

**Tuesday 21 May 2019**

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

## **QUESTIONS**

### **Housing Crisis - Numbers of New Homes Built**

**Ms WHITE question to MINISTER for HOUSING, Mr JAENSCH**

[10.04 a.m.]

You have promised Tasmanians that you will build 900 new homes by June to address the housing crisis. You have said this repeatedly, including in your Government's pre-election glossy brochure which said, and I quote -

We are already committed to building over 900 new homes under our affordable housing strategy four year action plan which commenced in 2015.

As of today, with a month to go until the deadline you set yourself, how many of these 900 homes - not homes and lots - have been built to address Tasmania's housing crisis?

## **ANSWER**

Madam Speaker, I thank the member for her question. We are the first government to have brought on a 10-year, \$200 million affordable housing strategy for Tasmania.

**Members** interjecting.

**Madam SPEAKER** - Order, please.

**Mr JAENSCH** - If the previous government had done this the situation would be quite different right now.

We stand by our targets. We stand by the \$200 million of state money invested in affordable housing for Tasmanians who need it. The Opposition will have had the opportunity to have a look at our last quarterly housing report which shows that we are on track to deliver the homes that we have committed to provide for Tasmanians, and to provide opportunities for people to move from rental stress into affordable housing.

Yet again, in here, I need to school the Opposition that when they speak to us about the rental crisis at the moment and the people who have incomes that have enabled them to rent in the past, they have been saving for a home, their rents have gone up, they have no longer been able to save and that has put them into rental stress, we are addressing their needs too because they are the new entrants to housing stress in Tasmania through this period of increasing rental prices.

**Ms WHITE** - Point of order, Madam Speaker. It is a very serious question. The minister has one month to reach his own target to build 900 new homes. Can he provide an update to the House as of today how many have been built? I ask you to draw his attention to the question.

**Madam SPEAKER** - There is no point of order.

**Mr JAENSCH** - As I was saying the provision of housing that meets the needs of Tasmanians who are in housing stress right now includes new housing built for them but also opportunities for them to move into housing that they can afford within the private market, or to build their own home and get themselves out of the rental cycle or out of social housing entirely.

Our affordable housing strategy, our action plan 1, and our new affordable housing action plan number two addresses the full spectrum of need including provision of new social housing. I am happy to advise that we remain on track to meet our target for delivery of social housing targets before the end of this financial year. Before the end of June we will deliver the houses that we have promised. They are on track right now.

I am proud of our record. I am proud of our \$200 million affordable housing strategy and I just wish that the Labor government had done something slightly like this when they were in power because they would have addressed this need ahead of time.

### **Housing Crisis - Availability of Housing**

**Ms WHITE question to MINISTER for HOUSING, Mr JAENSCH**

[10.08 a.m.]

You know that on any given night 1600 Tasmanians are homeless. You know many hundreds more are couch surfing relying on family and friends, and sleeping in sheds and in their vehicles.

In the gallery today is Nikki Russell. Nikki is a single mother of four children aged under 10. Until six weeks ago she was living in a shed. Now Nikki and her children are living in a women's shelter. In the next two weeks she will have to leave the shelter and she has nowhere to go. Nikki is on the Housing Tasmania waiting list along with more than 3200 other Tasmanians who will wait an average of 56 weeks, more than a year, minister, to be housed.

Today you are telling Tasmanians that, after half a decade of unacceptable inaction on housing affordability and homelessness, your Government is bringing forward some funding. We already know that you did that last year. You brought funding forward but you failed to spend it. Today you cannot even tell us how many homes you have built.

After half a decade of talk and inaction can you tell Nikki Russell, who is in the gallery today, where she and her children are supposed to live in two weeks time?

### **ANSWER**

Madam Speaker, I thank the member for her question. I have great empathy for all the people out there in Tasmania who find themselves in housing stress at the moment. We know that there are many of them. We know that there are people who are homelessness and there are people in housing stress.

We are taking action to respond to them. I can reassure them their needs are top of mind for us. That is why, in the case of homelessness services, this financial year we have invested \$1.2 million in an outreach service which is out there every day where we know people gather when

they need shelter, who are visiting people who are sleeping rough, who are responding to people who are arriving at shelters, assessing their needs and connecting them with the services available to them. I stress, again, like the need for housing, the needs for people in acute housing stress are very individual and they need an individualised service response and that is what we are providing. Certainly, there is brokerage funding in there to secure accommodation for them and shelter when they need it. We are moving out into the community to find and connect with people, to understand their individual needs and to connect them to the wide range of services that are available to them out there.

Can we prevent people getting into housing stress? That is a bigger, longer conversation for us to have but we are putting the resources out there to respond to people in need. I encourage all members here and those in your networks who are concerned about or know of people in housing stress to, in the very first instance, call the 1800 number for Housing Connect. This is the service that we have set up to receive those concerns and to respond to them comprehensively. I am confident that through Housing Connect and their network of services we have the resources out there to respond to people's needs. I encourage anybody who finds themselves in housing stress to contact Housing Connect in the first instance.

### **Coordinator-General - Right to Information Request for Release of Diary**

**Ms O'CONNOR question to PREMIER, Mr HODGMAN**

[10.12 a.m.]

The Coordinator-General is a public servant under the State Service Act. He is paid \$446 000 to cosy up to business, travel internationally - mostly to China - and initiate trade in public assets. Mr Perry is a public servant. Therefore, how he spends his time on the taxpayers' coin is a matter of public interest. Your Government in its ongoing erosion of the spirit and intent of the Right to Information Act 2009 is refusing to release this extremely highly paid public servant's diary. Is this not giving the middle finger to the public's right to know? How do you justify this secrecy and contempt for transparency?

### **ANSWER**

Madam Speaker, I thank the member for her question and correct her assertions by, again, confirming that this Government has strengthened our RTI laws. Our processes were exactly the same as was applied under your government, the Labor-Greens government. Our RTI officers are independent people so at every turn when opposition parties criticise the processes they are criticising these independent officers. A number of them served under the Labor-Greens government. It is important that they be allowed to operate independently and to ensure that the act is applied appropriately as it is under my Government and I would hope it was under yours.

With respect to the Office of the Coordinator-General, which is an important one, it has not been supported by the Labor Party all the time - sometimes it has. It was a great example of the Labor Party wanting to take an important government resource out of Launceston, to strip the Government of an important facilitator of economic growth and investment in our state which is supporting jobs and Tasmania's economic prosperity. It is important that we have an office that is equipped to ensure that Tasmania continues to have such a strongly performing economy.

With respect to the RTI request to which the member refers, on 16 May it was reported in the *Mercury* newspaper that the Department of State Growth has signalled that it may not release the diary details of the Coordinator-General being sought under the Right to Information laws. Under the act there are potential considerations around, not only third-party consultation with meeting participants in regard to personal information but also commercial-in-confidence matters that would warrant assessment. It is entirely appropriate that any person, any public officer, including parliamentarians who meet with individuals or organisations, that we should allow those individuals or organisations to also be aware of their rights under these laws, and also ensure that where there are matters that occur in commercial-in-confidence, that they be respected.

We are not like the Labor-Greens coalition - all care and no responsibility about these matters. They are important if we are going to continue to see such strong investment in our state, which is the highest in the country. We need to ensure that our businesses and the investors, wherever they are from, can do so confidently in Tasmania knowing that the Labor Party or the Greens are not going to use them as political playthings and damage their confidence in our state, which is also the highest in the country.

In this case, the request is being assessed by departmental RTI officers: again, I say importantly at arms-length from government and also from the Coordinator-General. I am advised that in communications with the *Mercury* the department advised the RTI request would involve a large amount of staff time and resources to fulfil. The RTI request is not being refused, as has been made clear publicly, including to the *Mercury*. It remains in progress and once a decision has been made, there are avenues for review should an applicant not agree with the assessment of the independent RTI officer.

### **Federal Election Result - Impact on Tasmania**

#### **Mr SHELTON question to PREMIER, Mr HODGMAN**

[10.17 a.m.]

Can you update the House on what the results for the federal election mean for Tasmania?

#### **ANSWER**

Madam Speaker, I thank the member for his question and the opportunity to talk about what was a remarkable victory for the Morrison coalition government. It was a bolt from the blue, against the odds and against the polls. It was an understanding endorsement for the Coalition and the plan for our economy, for Tasmanian jobs, for national jobs, for more investment into health and education, into infrastructure to secure our schools and to protect our way of life.

These are, of course, the same priorities that our Government took to an election just over a year ago. It does look like the return of another majority Liberal government, as it was here just a year ago.

I congratulate Prime Minister Scott Morrison, the messiah from the shire, and his team on a stunning result. I also take the opportunity to acknowledge all those who ran in our state for public office, and those who were unsuccessful. I want to include in that the former member for Braddon, Justine Keay; former Labor senator, Lisa Singh, who was unceremoniously dumped by Labor members and that is regrettable. She served in this place with distinction and in our federal parliament. I thank all of them for their service to our state and to the federal parliament.

I congratulate the newly-elected member for Braddon, Gavin Pearce, on a tremendous result on the magnificent north-west coast. While the count is still tight, Bridget Archer in Bass, is another sensational turnaround. Claire Chandler will represent the Liberal Party in the Senate, and it is wonderful to see two outstanding Liberal women being elected to our federal parliament.

To all those who were re-elected, my congratulations.

It was a strong endorsement of the Morrison government. It was a strong endorsement of its policies, its plans for our state, its focus on the budget, on the economy, on investing in essential services, building the infrastructure our state needs, and supporting businesses and industry to grow and create jobs. It was also a recognition of what we have achieved together - our Government and theirs supporting great outcomes for our state.

I want to remind members of this place, and anyone else who has an interest, of the wide and diverse spread of commitments that we have secured - support for our schools and hospitals, \$107 million into health commitments, \$30 million for affordable housing in Greater Hobart, \$100 million for irrigation schemes, \$56 million to progress our vision to be the nation's renewable battery, and \$70 million for an innovative blue economy research centre.

We have secured support for Cradle Mountain, Freycinet, and our booming visitor economy, and major commitments for road infrastructure right across the state, including \$130 million for the south-east traffic solution, \$25 million for congestion-busting initiatives in Greater Hobart, \$40 million for the Sidling Road upgrade in the north-east, and \$64 million for the Illawarra Main Road. These are only some examples. Tasmanians will also benefit from lower taxes, instant asset write-offs for some small and medium businesses, and assistance for first home buyers. That will support Tasmanians right across the state.

In conclusion, there is still much more to do. This was a strong endorsement of the Morrison coalition's policy. It was certainly a very strong rejection of Labor, Bill Shorten and their policies and plans for the nation - untried, untested and unconvincing and, I must say, very similar to what we saw this time last year after our election. On this occasion, there was a gracious concession speech from the leader of the Labor Party. I have heard and seen some very disappointed Labor members very unhappy with the result, drowning their sorrows, and very bitter about what went down, cursing the result, not accepting the will of the people and, worse still, basically telling Tasmanians that they are stupid and did not know what they were doing.

As we did last year, and as we are doing now, we will get on with the job this week. We will deliver a budget that continues the momentum and growth in our state. I will always stand up for our state, every single part of it. Our state is best served by having a Morrison government returned in Canberra, working alongside a Liberal government here in Tasmania.

**Government members - Hear, hear.**

### **Housing Crisis - Availability of Housing**

**Ms WHITE question to PREMIER, Mr HODGMAN**

[10.22 a.m.]

Nikki Russell, who is in the gallery today, is in such a desperate situation that she took the time to send this hand-written letter to both you and me. If you had taken the time to read it, you would

know that Ms Russell is in an extremely desperate situation. Have you made yourself aware of Ms Russell's situation? Do you agree that her story is not unique in the housing crisis your Government has overseen? What do you say to Ms Russell and hundreds of other Tasmanian families who are unable to access a fundamental human right to have a roof over their heads?

