 35. - The Order of the Day being read for the Second reading of the Justice and Related Legislation (Miscellaneous Amendments) Bill 2018.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Minister for Justice)

A Debate arose thereupon.

And Mr *Brooks* was addressing the Chair.

**11** SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair.  
At half-past Two o'clock the Speaker resumed the Chair.

**12** TASMANIAN EXPORTS. – A Motion being made and the Question being proposed—That the House:—

- (1) Notes that the most recent export figures released by the Australian Bureau of Statistics (ABS) show Tasmania exported a near-record \$3.7 billion of goods in the year to July 2018.
- (2) Further notes that Tasmania leads the nation with 29.2 per cent growth in exports over 2017, which is nearly four times higher than the national rate of growth.
- (3) Further notes that over 80 per cent of Tasmanian goods exports were into Asian markets, with top export sectors being mining and mineral products, as well as agriculture and seafood.
- (4) Further notes that Tasmania’s top two export destinations were China and Malaysia, representing \$1.42 billion worth of our total exports.
- (5) Further notes that this continued strong growth in exports demonstrates the success of the Government’s plan to open up new opportunities for Tasmanian products, underpinned by Trade Missions with the business sector to important export markets.
- (6) Further notes that the Government’s strong focus on trade is leading to new investment and job creating opportunities in Tasmania. (Mr *Hidding*)

A debate arose thereupon.

Amendment proposed (Ms *O’Connor*) in paragraph (4) to leave out all words after “top” and insert instead “five export destinations were China, Malaysia, Japan, Taiwan and Thailand representing \$2.25 billion worth of our total exports”

Question proposed – that the Amendment be agreed to;

A debate arose thereupon;

And the Question being put;

It was resolved in the Affirmative.

And the Question being proposed – that the Motion as amended be agreed to.

And Ms *O’Connor* was addressing the Chair.

**13** OUT OF HOME CARE STANDARDS – A Motion being made and the Question being proposed—That the House:—

## Uncorrected Proof

- (1) Notes Tasmania does not have its own child safe standards against which the performance of those providing Out of Home Care (OOHC) (including the Department of Communities) can be held to account.
- (2) Recognises that while the Charter of Rights for Tasmanian Children and Young People in OOHC is embedded in practice, there is no public reporting specifically against the Charter.
- (3) Further notes Tasmania, unlike other jurisdictions including Victoria, Queensland and South Australia, is yet to introduce legally mandated child safe standards or risk management principles.
- (4) Further notes child safe standards are compulsory minimum standards for all organisations that provide services to children, including schools.
- (5) Further recognises child safe standards provide a framework to identify gaps and improve policy practices around child safety.
- (6) Agrees child safe standards ensure organisations are well prepared to protect children from abuse and neglect.
- (7) Calls on the Government to draft child safe standards and develop an implementation plan by 1 December 2018. (Ms *Butler*)

A debate arose thereupon.

**14** PAPERS. – The Minister for Human Services laid upon the Table of the House the following Paper:-

Charter of Rights for Tasmanian children and young people in out of home care.

**15** OUT OF HOME CARE STANDARDS – And the Question being again proposed;

The House resumed the Debate.

Amendment proposed (Minister for Human Services) by leaving out paragraph (4) and inserting instead:

“Further notes that requirements for organisations to comply with Child Safe Standards, will be progressed as part of the implementation of the recommendations arising from the Royal Commission into Institutional Responses to Child Sexual Abuse.”

Question proposed that the Amendment be agreed to;

Amendment to the Amendment proposed (Minister for Human Services) by inserting “including schools” after “organisations”

Question put – that the Amendment to the Amendment be agreed to;

It was resolved in the Affirmative.

Question put – that the Amendment as amended be agreed to;

It was resolved in the Affirmative.

Amendment proposed (Minister for Human Services) by leaving out paragraph (7) and inserting instead:

“Calls on the Government to work with all jurisdictions and provide leadership on the Child Safe Standards recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse to embed these principles into the leadership, governance and culture of Tasmanian institutions and allow children to participate in decisions affecting them.”