## **ANSWER**

Madam Speaker, as the minister has said, we are very conscious of the housing stress in our community. The sad state of Tasmanians needing a home, homeless Tasmanians, and those suffering housing stress across the spectrum is of great concern to me and our Government. We are approaching this with great priority and urgency. We are approaching it in a different way to former governments. We have been prepared to engage with stakeholders, including the Opposition, to formulate new ways of dealing with this matter and to ensure that we as a government are investing all we can into better housing outcomes off the back of historic affordable housing plans which have historic levels of funding and are being delivered as collaboratively, effectively and as efficiently as we can, as the minister has previously outlined.

Our concerns are with all Tasmanians suffering from the lack of a home or housing stress. We are doing all we can to deliver on better outcomes as quickly as we can. Our Budget will, as it has on previous occasions, and again with the support of the Commonwealth, the coalition Morrison government, that has also increased its investment into housing in Tasmania -

**Ms O'Connor** - Has it? It has not.

**Mr HODGMAN** - They made a commitment during the federal campaign. It is one of the positive things that will be delivered by a coalition government and we will certainly do all we can to continue the progress of improved outcomes for Tasmanians needing a home.

## **Budget 2019-20 - Financial Management and Revenue Downgrade**

**Mrs RYLAH question to TREASURER, Mr GUTWEIN**

[10.25 a.m.]

Can you please update the House on the Hodgman Liberal Government's record of strong financial management, and how will the Government address its significant revenue downgrade in GST receipts and stamp duty in this year's Budget?

## **ANSWER**

Madam Speaker, I thank the member for her question and her support for this Government's strong financial management. The Hodgman Liberal Government's record of strong financial management is there for all to see. We inherited \$1.1 billion-worth of cumulative deficits but we have turned that around. We delivered three surpluses ahead of schedule and, instead of seeing red, the Government is back in the black.

A balanced budget provides confidence in the business community and the wider community and ensures we have sufficient funds in reserve as an insurance policy to cover the cost associated with unforeseen events such as fire or flood, and respond to the circumstances at the time.

This financial year, the surplus meant that the Government was able to respond to unprecedented increases in health demand, and we invested in an additional \$105 million into health. The surplus also provided us with the capacity and the flexibility, in conjunction with the Australian Government, to respond to this year's wildfires.

As I have announced recently, the 2018-19 Budget is on track to achieve a modest surplus which will be the Government's fourth surplus in a row. At the same time, our growing economy and strong budget position provides the capacity to invest back into services and into infrastructure. With confidence comes investment, jobs and economic growth.

In terms of the service levels we are delivering, when you look back at the previous government when the then minister for health sacked a nurse a day - and it must be a family thing because her brother was sacking police as well, over 100 - in the first term of our Government we hired 375 nurses, 142 teachers, over 100 doctors, more than 50 paramedics, over 60 allied health, and over 113 police officers. These results are only possible with strong budget management and Tasmanians can expect that we will continue in that vein.

Today we have announced some changes to the foreign investor duty surcharge - FIDS - which ensures that foreign investors will pay a fair share of state taxation and do not artificially drive up prices by reducing the supply of housing and primary production land. The 2019-20 state Budget will increase the rate of FIDS on the purchase of residential properties from 3 per cent to 7 per cent and will bring Tasmania into line with other states and territories. The rate of FIDS on the purchase of primary production land will also increase from 0.5 per cent up to 1.5 per cent. These increases will be implemented from 1 January 2020 and there will be a review of the definition of 'foreign persons' to ensure we remain consistent with the Government's original policy intent. During 2019-20, the Government, in consultation with stakeholders, will also develop a foreign investor land tax surcharge to ensure that all market participants pay their fair share.

As I previously updated the House, we have faced a writedown of more than half a billion dollars in receipts from stamp duty and GST. More than half a billion dollars less in revenue has meant the Government has also had to look closely at its expenditures. We will act in a considered and responsible manner to meet these challenges. We will need to ensure that the public sector is as efficient and effective as possible.

The 2019-20 Budget will include a very modest efficiency dividend to ensure the public service is as efficient and effective as it can be. The Government will work with agencies to deliver these savings and the focus will be on expenditure such as consultants, travel and transport, advertising and promotion, together with targeted vacancy control and natural employee attrition without affecting frontline essential services. These measures ensure that we can deliver the services Tasmanians expect from the Government's commitment to protect essential services and minimise the impact on service delivery remains, as I have said.

We have had to make some difficult decisions but we are determined that we will unashamedly continue to invest in infrastructure which will help drive our economy to deliver increased investments into health and education and will support the employment of thousands of Tasmanians during the construction phase.

I will have more to say on Thursday about these matters.

## **Kangaroo Bay Foreshore Development - Office of Coordinator-General**

### **Dr WOODRUFF question to PREMIER, Mr HODGMAN**

[10.30 a.m.]

The Kangaroo Bay foreshore, once public land, was sold to the Shandong Chambroad petrochemical company behind the closed doors of the Office of Coordinator-General despite massive community opposition. Now taxpayers' funds are being spent to fly Mr Perry to Binzhou China on a rescue mission for this divisive development. Despite Mr Perry's assertions there is no reason other than the Kangaroo Bay development for him to visit Binzhou, it is an oil refinery centre not a centre for agriculture or education. It is a very long way from Tasmania's established relationships in Fujian.

We understand there is significant fragility in the Chinese petrochemical market and Chambroad may be under substantial pressure from China's big three national oil operators. The last thing the people of Clarence need - given it never had community support - is a dodgy developer with shaky financials to half build a hotel and leave an unfinished eyesore on prime Kangaroo Bay foreshore.

Why are you really sending the Coordinator-General over to Binzhou? What is the actual problem and will you release the cost to taxpayers for this rescue delegation?

### **ANSWER**

Madam Speaker, I thank the member for the question and the very clear illustration of the difference between this Government which supports economic growth, progress, investments in important things like education and the anti-development, anti-everything Greens. The contrast could not be clearer.

This project, which includes a boutique hotel linked to the international hospitality college, will be a game changer for the sector, also for the eastern shore, in a very special part of the eastern shore. As a local member, I know many people in the community support what is occurring by way of development in that area. It is certainly normal process and practice for meetings to occur between developers and key stakeholders of which the Office of the Coordinator-General is one. It is an \$85 million redevelopment that will deliver a globally leading international hospitality management college linked to the boutique hotel, restaurants and conference facilities.

The forthcoming meetings in China, which will be attended by the Mayor of the Clarence City Council, Doug Chipman, and the Coordinator-General, John Perry, will include meetings in the cities of Binzhou and Boxing to emphasise that bringing the Kangaroo Bay development to fruition is a priority for the Tasmanian Government and the Clarence City Council. It is vital that we continue to promote our state as a place to invest in and that includes in China as our largest trading partner.

It is planned that the Coordinator-General and the Mayor of Clarence City Council, Mr Chipman, will visit China. The purpose is to strengthen the relationship with Shandong Province in China and to demonstrate support for existing and future Chinese investment in Tasmania. It is also to assist in building our strategic relationships to emphasise the importance of international trade and investment to our state. Meetings will occur with the government of Binzhou



during the mission to discuss investment in agriculture, tourism and education, and to articulate the importance of the Kangaroo Bay development. It also provides an opportunity -

**Members** interjecting.

**Mr HODGMAN** - You asked why they are going and I am telling you.

It is an important opportunity also for the Clarence City Council to build on its friendship city cooperation in line with the memorandum of understanding between the cities of Clarence and Binzhou which was signed in May 2017. A meeting will also occur with the Chairman of Shandong Chambroad Holdings to emphasise that bringing the project at Kangaroo Bay to fruition is a high priority, not only for this Government but for the Clarence City Council.

Any costs that are incurred by the state will be disclosed at a time that they are known. I am not going to speculate as to that until those costs are known. That also demonstrates that the Greens are not interested in the facts. They are only interested in whipping up fear, hysteria and talking down development opportunities for our state.

### **Housing Crisis - Availability of Housing**

**Ms STANDEN question to PREMIER, Mr HODGMAN**

[10.35 a.m.]

Nikki Russell and her four children aged 10, 8, 4 and 18 months will be homeless within a fortnight with absolutely nowhere to turn because they were forced out of the unaffordable, private rental market and have very little hope of accessing public housing, despite being on the priority waiting list. This is the human face of the housing crisis and Ms Russell's story is certainly not unique.

Ms Russell and her children are on the verge of having to live on the streets. *The Examiner* newspaper today tells the shocking story of a family of four living in a shipping container as winter approaches. We have been contacted by a disabled pensioner who is living in his car in Sorell. Another man, from Hobart's northern suburbs, has been living under a bridge for more than a year.

What do you say to these people who are in desperate situations? Can you confirm that Tasmanians caught in the housing crisis are being told by your Government that current public housing tenants will need 'to die' before people on the waiting list are housed?

**ANSWER**

[10.36 a.m.]

Madam Speaker, as I have said and as the minister has said, we are certainly aware of Ms Russell's circumstances. Housing Connect is best placed to help and to connect her and anyone else in need to be connected to a range of services that are available. Housing Connect is charged with the responsibility of helping to find Tasmanians safe and secure accommodation in a state that is suffering great stress in this sector, which we know of, which we appreciate and which we are responding to.

As announced through our Affordable Housing Action Plan, we are frontloading our investment as well to bring forward the opportunities for more Tasmanians to have access to social and affordable homes. We are well aware of the issues. It is why we are responding with the urgency and the priority, as is evidence by our commitment.

### **Housing Crisis - Availability of Housing**

#### **Ms STANDEN question to MINISTER for HOUSING, Mr JAENSCH**

[10.38 a.m.]

Families like Nikki Russell's are being torn about because your Government has failed to provide housing for Tasmania's most vulnerable. Ms Russell and her four children will be homeless within a fortnight and face the terrifying prospect of living on the streets. In those circumstances, this desperate young mother faces the very real prospect of her children being taken away from her.

You know that the average cost of caring for each child in the child safety system is \$300 000 a year and you know that a much better and cheaper option would be to house this family of four together. Homelessness is having a devastating impact on the ability of Tasmanians to care for their children. How many children have been taken from their families and placed into care because of a lack of housing, which is contributing to this as a factor?

#### **ANSWER**

Madam Speaker, I thank the member for her question. It was unclear at the end of that how it framed as a question, but I am happy to respond to the issues that the member has raised. I reiterate what I have said before and what the Premier has also expressed. We have absolute respect for the sensitivities of the individual circumstances of people who find themselves in housing stress. I do not have permission, and I do not have the intention of speaking about the circumstances of individual people in here without their permission -

I believe the most important thing, and what is happening is that the publicly funded services, the services that have been stood up over the last 12 months that have been part of our affordable housing action plan, which are trained and resourced to reach out, to speak with, to match services to people's needs -

**Ms STANDEN** - Madam Speaker, point of order. It goes to relevance. The question was very clear. I would like the minister to explain how many children have been taken from their families because they have no roof over their heads?

**Madam SPEAKER** - I am going to have to rule that it is not a point of order, but a point of clarification on your question. The minister did state he did not understand the question.

**Members** interjecting.

**Madam SPEAKER** - Order, please.

**Mr JAENSCH** - The member in her clarification has identified that she is conflating two complex and very sensitive issues, in terms of families -

**Opposition members** interjecting.

**Madam SPEAKER** - Order. Please allow the minister to respond.

**Mr JAENSCH** - The circumstances under which, for their safety children may be removed from a family, and the circumstances of a family that finds itself in acute homelessness or housing stress are very individual, very complex. I will not comment on them generically, let alone join them together as if I have a column in a report with a number on it that I am going to respond that way. No way.

We have services dealing with child safety. We have services aimed at addressing homelessness and housing stress which are geared to appreciating and responding to the complex needs of the individual cases. I will be speaking about the details of those cases here. It is wrong to characterise them more generically to make a political point.

What I am confident of, is that this Government is investing more state resources than ever before in providing for homelessness and affordable housing solutions for Tasmanians who need them. I am proud of the affordable housing strategy that our Government has brought, that we continue to invest in and that this week's budget will see increased investment in.

### **TasWater - Trade Waste Policy**

**Ms DOW question to TREASURER, Mr GUTWEIN**

[10.42 a.m.]

In August 2017 you said -

TasWater's single minded trade waste policy is having a devastating impact on hundreds of businesses around the state. In fact, I've been told it has actually contributed to businesses shutting down. It's absolutely ridiculous and it needs to be stopped now before it destroys more Tasmanian businesses.

The fact is, businesses are closing because you have failed to fix trade waste despite claiming that you have. TasWater has written to Labor saying -

It is important to note that the expense of complying with environmental regulations also jeopardises the viability of many smaller commercial operations like local bakeries, cafes or hairdressers who, though small, collectively employ just as many people in Tasmania, especially in our regions.

You are now a part-owner of TasWater and you said you had fixed this, but is it not the reality that you have done nothing more than talk about it while small mum and dad businesses have been closing?

**ANSWER**

Madam Speaker, I thank the member for her question and for the interest in this matter.

As this House is well aware, we have recently established a partnership with TasWater, one which I have to say that side of the House fought tooth and nail to stop us from doing.

Since we have established that partnership, as members would be aware, we have agreed to invest \$200 million into TasWater to ensure that we can keep prices lower but importantly we can accelerate the \$1.8 billion infrastructure spend. That \$200 million, as an investment from the state, is money very well spent. We had known for decades that we needed to do more in respect to water and sewerage in this state. It has taken this Government to step up to the plate and form that partnership and begin that investment program.

I understand, in terms of the matters that the member has raised, and we have spoken with TasWater in respect of these, that they already offer a range of support. In fact, TasWater offers a no interest repayment scheme to small business to help cover the cost of installing or upgrading a compliant trade waste pre-treatment system. I encourage anybody who runs a small business that has an issue with pre-treatment of waste to ensure that they engage fully with TasWater and use the assistance that is provided.

As I understand it, the no interest repayment scheme to help cover the cost of installing or upgrading compliant trade waste pre-treatment systems, that under this scheme repayment contracts are available to owners of properties that house TasWater category 2 trade waste customers and will provide for up to 80 per cent of the total cost of works and equipment required to meet the trade waste compliance.

**Members** interjecting.

**Mr GUTWEIN** - The Leader of the Opposition asks, 'What have you done about it?' I just explained that we have invested \$200 million to improve water and sewerage outcomes in Tasmania. We have engaged with TasWater in respect of this issue and they now offer a no interest repayment scheme and I would encourage small business to engage fully with TasWater and utilise the mechanisms that are available to them to enable them to upgrade their waste pre-treatment systems.

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### **Recognition of Visitors**

**Madam SPEAKER** - Honourable members, I welcome the Legal Studies 3 class from Rosny College. And I remind members that your debating skills are on show.

**Members** - Hear, hear.

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### **Housing Demand**

**Mr TUCKER question to MINISTER for HOUSING, Mr JAENSCH**

[10.48 a.m.]

Can you update the House on the measures that the Hodgman majority Liberal Government is taking to maintain the momentum and meet the demand for housing across Tasmania?

## ANSWER

Madam Speaker, I thank, my colleague, Mr Tucker, for his question and his interest in the matter. I am pleased to confirm for the House today that this year's Budget will see the Hodgman Liberal Government's investment continue in essential services and infrastructure that our growing state needs, including housing. The Hodgman Liberal Government is maintaining the momentum and investing for growth in this year's state Budget and, in doing so, we are working hard to alleviate housing stress across Tasmania.

Whilst a strongly performing property market is welcome for Tasmania's economy, it is important that we ensure that all Tasmanians can afford housing that meets their needs. That is why we have announced a range of initiatives to increase the supply of housing in Tasmania, across the entire spectrum of need. This includes our second action plan as part of our 10-year affordable housing strategy which I launched earlier this year. We brought forward \$25 million into last year's budget in recognition of increased demand. To further accelerate the building of more houses to address supply challenges we have decided to heavily front end the funding for our action plan 2 over the next four years.

Today I announce that the total funding allocated in the next financial year out of the \$125 million affordable housing action plan will be \$40.5 million.

**Mr O'Byrne** - Is there any additional money?

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

**Mr JAENSCH** - Of the five-year allocation that we announced in last year's budget, around a third of that will be invested in one financial year to address and respond to the continuing critical demand for social and affordable housing Tasmania.

The budget papers will also show a further \$27.4 million allocated for Housing Tasmania's capital program this financial year, including the purchase and construction of new social housing to support the initiatives in our second action plan. This means the Budget we will bring down on Thursday will see almost \$68 million invested to boost the supply of new social and affordable homes in Tasmania.

The 2019-20 state Budget is focused on maintaining the momentum in Tasmania's nation-leading building and construction sector to help more Tasmanians into a home of their own. Our action plan 2 will further boost the construction sector and create more jobs in building and construction, strengthening our economy and providing a pathway for young Tasmanians into apprenticeships. The investment adds to the \$30 million we secured from the federal Morrison government through the Hobart City Deal to facilitate more than 100 new social housing dwellings across Greater Hobart. We recognise that we need to address supply across the entire housing spectrum.

To assist Tasmanians into their first home the 2019-20 state Budget also extends the successful first home builders grant for an additional 12 months to 30 June 2020. There is no doubt that the attractiveness of Tasmania as a place to live and work is driving strong demand in Tasmania's property market. To plan for this growth I am pleased to report that the 2019-20 Budget extends a range of the Government's successful housing affordability programs, including the first home owner's duty concession of up to \$7000 on established homes until 30 June 2020, a duty concession

of up to \$7000 for pensioners downsizing their home until 30 June 2020, a land tax exemption for former short-stay accommodation properties that are converted to long-term rental until 30 June 2023 and the land tax exemption for newly built housing made available for long-term rental until 30 June 2023.

We are confident that these initiatives, together with our ambitious targets under both action plans which we are on track to deliver on, combined with the \$30 million housing investment under the City Deal, nation-leading building approvals in the private market and new tourism hotel construction will ease the pressures for Tasmanians currently experiencing housing stress.

### **TasWater - Trade Waste Policy**

#### **Dr BROAD question to TREASURER, Mr GUTWEIN**

[10.53 a.m.]

TasWater has written an extraordinary letter pleading for assistance to deal with trade waste. The letter claims that the closure of the JBS Abattoir in Devonport has increased demand on other small local abattoirs driving up the volume of trade waste they produce. TasWater says in relation to industrial customers:

The cost of environmental compliance going forward will place a number of these businesses under significant financial pressure, potentially affecting their viability.

TasWater says it is going to cost \$70 million to fix this problem. Treasurer, will you step up and fix this in this week's Budget?

#### **ANSWER**

Madam Speaker, I thank the member, Dr Broad, for that question. To be frank, I say good on TasWater for lobbying both sides of federal politics. I think I have a copy of a similar letter here. I might ask what did federal Labor announce? Did they announce anything? No, they did not. What did you manage to get out of them, you hypocrite?

**Members** interjecting.

**Madam SPEAKER** - Order. For goodness sake, this is just chaos. Let us have a little bit of parliamentary discipline for a few seconds and hopefully we will get through all of the questions. We might even have a bit more time, if everyone behaves, for another question.

**Mr GUTWEIN** - As I was saying, the hypocritical nature of that question shows that Dr Broad is looking for additional funding, but what has he done about it? What announcement did you get out of federal Labor? That was what the letter was doing, lobbying federal Labor, and what did they provide - zilch.

On this side of the House we are investing \$200 million already into TasWater to fix the problems that have been evident for decades. There are mechanisms available for small business to engage with TasWater and to receive interest-free loans to fix these problems. It begs the

question - will it be in Labor's alternative budget next Tuesday? Will this be a priority in your alternative budget on Tuesday? That is the question that they need to answer.

On Thursday I will bring down our Budget. Once again it will invest record amounts into TasWater. Our priorities will be clear for all to see, but I will be waiting with bated breath for next Tuesday to see what the hypocrites on that side of the House bring forward in their alternative budget.

### **Heritage Register**

#### **Ms O'CONNOR question to MINISTER for HERITAGE, Mr HODGMAN**

[10.56 a.m.]

Over the course of the past five years, your Government has cut resourcing to Heritage Tasmania and slashed by hundreds of properties the number listed on the Heritage Register. We now know that the Heritage Register is further compromised by a lack of due diligence in registrations, with coordinates for properties incorrectly recorded and incomplete entries raising questions over the protection of heritage treasures such as the Cataract Gorge. How concerned are you about these failings and what steps have you taken to ensure Tasmania's heritage treasures have the protection they deserve and that resourcing is restored to Heritage Tasmania?

#### **ANSWER**

Madam Speaker, I thank the member for the question and point to our strong support of our heritage assets, Heritage Tasmania and our action to deal with what was an inadequate register on coming to government and to ensure that the integrity of it could be improved to better protect and strengthen the quality of the register. It is an important statutory tool and holds a repository of our historic -

**Ms O'Connor** - Blah, blah, blah.

**Mr HODGMAN** - You are not interested in the facts, are you?

**Ms O'Connor** - Well, you are not saying anything.

**Mr HODGMAN** - Would you even let me start? I am only through my second sentence and already she is making stupid noises. Come on, listen to some facts. You asked me about the register and I would like to be able to tell you, if you are serious - and I will, in any event, because I am sure other members of the House are.

It is an important thing. The register contains over 5000 entries that represent a diverse range of places, from relatively modest cottages in places like Battery Point, Evandale and Stanley, to visitor attractions like the Cataract Gorge and Port Arthur. It is managed and maintained under the direction of the Tasmanian Heritage Council.

In March 2014 amendments were made to the Historic Cultural Heritage Act by the then Labor government that proclaimed to validate all existing entries on the register. Each entry remains protected and subject to the heritage works approval process under the act. Between 1997 and 1999 a large number of entries that contained limited detail were made in the Heritage Register and that

is why the Government has conducted a series of reviews in recent years that have helped to establish the quality and integrity of these early entries and identified areas where further work is needed.

One of these reviews conducted between 2016 and 2018 was an audit of the accuracy and location of boundary details of each entry. Correcting inaccuracies commenced immediately. Given the importance of this work, resources have been allocated to the task. Two new research officers and a data spatial officer were appointed in 2018 so we have actually put in additional resources and taken this seriously.

External expertise has also been engaged as required. The Heritage Council has worked hard to target the entry, review and amend, and the replacement of existing entries in the Heritage Register that warrant it. Importantly, the Heritage Council is also developing a registration plan that will help guide any work to improve the quality, accuracy and currency of the Heritage Register and to facilitate greater access to the information it contains.

This is a serious matter. It has been taken seriously as indeed is the integrity of the register which goes to ensuring that all our heritage properties and those that are appropriately on the register are properly protected and that there is an awareness of their value to our state. We have put additional resources in place and additional personnel to help us through this task.

**Ms O'Connor** - You never strengthened the act.

**Mr HODGMAN** - I would have thought the Greens would welcome an improvement to the register, strengthening its integrity and ensuring that our great heritage asset is protected and preserved for many generations to come.

### **Budget 2019-20 - Infrastructure Investment**

**Mr SHELTON question to MINISTER for INFRASTRUCTURE, Mr ROCKLIFF**

[11.00 a.m.]