Question proposed that the Amendment be agreed to;

## Uncorrected Proof

Amendment to amendment proposed (Ms *Butler*) by adding at the conclusion of the new paragraph (7) the following words:

“with an update to the Parliament by March 2019”.

Question put that the amendment to the amendment be agreed to;

It was resolved in the Affirmative.

Question put – that the Amendment as amended be agreed to;

It was resolved in the Affirmative.

Question put – that the Motion as Amended be agreed to;

It was resolved in the Affirmative.

*Resolved*, That the House:—

- (1) Notes Tasmania does not have its own child safe standards against which the performance of those providing Out of Home Care (OOHC) (including the Department of Communities) can be held to account.
- (2) Recognises that while the Charter of Rights for Tasmanian Children and Young People in OOHC is embedded in practice, there is no public reporting specifically against the Charter.
- (3) Further notes Tasmania, unlike other jurisdictions including Victoria, Queensland and South Australia, is yet to introduce legally mandated child safe standards or risk management principles.
- (4) Further notes that requirements for organisations including schools to comply with Child Safe Standards, will be progressed as part of the implementation of the recommendations arising from the Royal Commission into Institutional Responses to Child Sexual Abuse.
- (5) Further recognises child safe standards provide a framework to identify gaps and improve policy practices around child safety.
- (6) Agrees child safe standards ensure organisations are well prepared to protect children from abuse and neglect.
- (7) Calls on the Government to work with all jurisdictions and provide leadership on the Child Safe Standards recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse to embed these principles into the leadership, governance and culture of Tasmanian institutions and allow children to participate in decisions affecting them with an update to the Parliament by March 2019.

**16** CLARENCE CITY COUNCIL PUBLIC PLACES BY-LAW, DISALLOWANCE OF. – A Motion being made and the Question being proposed - That the House, in accordance with section 47 of the Acts Interpretation Act 1931, disallows the Clarence City Council – Public Places By-Law (No. 1 of 2018) laid upon the Table of the House on Tuesday 12 June 2018. (Dr *Woodruff*)

A debate arose thereupon.

**17** PAPERS. – Dr *Woodruff*, *by leave* laid upon the Table of the House the following Papers:-

- (1) Letter from Commissioner for Police to General Manager of Clarence City Council dated 19 February 2018 regarding proposed public places by-law No.1 of 2018;
- (2) Letter from General Manager, Clarence City Council to Commissioner of Police dated 2 March 2018 regarding proposed Public Places By-Law No. 1 of 2018.

**18** CLARENCE CITY COUNCIL PUBLIC PLACES BY-LAW, DISALLOWANCE OF. – And the Question being again proposed;

The House resumed the Debate.

## Uncorrected Proof

And the Question being put;

The House divided.

AYES 2

Ms *O'Connor*  
Dr *Woodruff* (Teller)

NOES 20

Ms *Archer*  
Mr *Bacon*  
Mr *Barnett*  
Mr *Brooks*  
Ms *Butler*  
Ms *Dow*  
Mr *Ferguson*  
Mr *Gutwein*  
Ms *Haddad*  
Mr *Hidding*  
Mr *Hodgman*  
Mr *Jaensch*  
Mr *O'Byrne*  
Ms *O'Byrne*  
Mrs *Petrusma*  
Mr *Rockliff*  
Mr *Shelton*  
Ms *Standen*  
Ms *White*  
Dr *Broad* (Teller)

It passed in the Negative.

**19** ADJOURNMENT. - The time being Six o'clock, the Speaker proposed - That the House do now adjourn and called for issues to be raised;

**20** PAPERS. – The Minister for Disability Services and Community Development laid upon the Table of the House the following Paper:-

Student Equipment Needs in School; National Disability Insurance Scheme, Tasequip Equipment Library and the Department of Education.

The House adjourned at thirty-six minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

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MEMBERS. - All present during the day except Ms *Courtney* and Ms *Houston*.