Can you inform the House, how the Hodgman majority Liberal Government's unprecedented investment in jobs creating infrastructure in this year's state budget is maintaining the momentum and investing in growth in Tasmania? Is the minister aware of any alternative?

### **ANSWER**

Madam Speaker, I thank the member Mr Shelton for his question and his interest in this matter, particularly as the member for Lyons.

Since coming to government in 2014, the Hodgman Liberal Government has had a strong plan to continue to invest in job creating infrastructure that Tasmania needs for our state's future to support new investments, jobs and to connect our communities. Over the last five years, we have seen record investments in our roads, bridges and our rail system. Tasmania has come a long way in the last five years and there is no better way to maintain the momentum and invest in growth than by investing in building the infrastructure that will benefit Tasmanians for generations to come.



The 2019-20 state Budget will deliver an unprecedented \$1.6 billion into our roads, rail, bridges and transport infrastructure across all parts of Tasmania and is all about maintaining the momentum in Tasmania and investing for growth. It is infrastructure that creates jobs and helps us to deliver better essential services. The infrastructure package in this week's state budget will help drive our economy, to deliver increased investments into health and education and will support the employment of thousands of Tasmanians in the construction phase.

It will build the job creating transport infrastructure our growing state needs, to help address congestion in our cities and suburbs and to deliver safer freight corridors, better travel times and deliver upgrades to a number of important regional tourism routes to benefit visitors and locals alike.

An example of this is our investment in the \$24.3 million Richmond Road Master Plan. Yesterday the Treasurer and I were on the ground in this fantastic agricultural production and tourism region, the Coal River Valley where I announced the next package of tenders to upgrade further sections of this important corridor and build the new Cambridge Link Road from Acton Road through to Richmond Road.

Our partnership with the newly re-elected Morrison coalition government has never been stronger. Together we are delivering massive infrastructure programs like our \$500 million Midland Highway 10-Year Action Plan and the \$240 million Tasmanian Freight Rail Revitalisation Program, rebuilding key freight and commuter corridors and supporting Tasmania's valuable job creating productive industries. This funding is now locked in from both federal and state Liberal governments to replace the Bridgewater Bridge. This is something that the Labor government could not deliver in 16 years, but we are delivering it.

The federal coalition's \$2.7 billion investment in infrastructure commitments to all parts of Tasmania over the next decade including \$1.4 billion to the Hobart City Deal. We are working with the Prime Minister Scott Morrison and the Deputy Prime Minister and federal Infrastructure Minister Michael McCormack to deliver a massive program of future investment in our state.

The member also asked if I was aware of any alternatives. No. I am not. In our 2019-20 state Budget we will deliver an unprecedented \$1.6 billion to our roads, our bridges and our rail across all parts of Tasmania, north-west, north and south. I will be the proud Minister for Infrastructure, along with the Treasurer, in delivering it.

**Time expired.**

## **TABLED PAPER**

### **Public Works Committee - Richmond Road Projects**

**Mrs Rylah** presented a report of the Public Works Committee on the following reference: Richmond Road Projects - Section 1 Cambridge Link Road and Sections 3, 4 and 5 Richmond Road together with the evidence received and the transcripts of the evidence.

Report received.

## CONDOLENCE MOTION

**Robert James Lee Hawke AC GCL**

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### **Suspension of Standing Orders - Move Motion Forthwith**

[11.10 a.m.]

**Ms WHITE** (Lyons - Leader of the Opposition - Motion) (by leave) - Madam Speaker, I move -

That so much of Standing Orders be suspended to debate the following motion:

That this House expresses its deep sadness at the death of Robert James Lee Hawke AC GCL, who was the third longest-serving Prime Minister of Australia from 1983 to 1991, and places on record its appreciation for his significant achievements including laying the economic foundations for twenty-first century Australia; and further, that this House respectfully tenders its sincere sympathy to Mr Hawke's family at this sad time.

#### **Motion agreed to.**

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**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, it was a very sad day for the Labor movement, and for many across Australia, when Bob Hawke passed away at the age of 89. I regard him as one of the most immense figures that this country has seen in politics and he was an immense figure for the Labor movement. He was a colourful man, a colourful character, a smart man - a Rhodes scholar - completely dedicated to the Labor movement and the Labor family and very committed to this country.

He loved Australia. He spoke passionately about our country and he has a wonderful legacy that I am very proud to be able to speak about in this place and to put on the record my regard for him. My sincere condolences to his family who grieve for him at this time. That includes the broader Labor family.

He has been a part of our lives for so long. I was born the year he became the Prime Minister of Australia in 1983, so I have never known a time without Bob Hawke in my life. I feel, as I expect many Australians did at the time of hearing of his death, that they had lost something that was almost a part of them because he had always been there.

He is a hero in the Labor movement. He is a legend among legends and he will be regarded as such for ever more. He has such an enduring legacy that today remains a constant in our community and in our nation.

He was elected in 1980 to the Australian Parliament, became leader in 1983 and won an election in the same year, just a month really after he became leader. It was an extraordinary feat. He is the longest serving and the most successful Labor leader in history for our nation. He won a record four elections.

He had a character that could bring people together and he demonstrated that with his leadership. He was a consensus leader. He worked across different groups to bring them together to find common ground and work in the best interests of the people to provide the best outcomes possible. He will be remembered for his reforms such as Medicare, of which we are incredibly proud, reform that has assisted millions of Australians to access health care using their Medicare card and not dependent upon whether they had a credit card.

He created Landcare. He was well remembered on his passing for his environmental credentials and the way he looked after places like Kakadu and of course the Franklin in our own state, and the way he cared for the land and the people who depended upon that land.

He was responsible for helping shift our focus as a country to the north, looking to Asia and trading with our closest neighbours there, and creating APEC, a grouping of nations to look at how we could advance our interests in this region.

He floated the Australian dollar. He advanced extraordinary financial reforms during his tenure as prime minister that led to a complete change in the way we operate as a nation. It took a lot of courage at those times for him to do those things.

He introduced compulsory superannuation and was a fierce advocate for the working person. That was not just in his time as prime minister but was shown throughout his time as leader of the trade union movement. He joined the Australian Council of Trade Unions in 1956 and was revered and loved amongst the movement until the day he died.

He was also a fierce advocate for investments in public health. He spearheaded the campaign for investment in public health and awareness campaigns around HIV and AIDS during the 1980s, providing access to health treatment and care for people who desperately needed it at that time.

He was a champion for equality, fairness and justice. He spoke passionately about the need to end apartheid and worked tirelessly to do whatever he could to bring that end about. He spoke with conviction about the need to look after people who were vulnerable and required assistance.

Over the weekend I watched videos of speeches he had given. He was an emotional man; he spoke with passion and was not afraid to display those emotions. I believe Australians understood where he was coming from and why he was doing the things he did when he spoke with such passion. In one of the videos I saw he was speaking about the Tiananmen Square massacre, an horrific mark in the history of our world. He granted asylum to all students from China who were studying in Australia at that time to enable them to have a safe place to live and refuge in our country because they were fearful of returning home.

He spoke of people in a way that was meaningful. He took action at a time when sometimes people would question why you would do that, particularly today, to contrast how narrow and small the targets of government have become.

He was bold, he was courageous, he was reforming, he was colourful, he was a character, and he will be remembered for things that perhaps are not synonymous with politicians, like having the record for skolling a beer. Everyone will remember the time he wore that colourful jacket when Australia won the America's Cup, and he made that very funny statement about people not going to work the next day and if their boss was grumpy about it, they were a bum. They are not the phrases you would expect to hear from politicians today, but Bob Hawke could do those things.

Mr Deputy Speaker, he will be very much missed. He was very loved. Australia loved him, and this parliament passes on our sincere condolences to his family at this very sad time.

**Members** - Hear, hear.

[11.18 a.m.]

**Mr HODGMAN** (Franklin - Premier) - Mr Deputy Speaker, I support the motion. I acknowledge the very heartfelt comments of the Tasmanian Labor Leader and acknowledge Australia's twenty-third prime minister, Labor's longest-serving prime minister and the third longest-serving Australian prime minister of all time behind Sir Robert Menzies and John Howard. He was a great Australian prime minister and a great Australian. He defined a generation and he shaped our nation. Regardless of political persuasion, he was seen clearly as a political giant.

On his rise to the top he had a remarkably short spell as opposition leader before becoming prime minister, which is something I am very jealous of. It is a great way to do it and to those of us, really most of us who were at a relatively young age during the Hawke years, it would be hard not to be impressed by someone who was a confident, colourful character on the national stage and would bring a nation together in accord and implement important reforms but could also skol a beer at the cricket, or cry before the nation at China's slain, or indeed as a father for his daughter.

As a young person then, and certainly as an older one now and a father myself, I have always related to his very public and heartfelt plea that while we, in this line of work, can expect to be the subject of fierce criticism, he said, 'You do not cease to be a husband, you do not cease to be a father, and my wife and my children have a right to be protected'.

He did not hide his emotions. It was a fascinating but heartening characteristic that he displayed as our national leader. I am sure that is something we can all relate to. A larrikin, a Rhodes Scholar, a charmer of presidents and royalty. He fiercely loved his country and it is certainly something we would all relate to. He was a most passionate advocate for the trade union movement. He was a masterful politician and a tough one. My father, often at the wrong end of a Hawke's spray, would sometimes speak about it. He also played a significant role in shaping our political history in the future of our state.

On Commonwealth/state relations, his legacy for our environment and for Antarctica will be long lasting and profound, and significant economic and fiscal reforms, such as deregulation, floating the dollar, and initiating the Asia Pacific economic cooperation to promote growth and participation with our nearest neighbours. The introduction of Medicare and occupational superannuation, to end apartheid in South Africa, and to outlaw sex discrimination in the workplace. Without exception each of these reforms have endured and have been built upon by successive governments but they started with his government.

On behalf of the Liberal members of this parliament, I am sure all members of our great party, I pay due respect to Bob Hawke's service as our nation's leader and to his many achievements. He is one who has been described by so many people across our country as one of our great prime ministers. I offer our sincere sympathies to his family and friends who have lost one who was a great part of their lives.

[11.22 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, on behalf of the Tasmanian Greens I support this condolence motion. I want to say a few words about one of

Australia's truly great prime ministers. I was in grade 11, 16 years old, when Bob Hawke was elected prime minister of this country. I remember, very strongly, that feeling of optimism, of possibility for this country's future. I remember feeling proud to be Australian. I remember listening to him say, 'No child will live in poverty', within a relatively short space of time. Although he could not bring that pledge to the Australian people to bear, there is no question that at the time that he said it he absolutely meant it.

In terms of the kind of prime minister he was, he was inclusive, big hearted and courageous. He came from an era of politicians where they were not so afraid to say what they really thought. They had the courage to do things that might not have been popular, but they could argue it through. I do not think we have political leaders of that kind of calibre and courage unfortunately in either major party today. It was a different generation of leaders. For anyone who wants to see a little bit of the real Bob Hawke unguarded, Sabra Lane, over the weekend posted a YouTube clip of about 17 minutes of press gallery questioning of the then opposition leader at the press club. One of the questions that was asked of him was about this honeymoon that he had with the media and when was the honeymoon going to end. He said something like, 'Well, I was ACTU leader and people said then I had cordial relations with the media. In opposition, people are accusing me of benefiting from the honeymoon. Well, if it is a honeymoon, it is a very long one and it about time we consummated it'. This was the kind of raw honesty that marked Bob Hawke as prime minister.

In the 1989-90 federal election, as a young journalist covering Bob Hawke in Tasmania, I was stunned by how much people loved him. There were fantastic scenes out of New Norfolk where he was on the campaign trail. A fan of his shoved her ice-cream in his face. Bob Hawke took a bite out of her ice-cream and then he let this lovely woman clean his face. He was the kind of leader who was easy to love. Before I discovered the Greens, I most certainly voted for Labor and for Bob Hawke as prime minister.

Regarding the contribution that Bob Hawke made as prime minister to this country, it is really important to remember that many of them were made with Paul Keating as treasurer at his side and they were a team and a potent team: a team that could argue the case for reform, for big changes for this country. They had the courage to do it and delivered groundbreaking reforms. They changed the face of Australia and many Australians would agree, for the better.

The ABC has prepared a short list of only nine ways that the Hawke Government changed Australia. The first was to bring us into the global economy by floating the Australian dollar, which previously had been pegged to the pound or the US dollar, opening the Australian economy to global competition, removing some of those sanctions and trade barriers. That was a hard road for this country to go down but ultimately it was exactly what we had to do.

Today, every Australian should be thankful for Bob Hawke for delivering universal healthcare through Medicare. It is a profound and important reform that unfortunately has been eroded by conservative governments at the federal level.

He struck an historic Accord with the unions that led to a substantial peace in the workplace.

**Mr O'Byrne** - It was more than the workplace. It was social wage.

**Ms O'CONNOR** - Yes, I agree. After beating Malcolm Fraser in the 1983 federal election, Bob Hawke as prime minister, passed the World Heritage Properties Conservation Act 1983 which along with legislation already passed by the Whitlam government, enabled the Commonwealth to

protect Australian World Heritage sites from threatening actions. Now we know, history tells us that those threatening actions in contemporary Australia can come from the Australian Government and the Tasmanian government themselves, which sought to wind back extensions to the World Heritage area in 2014.

From a greenie's point of view, one of the most profound and meaningful gifts that Bob Hawke as prime minister gave to Tasmania and to this country was a wild Franklin River. That was a long, hard fight by conservationists, on the ground, on the banks of the Franklin River, back in 1981, 1982, 1983, defending that wild river from Robin Gray's plans to dam it. Today, the community of Strahan and the West Coast indeed, are the beneficiaries of that move by the Hawke government to save the Franklin River from damming. We have a vibrant economy on the West Coast in and around Strahan as a result of a wild Franklin and the Franklin-Gordon Rivers National Park. This would resonate with my colleague Dr Woodruff, who was arrested up there.

**Mr Ferguson** - Hear, hear.

**Ms O'CONNOR** - Prime Minister Hawke banned uranium mining at Jabiluka in Arnhem Land. Did you not know Dr Woodruff was arrested?

**Mr Ferguson** - No.

**Dr Woodruff** - I mentioned it in the House.

**Ms O'CONNOR** - Yes, totally. Badge of Honour. On her Green CV.

The Hawke Government banned new uranium mining at Jabiluka and then gave highly publicised priority to the World Heritage listing of Kakadu National Park. Prime Minister Hawke advanced the cause of women in this country and equality by banning gender discrimination in the workplace.

Mr Deputy Speaker, did you know that our national anthem, *Advance Australia Fair*, is a legacy of prime minister Bob Hawke? I personally think he made the wrong decision there; I think that *I Still Call Australia Home* is a better national anthem, but still, our national anthem *Advance Australia Fair* is thanks to prime minister Hawke. Also, he formally recognised and declared Australia's colours would be yellow and green.

On 4 June this year it will be 30 years since the tanks rolled in to Tiananmen Square and crushed the democracy protests that had been going on since early April that year. Thousands of dissidents, democracy activists and students were killed by the Chinese government who feared the seeds of democracy that were growing amongst the Chinese people. It was Bob Hawke who opened our hearts to Chinese students in Australia and said, 'You are welcome here and this is your home', and that again was a huge positive change for this country.

I want to end with a quote from Dr Bob Brown, who has written in the *Australian* - they actually published him in the *Australian* - where he said:

At the twenty-fifth anniversary celebration of the saving of the Franklin River in Hobart in 2008, Bob Hawke referred to the growing stoush over global warming: 'and as you look at the arguments and the positions of political parties today, you see a complete replication of what we experienced back there in 1983. The

conservatives: they never change, they never learn. What was their argument back then? You can't do this, it will cost jobs. It will cost economic growth. You can't do it, you mustn't do it.'

And as Bob concludes -

Many in the audience wished he could be our prime minister once more. Bob Hawke has left Australia a magnificent and enduring environmental legacy.

Mr Deputy Speaker, I miss Bob Hawke from our political scene. I miss the kind of leadership that he gave this country. He made us feel proud to be Australian. Vale, Bob Hawke.

**Members** - Hear, hear.

[11.32 a.m.]

**Ms O'BYRNE** (Bass) - Mr Deputy Speaker, last week our nation, gripped - or perhaps overwhelmed - by a federal election campaign, collectively caught its breath and paused at the news that Robert James Lee Hawke had died. The loss of Bob Hawke impacted profoundly on many of us, perhaps almost as profoundly as he impacted upon the lives that we lead today.

We were shocked, despite his age and recent health, perhaps because he always seemed so absolutely irrepressible and so constant; perhaps because he defined us as a generation of Australians and giving us hope and pride in our nation in a way in which we had never had; or perhaps just because we loved him and his very human, larrikin brilliance. We loved this Labor leader.

I grew up with Bob Hawke being much larger than life than any other political leader I had ever seen. We grew up in a family that adored Gough Whitlam, but Bob Hawke was huge in our family. As a union leader he inspired our union delegate dad to campaign and fight even stronger, knowing there were voices speaking at every level of government for working Australians.

As prime minister, he took us to the world stage. I was in grade 10 at the time of the 1983 election and we were all absolutely captured by it. It was really fundamental in shaping the political structures and values of so many of us. We even had a parrot that, when you approached the house, would call out, 'Give Bob the job'.

My father adored him and my mother loved him and yet they were able to reconcile their individual loves for him. He would regularly stay and enjoy the hospitality of Mary O'Byrne and at each event that he would run into our Mum, he would remember her and speak to her each time, and she adored that common and engaging touch of his.

I wanted to touch on a couple of things he did that have profoundly impacted on the life that we live now. Obviously there is Landcare, the Accord and Medicare, but I wanted to talk about what Bob said himself about one of the proudest moments in his life. In 2009 he was awarded the party's highest accolade of life membership and in his speech at Darling Harbour to the delegates, he said -

If I think of all the proud moments in my career as prime minister, there's nothing that would beat Nelson Mandela walking into my office ... he took my hand and said and he wasn't only talking about me, 'Bob, if it wasn't for you, I wouldn't be

here.' That we, a small country, could be so instrumental in bringing to an end that vicious, unfair, unethical regime is something that this great party should be forever be proud of.

Mr Deputy Speaker, my husband was born non-white in South Africa under apartheid. The marriage we have and our children would have been precluded there under the Morality Act. The breaking down of apartheid through that work that started at CHOGM in 1987 in Vancouver, where Bob Hawke was instrumental in implementation of investment sanctions, had a fundamentally immediate impact on the members of my extended family.

We saw again how he embraced those who fled in response to the acts in Tiananmen Square, and he showed us you could be a strong leader and also a genuinely compassionate one.

His appointed Susan Ryan as the first women's minister and from there the fundamental shifts in the Sex Discrimination Act still protect women from all kinds of discrimination. There was specific policy towards indigenous women, migrant women, and women with disability, and recognising older women needed support through pension reform and changing the dependent spouse tax rebates which meant that women could get them, were fundamental shifts to women's independence. Guaranteeing child maintenance payments for parents and also the appointment of the first female high court judge, Mary Gaudron, fundamentally shifted the way that women can be in Australia.

I want to read a message that was put up on Facebook by David Cox, a friend in Launceston. He said -

In 1989 I was living in France when Bob Hawke visited the village I was living in to commemorate Australia's sacrifice in World War 1. The mayor of the little village of Bullecourt with whom I was close friends had been trying to sell the Australian Government a field on his farm to build an Australian memorial but had been turned down several times.

Seeing his chance at this remote gathering with the Prime Minister of Australia, he asked me to translate for him as he pitched his idea. When I conveyed to the prime minister the mayor's offer, Bob asked me why we hadn't done it yet and I told him because the mayor had been told there wasn't a budget for it. Bob turned to me and said in that inimitable way, 'Oh bullshit - tell him it's sold.' From that conversation there now stands a statue of a digger in the fields of Bullecourt in northern France.

This was the profound way he would respond for Australia on the international stage.

Mr Deputy Speaker, the Labor Party is collectively celebrating Bob Hawke's achievements and genuinely grieving his loss. Our thoughts are with his family and his very many friends. We are forever changed by his legacy and we now go gently into a world without him - a world that is so much greater for his being.

[11.38 a.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I rise to add my voice to this House's emotions, feelings and best wishes to the Hawke family and all those who knew Bob and all those in the Labor movement, not only in Australia but across the world. Bob was, through his actions



and his deeds, a globally loved figure because as prime minister of this country he not only impacted on this country, he impacted on so many issues internationally who other speakers have referred to - his actions around Tiananmen Square, leading the fight in CHOGM against the apartheid regime and a whole range of economic and social issues that he advocated effectively from the day he was born to the day that he passed.

We all knew Bob was not well and when he was not able to make the ALP national campaign launch in Brisbane we knew he was very unwell, because anyone who knew Bob knew he would turn up to a Labor campaign event even if he was at his sickest. We knew when he was not able to make the Brisbane launch that things were not well and his time on this planet was finishing. It was with great sadness that we heard the news on Thursday. We were all hoping on this side that Bob would give his last great gift to the country but it was not to be.

Bob was an amazing character. He was a guy who could walk into a room with heads of state, royalty, significant players nationally and globally, and hold court. He could also walk into the front bar of any bar in this country and hold court and build the same rapport, the same relationship and have the same respect from both rooms equally. That is a unique skill and ability that this fellow had.

Bob was no saint. He was a character who loved a laugh and a beer but he was very serious about his work. From early days, the values and the environment within which he grew up really shaped his journey, his value system and shaped his sharp intellect in terms of how he was going to lead his life. A Rhodes scholar, he loved his sport. We all know how much he loved sport because on that great day that Australia won the America's Cup he wore that ridiculous jacket and said that anyone who sacks a worker for not turning up today 'is a bum'. For a Prime Minister to say those words and to get away with it is remarkable but he loved his sport. He loved this country and when those two things combined he was in his element.

He first came to the national stage as an advocate for the ACTU, a passionate and fierce advocate. In fact, in the history of the ACTU he was the movement's finest advocate. He argued the case for minimum wages. He argued the case for pay equity for women. He argued the case not just around wages policy in this country but he argued and used all of his efforts at the ACTU to argue for consumers' rights in terms of competition in purchasing various goods that were only available to certain people given our tariff circumstances.

Even at the ACTU, Bob was a rock star in terms of advocacy. I remember that even after he retired as a parliamentarian the ACTU brought him back to argue a case, to advocate a case, for a rise in the minimum wage. His arguments, his passion, his intellect was phenomenal. He had no peer in industrial tribunals around this country. He held that position all the time he was in the advocate role in the ACTU. Since then no-one can hold a flame to the arguments and to the passion that Bob Hawke displayed in those forums and in those tribunals.

He was a passionate advocate for equality and social justice, whether at the ACTU, whether in a whole range of community organisations that he played a role in, advocating for fairness for the Australian people, a fair go for Australian people.

Upon being elected to opposition leader - and the Premier has made reference to that short period of time - and we all would hope if that was the journey for all of us, but he was able to take on that role and to win that election in 1983. From day one, Bob Hawke led a team that changed the country for the better. The beautiful thing about Bob Hawke's leadership was his ability to bring

people together. His Cabinet - a Cabinet of equals. His Cabinet of supremely talented people all with various and individual ambitions but he was able to harness all of the strengths of that Cabinet to implement a range of reforms that this country is still feeling the benefit of.

The Leader of the Greens, Ms O'Connor, referred to the Accord. The Accord was not just about a wage's accord: this was a globally leading approach to economic management with fairness and no other country took that path. In the UK and in America you saw Thatcherism and Reaganism where a whole range of the liberalisation of the economy was being undertaken. The difference with the Australian experiment, the Australian quality response, led by Hawke and Keating in his Cabinet, was to do it with fairness.

The implementation of the superannuation guarantee so that workers were able to put some money away: they allowed that to pass through in exchange for a lack of wage increases. They allowed that superannuation commitment to be made so that by the time workers reached their retirement they could retire with dignity. Retire with dignity. The modern superannuation system in this country, pension funds as they are referred to in other countries, is the envy of the world. This was Hawke.

Floating the dollar, privatising assets which was controversial at that time on the Left, liberalising the economy but doing it on the basis that he had formed an Accord which has people who disagree with it, but the Accord laid the foundations for a modern economy but with fairness. It did not abandon working people and had minimum wages and minimum conditions. They had the universal health care system through Medicare. That is one of Bob's greatest legacies for this country.

The compulsory superannuation system has allowed workers to be able to retire with dignity by the time they get to their retirement. A whole range of reforms in the social welfare net whilst combined with liberalisation: this was the most fair and comprehensive reform of any modern global economy.

You look at the social dislocation that occurred in the UK and the social dislocation that occurred in the US and the winners and the losers, with more losers than winners. In Australia, under Bob Hawke, Keating and his government, there were more winners than losers.

Other speakers have referred to gender equality. He stood on the global stage in reforming and fighting against injustice wherever he saw it, particularly as I referred to in apartheid in South Africa. Nelson Mandela acknowledged the role that Bob Hawke played in bringing down such an appalling racist regime in South Africa, the apartheid regime.

Personally, and my sister Michelle has referred to a couple of family stories, every time you saw Bob, he would always ask after the family. How is your mum, how is your dad? My mum recalls the time she met him once on a campaign rally in the late 1970s, one of Whitlam's campaigns, and Bob saw her in a room in a large hall in Launceston after many years. He walked up and said 'G'day, Colleen, how are you?' You hear so many people say, I met him once years' ago and he remembered my name. Bob had this great capacity to connect with people to remember them and to ask after them.

I remember a time when I was the economic development minister and it was the 30th anniversary of the signing of the Madrid Protocol, which is the protocol which protected the Antarctic Continent. Bob Hawke tells the story that he was sitting at the Lodge on a Sunday

afternoon reading the Cabinet papers and a Cabinet paper had come across his desk where effectively we had signed up to an agreement to allow mineral exploration and other forms of exploitation of the Antarctic Continent. It is very unparliamentary, and I will quote Mr Hawke when he said:

They want to do what? Bullshit. We won't be doing that.

I apologise for the language. He led the charge to change that Cabinet paper and to lead a global negotiation to sign-off on the Madrid Protocol to ensure that the Antarctic Continent was protected. I was fortunate to be at the celebration of the 30-year anniversary where the then French Prime Minister, Michel Rocard was in Hobart. I remember a press conference outside the Antarctic Division. We had a number of speeches and Michel Rocard was off to the side smoking - as all Frenchmen do - and Bob was holding court with a large gaggle of journalists asking various questions. One question that came forward was, 'Mr Hawke, where do you think the Antarctic will be in 10 years?'. Bob said, 'Probably the same place where it is now'. He had this ability to take questions and have a sense of humour.

His passion for recognising things of global significance and other members have spoken about his environmental record - Kakadu, the Great Barrier Reef, the Antarctic, the Franklin River, and a whole range of really globally, historically significant decisions.

Bob was a larrikin. Every time you saw him he was always up for a chat and to ask how you were, how the family was. For someone to lead the country to four election victories for such a period of time, to be equally as comfortable at Windsor Castle in London as skolling a beer near the hill at the SCG cricket test, for someone to be able to be both of those and to be universally loved is a special human being.

Again, condolences to his family and to all those who loved him. He was loved by so many people, not only across Australia but across the world. We are very sad for his passing.

Bob, love your work, mate, you will be missed.

[11.49 a.m.]

**Ms HADDAD** (Clark) - Mr Deputy Speaker, it has been a joy to hear so many beautiful stories shared about Bob Hawke today on this condolence motion. I add my sincere condolences to Bob Hawke's family and loved ones and share that grief with the broader Labor movement at his death last week.

I was a kid when Bob Hawke was prime minister. I have lots of memories of watching my parents get involved with the Labor Party and the Labor movement. They loved Gough and voted for Gough, but they joined under Hawke. That was the very early time of my childhood, going along with my parents to hand out how-to-vote cards during Hawke's term as prime minister, watching my parents develop their political commitment during that time and indeed fuelling my love for the Australia Labor Party under Hawke's leadership. I did meet him just once when I was president of Young Labor in 2002, here in Tasmania. It was during the review that Bob Hawke and Neville Wran ran of the Labor Party at that time. As others have alluded to, I was just so struck by his ability to connect with each individual he came across and met with and spoke to. As a very junior person in the room at that time, as young Labor president I certainly felt involved and respected by him in conducting that review. Sadly, it was before the time everyone had cameras

and camera phones with them so I do not have a nice selfie to mark that one time I met Mr Hawke but I certainly felt very honoured to do so.

Many of the people who have spoken today have talked about his impact on gender equality and I wanted to touch on those things as well very briefly. In 1984, early in his prime ministership, he introduced the Sex Discrimination Act which outlawed sex discrimination in the workplace. Later, along with Susan Ryan, he moved the Affirmative Action (Equal Opportunity for Women) Act 1986 that has since been superseded by other acts of parliament that ensure gender equity. Those things also led to the affirmative action rules within the Australian Labor Party which have led to increasing numbers of women, not only as rank and file members of the party and office holders within our great organisation, but also more women in parliaments state and federal across Australia

*Advance Australia Fair*, which Ms O'Connor referred to in her contribution, was adopted as our national anthem while Bob Hawke was prime minister, although the song itself had been used since 1879 in different forms. One of the facts I found interesting since his passing is that when it was adopted in 1984 during his prime ministership, he actually changed the original lyrics from 'Australia's sons let us rejoice' to what we have today, which is, 'Australians all let us rejoice'. He was absolutely committed to gender equity, even thinking about what the lyrics of our national anthem mean in terms of representing our country.

He was a visionary man who had a lasting vision for Australia that was ahead of its time. It was bold, it was brave. I fear we do not have leaders like that very often in politics. He was one of a kind who showed us that people can be both strong and compassionate leaders and indeed that is not seen very often.

I wanted to share two short letters I have read since his passing that people have shared which I found quite remarkable. They go to how he connected with people but in particular the way he connected with young people. These letters have been popping up all over Facebook and social media since he died. One of them was written to Robbie Moore, who is a friend of mine and a member of the Labor Party and a senior union official in Tasmania. He wrote a letter as a primary school student to Mr Hawke and got this reply in December 1991:

Dear Robby,

I understand you met Senator Nick Sherry at the opening of the school extensions on Friday 29 November, 1991. He tells me that you are interested politics. You will need to study hard at your school work, as well as being a good speaker if you want to be successful.

He went on to talk about some other things, really connecting with a young primary school student. That person, Robby Moore, has gone on to remain committed to the Labor movement and the union movement. I think that is a beautiful thing.

I will finish on this one. It is not from someone I know but I saw this letter shared as well. He wrote it to a very young person in July 1985, who had written to him because she was really sad that her grandmother had died. It is quite beautiful that young people would write to the prime minister - I am not sure whether many do now - to seek their advice and solace on the passing of their grandmother. She wrote to the prime minister and received this response:

Dear Tracey,

Thank you for writing. I am sorry that it was not possible to reply to your letter sooner.

The question you asked me about dying is very hard to answer and I think that most of us have different ideas about why we do eventually all die.

Some people die because of unfortunate accidents, sometimes because they become so ill that doctors are unable to help them to recover. Perhaps when we grow very old our bodies get worn out, or certain parts break down, like parts in an old car. None of us can be sure of how long we will live. Because this is so, I think you should try not to think too much about dying but think about all the nice things around you that make life so precious to us all.

My best wishes to you and your parents.

That made me shed a tear when I read that he wrote that to a young girl and encouraged her to think not too much about dying but about all the nice things around her that made life so precious to us all. Certainly across the great Australian Labor Party and the Labor movement we will continue to live Bob Hawke's legacy as best we can and try to think about those positive things that we can contribute to public life following in his mighty, mighty footsteps.

[11.55 a.m.]

**Dr BROAD** (Braddon) - Mr Deputy Speaker, I add my voice to this condolence motion that recognises a great PM, one of the best PMs Australia has ever seen, in Robert James Lee Hawke, otherwise known to everybody as Bob.

I remember vividly the 1983 election; it is probably one of my earliest political memories. Staying up late watching the election results, I remember the optimism and excitement of my family and especially my father watching that election. When Bob Hawke was successful and Labor became the government he said that this election would change Australia for the better. We had seen the firestorm of the Whitlam years and then we had seen the Fraser government, but I vividly remember my father saying this election would change Australia for the better, and it did.

As we have heard, Bob Hawke was not just a prime minister. He was a leader, and I mean a leader in the true sense. He led a team and had fantastic talent in his Cabinet. What they did changed Australia for the better in so many different ways, and we have heard that today. The majority of the political operatives in that time knew what had to be done but did not have the courage to do what had to be done. Bob and his team did it and they changed Australia and set us up for the growth of our economy. The successive years of growth and making us probably one of the best economies in the world can all be laid down to the work that started in 1983.

He floated the Australian dollar, deregulated the economy and the financial systems and cemented in Medicare, despite all the battles to keep that going and the active sabotage from conservative forces trying to stop that happening. We have Medicare thanks to him.

He also did other important things. We have heard about gender equality and how he changed the lyrics 'Australia's sons let us rejoice' to 'Australians all let us rejoice'. Imagine getting up at

school events nowadays and singing *God Save the Queen*. How ridiculous would that be for us as a nation? He was the one who changed that, who led the charge.

He also called out racism. This is something we should be seeing today. Instead what we are seeing is a lack of courage and dog whistling. He would not stand for that one little bit and he called it out when he saw it. Indeed, he took courageous action after the Tiananmen Square massacre to allow Chinese students to stay in Australia, despite calls that it would be unpopular. He pushed on through and said, 'If people don't accept this tell me what I have to do to make them listen'.

When the rest of the world was equivocating about the HIV-AIDS epidemic Australia, the Hawke government took action and as a result we had the lowest rates of HIV infections in the world. This was at a time when people were using every excuse and it was just something that did not affect them, yet Bob Hawke and his government recognised that this was an issue that affected everyone. We all remember the Grim Reaper bowling ball advertisements that had an impact. As a result of that courageous decision, instead of pushing it on to marginalised communities like the gay community and drug users and so on, he recognised that this was a massive issue and took leadership. That is the sort of prime minister we really deserve.

We have heard about compulsory superannuation and confirming that green and gold were our colours when representing Australia, so I have Bob to thank for the colour of my rowing suits in the cupboard. I did not know it was him who had done that.

Like every Labor family, there are Bob Hawke stories. Every Labor supporter has a Bob Hawke story. After Bob's passing, which we all knew was going to happen at some stage but yet we grieve, I asked my mother because my mother has always been a staunch Labor member but also somewhat of a Labor groupie, 'Did you ever kiss or hug Bob?' and she said, 'Yes, indeed'. She had managed to give him a hug, and I asked, 'Where was it?', and she said, 'Well, it was at the South Burnie Bowls Club', and she went on, and she knew exactly the moment that she had managed to hug Bob. She was obviously very proud of that. But it is not only that, people are posting stuff on Facebook.

There was a message from my Uncle Rodney. My cousin was a flight attendant. She was flying from Melbourne to London and Bob Hawke was one of the passengers. As she was serving Bob, she said, 'I would just like to say that my father is a lifelong Labor supporter.' Bob Hawke wrote a note to my uncle which says:

To Rod

With best wishes for your support and congratulations on producing (with offers of help) such a lovely daughter.  
R. Lee Hawke.

Always that sense of humour, but I think importantly about this note, is that my uncle still has it and that is the impact that Bob Hawke had. Not only did Bob Hawke take the time to write what was a simple message on a bit of Qantas paper, but he still has it and these are how highly that Labor people regard Bob Hawke.

One more note, as I was saying, my mother especially, was a massive Bob Hawke fan. We actually had a cat named Bob Hawke, which did lead to quite an interesting or rather delicate situation once. My younger brother had written, I think it must have been in prep or grade 1, how

Bob Hawke had been locked in the house one day and had crapped in the sink. So, my parents were hauled in for a 'please explain'. Yes, imagine that conversation. But, like the real Bob Hawke, Bob Hawke, the cat, lived to a ripe old age and even when the poor old thing could barely walk, he still could manage to catch a rabbit here and there.

Bob Hawke was a fantastic prime minister. He was a beacon in what leadership should be and Labor supporters grieve and this motion reflects that. On reflection, I think our nation grieves. Our nation grieves for not only the loss of his intellect but also a loss of a time when politics was about the changes you could make and how we could make the country better. I really hope that modern politics can look back more to those days and do what is needed instead and push through and bring your people along with you and make changes to make this country a better place.

Vale, Bob Hawke.

[12.03 p.m.]

**Ms BUTLER** (Lyons) - Mr Deputy Speaker, I have a few words about Bob Hawke today. I remember as well, 1983 and the landslide victory and the subsequent four terms of victory. Most of my childhood was spent with having Bob Hawke as our prime minister. I think most Australians were proud to have him as our prime minister. His approval rating in 1984 was 74 per cent, and that is a huge approval rating for a prime minister.

He was always that person who was there in the background during most of my childhood. Being from a very strong Labor home, we always felt vindicated that Bob's way was 'the way'. It was very much our family's way of thinking, our values, our 'norms', and we really valued having him as our prime minister. We just loved Bob and he made us so proud to be a Labor family as well. I will always thank him for that.

Generally, Bob Hawke showed consensus leadership. He represented values such as respect for other people, to think, to read, to learn, and to contribute to your community, and to give everyone the same access to the means of improvement and access to services in the community.

He slashed tariffs and laid the foundations of three decades of economic growth. We can thank him for where we are today as a country.

He introduced and assisted with Medicare, child endowment, child support, and protection of Antarctica. Amazing and very forward-thinking economic reform, including mass education reform with the improvement of retention, making sure that not only the wealthy people in Australia were educated any more. Everybody had the same access to the same education and means for improvement.

I recently found an electoral poster of Bob's that my grandma had held onto and it was from 1963. Bob was not actually successful at this stage. My colleague talked about how he went on to work with the ACTU for that period. The poster itself is a remarkable piece of Australian history and it tells the story of insight and progress from such a long time ago. His economic reforms were significant. The combination of economic and social reforms really made him stand out and made our country grow up. When I was reading through this poster it had that, 'Money spent on social welfare is an investment in Australia's future'. It would be good if people today could adhere to some of this as well.

A vote for Bob Hawke is a vote for family security. He moved to double child endowment, double maternity allowance and an immediate rise of 10 per cent for married pensioners, free public medical services based on public hospitals, increases to the Pharmaceutical Benefit Scheme, free medical attention for World War I veterans. These were his election promises in 1963.

We will not see the likes of a Bob Hawke again. His personality, lack of tolerance for extremism and bigotry - he hated racism and people using differences in race to further their own political gain. For him to see the results of Saturday night, it would have been such a slap in the face for him. For a man who worked so hard to forward our country to prize acceptance and tolerance, he would have been horrified with the rise of the likes of One Nation, Clive Palmer and the ultra-conservative and the bigoted politics.

I hope that in time we have an opportunity to champion his direction and get our country back on track. Vale, Bob Hawke. You changed our community and you made me so proud to be a Labor supporter.

**Motion agreed to *nemine contradicente*.**

Motion by **Ms White** agreed to -

That a copy of the foregoing resolution and a transcript of the debate be forwarded to the family of the late Bob Hawke.

## **GOVERNMENT PROCUREMENT REVIEW (INTERNATIONAL FREE TRADE AGREEMENTS) BILL 2019 (No. 23)**

### **First Reading**

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

### **MATTER OF PUBLIC IMPORTANCE**

#### **Homelessness**

[12.12 p.m.]

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

That the House take note of the following matter: homelessness.

This Government knows that 1600 Tasmanians are homeless each night. In fact that data was drawn from the 2016 census and this Government and this minister know that that number has doubtlessly risen. That figure of 1600 Tasmanian people homeless every night does not include the countless numbers of secondary homeless, people who are couch-surfing, living in containers, living in sheds and garages.

The faces of these Tasmanians are not of the dishevelled older alcoholic that is in so many people's minds. The faces of these Tasmanians are like Nikki Russell who has so bravely told her story today - a young, single mother with four young children who was in private rental



accommodation over the last nine years and struggling to make ends meet, the stress of the circumstances sadly resulting in the breakdown of that relationship and being forced out of the private rental market and into the in-laws' shed with four young children and one still in a cot. Without running water and a bathroom, can you imagine living in a shed with four young children and trying to keep a stable home environment for those children to be attending school, to be searching for work and so on?

This minister knows that there are more than 3200 Tasmanians on the public housing wait list and that they wait for more than a year to find a roof over their heads. That is two Christmases, two birthdays - that is more than a year and that is just an average. I have spoken with individuals and families who have been looking for a roof over their heads for much longer than that, more than five years on one occasion.

Today we heard the desperate circumstances of Nikki Russell and her children. Despite her best endeavours, desperately unable to make ends meet, ending up in a shed, with a relationship breakdown that she hopes one day might be repaired, she has unfortunately resorted to housing in emergency accommodation with her four young children. She wants to keep that family together. The funding that is available through this Government allows for emergency accommodation to be provided for some six weeks, as I understand it. Having visited a number of these shelters over the past months I understand the absolute dedication, compassion and willingness of these shelters to extend from crisis accommodation to transitional accommodation if it is available and do everything they can to keep these people with a roof over their heads.

The reality is that Nikki Russell is facing homelessness within a couple of weeks and as of today she is fearful that not only will she be turfed out of this accommodation onto the streets but that as a consequence lose custody of her four children. This is a respectable woman who has tried her very best to keep her family together - and she is not alone. Today she has spoken out bravely to tell her story in the hope that not only a solution can be found for her but for the many thousands of people living in such circumstances.

The shelter this woman is living in is just one of many shelters across the state, and it is astounding to me that nearly 2500 people a year to date have been turned away and have been unable to be assisted by that shelter - 2500 calls for assistance for tenancy that have been unable to be addressed. On average an astounding 223 people are turned away per month. In the last couple of months it was nearly 300 people per month. Yet what does this minister have to say about that? These people are in the most terrible of circumstances.

I believe this minister has a heart, yet he has the gall to stand here and trumpet \$40 million that will be brought forward in this year's Budget to assist the housing and homelessness circumstances of these desperate Tasmanians. What is his answer? Forty million dollars that cannot be trusted because last year this minister stood in this place and announced that \$25 million would be brought forward to assist with housing and what do we have? We have broken promises.

This minister, upon questioning this morning, refused to answer how many of the 900 homes that he and his Premier have committed to deliver by the end of June this year have been delivered. He knows that the figures are around 30 per cent only of that target. In desperation he has been using smoke and mirror tactics to talk about lots of land and homes. I feel like a broken record when I say that he has been talking about blocks of land and homes, and refurbished homes even, not new homes which he has clearly promised in the past. He has had half a decade to deliver this.

There is precisely nothing new, not one dollar in housing and homelessness over the coming term of this Budget. Money is being brought forward and that is to be commended, but let us be clear about this, it will not result in one new dollar into assisting homelessness. As winter approaches, as the weather is becoming cooler and damper and the daylight hours shorter, not one new dollar is going to assist those families who are struggling with homelessness and not one new dollar will result in a new home being built in this state.

This minister knows that it is around an 18-month wait to contract a builder to build a new home. He knows that bringing forward some money is effectively resourcing an over-choked market that is hopelessly in crisis. Whether it be building for social housing or private rental, the pressure will not be taken off in this circumstance. He is offering nothing new. For many of us, this is the time of year that we look forward to cosy nights, perhaps an open fire, family movies, a glass of red wine or a cup of tea in our hand, but for an estimated 1600 Tasmanians or more on any given night this is not the reality. These people are living rough, they are living in tents, containers, sheds, garages, cars and they desperately require a solution.

[12.20 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Thank you to Ms Standen and the honourable member for Franklin for bringing this Matter of Public Importance debate on today. It is important that we acknowledge in this place that, right now, there are people who are so-called, sleeping rough, sleeping under bridges, crashing at their friend's houses, sleeping in shipping containers, caravans and in highly unaffordable and unsuitable accommodation.

Let us be really clear about where this began, where this crisis started. It started in 2014. That is a fact. The Labor-Greens government delivered 2200 new affordable energy efficient homes. It was a massive investment in increasing the supply of social and affordable housing. It all stopped when the Liberals were elected to the Tasmanian parliament and when the Liberal/National party was elected to the federal parliament. One of the first things that Tony Abbott as prime minister - and, hello everyone, how great was that result on Saturday night - one of the first things that Tony Abbott did as prime minister, with Joe Hockey as his treasurer, was to slash the national rental affordability scheme. From then on there was a chronic underinvestment in housing at a federal and state level.

Even in the last federal budget, which was brought down before Scott Morrison went to an election, there is a \$200 million cut to the National Affordable Housing Agreement in real terms over the forward Estimates. There is an \$800 million cut to the National Partnership Agreement on Homelessness over the forward Estimates. That is the kind of chronic under-resourcing that we are dealing with here.

The best results for people who need a home in Tasmania come when all three levels of government are working together and are prepared to invest in increasing the supply of social and affordable housing.

In the last term of the parliament, for three years and three state budgets, there was no substantial increase in funds for social and affordable housing. At the same time the Government was allowing unchecked expansion of new listings for short stay accommodation and underinvesting in increasing the supply of social and affordable housing and rolling over to the federal government who chronically and callously underinvest in people right across the spectrum of social services in this country.

Every member of this place knows because of our engagement with our constituents that the single most important foundation for life's successes, for your capacity to access education, training, employment, recreational opportunities is a secure and affordable home. I quote from a letter that was sent to Mr Jaensch by a Tasmanian woman, a homeless Tasmanian, a divorced 50-year-old, highly-educated homeless Tasmanian, a full-time carer to a now adult and also homeless autistic Tasmanian. I do not know if you recall this letter, Mr Jaensch, but it should have arrived with you in late March, early April. This woman says at the end of her letter to the minister:

Homelessness and rental distress is damaging our community in more ways than the narrow economic view your Government takes, not knowing where you are going to live, whether you are going to be able to send your children to school, whether you will be forced to move away from your support network or how you will be able to afford to move when forced to has a deep emotional impact that, in the long run, costs us both in terms of social cohesiveness and mental health. So, with that I will leave you with the words of another member of my support group.

Quote:

When they measure the impact of homelessness it is all bricks and mortar and logistics. They do not measure the lasting trauma, they do not even acknowledge it. This is a conversation that must be had with our Government so that people like me and those less fortunate, are not having to live with what is akin to post-traumatic stress disorder, due to not having housing security.

Every member of this place wants Mr Jaensch to succeed. Mr Jaensch, we want you to meet the targets for delivering new affordable social housing, but you cannot even be upfront about how many houses of the 900 that were promised by the end of this financial year will have been built. That does not instil, certainly in the Greens, a great sense of confidence in your capacity to deliver or optimism that life for homeless Tasmanians and Tasmanians living in acute housing distress will improve.

People are not pitching their tents on the lawns of Parliament. The Showground has closed to people who do not have a secure home, so the obvious evidence that was before us as parliamentarians of this homelessness crisis, it is not right in front of us but that is not that it is not there. It has been pushed outside.

This is what happens in places like Hobart, London, Sydney: authorities push the problem out of sight and out of mind. What is happening is that people are living in shipping containers. There are more people sleeping up on the Domain and winter is here.

This is a crisis.

**Ms Standen** - Heaven help them during the Dark Path.

**Ms O'CONNOR** - Yes, that is right. We have a situation where the housing waiting list has gone from its lowest level in a decade under the previous Labor-Greens government to now its highest level in a decade with more than 3200 Tasmanians on the housing waiting list.

Minister, when you stand up in here and you seek to answer questions with decency in response to the questions that came from the Opposition this morning and you suggest to homeless people that they call an 1800 number, it is incredibly tone deaf. Minister, you need to do better. You need to get out more and talk to more people who are living in housing distress.

[12.27 p.m.]

**Ms HOUSTON** (Bass) - Madam Speaker, on any given night in Tasmania, 1600 people are homeless and a further 600 are living in insecure and unsafe environments, 3200 families sit on social housing waiting lists with an average waiting time of over one year. Meanwhile houses sit empty.

People are living in sheds, shipping containers, cars and even under bridges. Some people living like this are children and some are babies. These are real people: Tasmanians living in third world conditions often without electricity or running water or even water-tight accommodation.

The main causes of homelessness are poverty, unaffordable rent and family violence along with a significant shortage of available housing. Those who do have accommodation are struggling, with a number paying in excess of 50 per cent of their income for rent. Private rental is unaffordable for half of all rental households. It is simply outside their reach.

It is all well and good to tell desperate people to call Housing Connect's 1800 number. Those working for housing and homelessness services can do very little to help. They are overwhelmed and turn more people away than they take in. Most of the time, support workers can do little more than make clients feel better about being homeless. Sometimes food vouchers, sometimes blankets, sometimes waterproof sheeting to put on the floors of abandoned houses so that the water cannot seep up through the floor.

The reason for this is simple. The houses listed for rent are too expensive for their clients to afford so then there is emergency accommodation, but there is very limited emergency accommodation and it is all short term.

A client may get one or two nights in a motel and then they are required to pay for their own accommodation until their money runs out. Then they are back on the streets and back in the cycle again. They call the 1800 number and they go back to the provider and the workers who then try and find them some short-term accommodation they can pay for until their money runs out again, and we go around and around. It is a revolving door. It is like this because there are simply not enough houses available for those who need a home. Anyone of those workers will tell any one of us that there is just not the bricks and mortar, and there is a real human cost to this. Their clients' health disintegrates while they are out there desperately looking for housing. Mental health becomes an issue for people it was never an issue for before and the physical health of people is affected and more and more of them end up in our hospital system.

Again, we have a revolving door; the merry-go-round that keeps going around, and it is getting worse. Even those housed in emergency accommodation have time limits placed on them. Often they have to move out without anywhere else to go. They may get two weeks or three months, and in some cases I know of young people who have had six months, but those young people were still too young to rent a place on their own but had to leave the accommodation they were in because there is a limit on how much funding can be allocated and time limits on where they are. They were attending school, they had part-time work, and once they were homeless they could not do any of

those things, so they are caught back in the poverty trap again. No-one is immune from the looming threat of homelessness.

Those seeking assistance from Housing are not only those receiving government payments. Many are working families with children and many are youth in insecure work who do not know what their income will be from one fortnight to the next. More recently, the group at increasing risk of homelessness are single women over 50, many of whom are working, but minimum wages mean that most private rental properties are out of their reach and they are ineligible for social housing because they earn too much for that, so they are caught in the middle. This is a poverty trap in itself.

As these women age they will become even more vulnerable. One such case presented to me recently was of a single working woman in her early 60s. She has worked her entire working life in retail and has a long and excellent history as a tenant. The property she lives in has been put on the market as the owner is elderly and will be moving into a nursing home and she has just weeks to relocate. Despite a perfect credit rating, a stable income, a spotless rental history, there was little advertised that was affordable. There was nothing advertised that was affordable, which would be 30 per cent of her income. Eventually she found a rental property but the rent alone will consume something like 48 per cent of her income, placing her in rental stress. This solution is not a long-term one. In a couple of years this person will retire and be unable to afford private rental again. Their health will not allow them to continue to work past the age of retirement. She will not be the only one. What will become of people like her in retirement? There is already a housing shortage and demand will only continue to increase as the community ages.

The only solution to homelessness is more affordable housing, long-term secure housing designed to meet the changing needs of the community, and short-term emergency housing must be made available to homelessness services to assist them in immediate need. Housing Connect cannot fulfil its role without the resources to address client need. The current situation is dehumanising for clients and demoralising for staff trying to assist them. It is not sufficient to advise desperate people to dial an 1800 number. More must be done and services must be properly resourced. Many of the emergency accommodation services are reliant on hotels and motels and increasingly they will not take these clients. They will not take people that are being referred and paid for by Housing Connect services. They reject them out of hand, even if they do have space, so the pool of available housing in the private market is shrinking. Increasingly, they live in caravan parks for one or two days, but an unfortunate side effect of the economic boom in tourism is that that does not leave very much for anyone else.

[12.35 p.m.]

**Mr JAENSCH** (Braddon - Minister for Housing) - Madam Speaker, I thank Ms Standen for bringing forward this item, and others for their contributions and those we are yet to hear. When Ms Standen opened she made a comment that the face of homelessness is not, and I am paraphrasing her, but something like the shabby alcoholic image. It is the faces of the family that she referred to earlier on in acute housing stress.

I believe Ms Standen is wrong to try to characterise homelessness as one thing and not another. It is both of those things and everything in between and many things besides. The circumstances that result in people becoming homeless or in housing stress are complex, diverse and individual. One of the reasons why the answer to this question about what services you are providing go to Housing Connect is that we have to have a front door service that can understand that person's needs.

Amongst the speakers we have heard from they have described everyone from a substance-addicted person sleeping rough on the Domain with their dogs through to a family in rental stress. The reasons that they are homeless are very different. The solutions to their homelessness are very different as well, and they are not only about the availability of a house, a fire and a glass of red wine with Ms Standen. The needs vary and there needs to be many solutions to the many problems people face and the great diversity of them out there.

This is why our effort has been focused on two things - the capacity of the system to receive and shelter people - and I will go through some of those and the plans that we have for the next stage of our plan as well - but critically the capacity, the mechanism, the service that can find, speak to, listen to, understand and connect people with service is absolutely fundamental. There is not one solution for homelessness.

While we are busting some myths I will go to Ms O'Connor's comment and channelling, if I can for a moment, the Bob Hawke that we have been hearing from this morning, the idea that homelessness started here in 2014 is bullshit. That is wrong.

**Ms O'Connor** - I beg your pardon?

**Madam SPEAKER** - I am sorry, that is not a very parliamentary word.

**Mr JAENSCH** - I know and that is why I sought the indulgence.

**Madam SPEAKER** - For a man of your dignity.

**Ms O'Connor** - I said the seeds of this problem started in 2014, and they did.

**Mr JAENSCH** - You cannot introduce the circumstances of homelessness and say this started in 2014.

**Ms O'Connor** - I didn't say that. You're misrepresenting what I said.

**Mr JAENSCH** - We know that there are people experiencing housing stress and homelessness in Tasmania. We know that their circumstances vary differently and the response needs to be as complex and diverse as the need.

In our first affordable housing action plan we have delivered a number of places, 111 so far, built accommodation capacity for people in homelessness, including Eveline House in Devonport, Colville Place at Moonah, extensions to the Hobart women's shelters including installing backyard units in the backyards of existing public housing to provide a home for a young person who might otherwise have become homeless.

In our affordable housing action plan 2 over the next four years including starting in 2019-20 with what has now been acknowledged as extra funding brought in to address the urgency of need, there will be increasing and continuing rapid rehousing initiatives, the Housing Connect outreach support service that I have spoken about, the homeless accommodation for women extension here in the south, Magnolia House Women's Shelter will be extended, the Wirksworth integrated aged care facility, homeless accommodation for older men in the north-west, expansion and relocation of the Bethlehem House men's shelter down here, a new men's shelter for men with kids in the north-west -

**Ms Standen** - How many homes will you have built by the end of the year?

**Mr JAENSCH** - the new Burnie Youth Foyer, the new Hobart Youth Foyer, expansion of Thyne House, the new Youth at Risk Centre in Launceston and a new youth shelter in Burnie. All of these things are in our Affordable Housing Action Plan and that is why we have brought forward extra money.

The question has been asked of how much of that is new? The money brought forward is new because it comes from 2022-23.

**Ms Standen** - Oh, come on. It is an accounting figure and you know it.

**Mr JAENSCH** - We are bringing it forward because what we are hearing, what we are told and what we know is that the need is now. We had the money in the budget and we have management of our budget in such a position that we can bring forward money and spend it now when it is essential and when it is needed to do so.

**Ms Standen** - The budget is in such a mess, yes, you need it fixed.

**Mr JAENSCH** - That is what we are doing, Madam Speaker. This Government has a plan and we have budget management under control to the point where our committed funds from out years can be brought forward to address urgent need right now. Of the list of initiatives that I have talked about here today and what is now \$68 million in the 2019-20 budget - how much of that is not needed or necessary or you do not believe is going to do anything?

We have absolute hypocrisy from the other side, saying we have done nothing, we have no money, there is no new money, it is not going to achieve anything, demanding that we put more resources into this and bring out a plan and tell us what we are going to do. Then we do that and then they say it does not count. I do not really need Ms Standen's support for this.

We have a job to do. We have consulted heavily on our plan. We are delivering on our target and everybody over there who says that we have broken promises and we have not met our targets before those targets are due is just wasting our time.

**Ms Standen** - Tell us how many new homes you have built. Why are you hiding?

**Mr JAENSCH** - The Opposition will know that when they have read the last quarterly report that 252 of 372 social housing dwellings have been delivered and that we have over 200 nearing completion. I am confident that we are going to meet our targets before the end of this financial year and we will continue to through the next four years.

[12.42 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, the minister has just confirmed that it is from the 2022-23 financial year that the money has been brought forward but also confirmed in the same breath that it is not new money. These were promises that the Liberal party took to the people of Tasmania. You said that you would spend a quantum amount of money on housing. You have now confirmed there will be no additional funds provided, even though we have heard stories like Nikki's today, even though there is the front page of *The Examiner* with a family living in a container. I have constituents contacting me - pensioners living in cars. The Burnie Chamber of Commerce has spoken to me about the levels of homelessness in your own community, Mr Jaensch.

I am concerned the minister has still been unable to confirm how many homes have been built of the 900 that were promised. He reluctantly went to the question today but failed to answer it. It is not appropriate for the minister to say, 'Wait until the end of June to see how we are going'. He should be able to give an up-to-date figure for today on how many homes have been built, not lots and blocks.

The promise was clear; it was in the brochure. The promise and the commitment you gave to the people of Tasmania at the election, Mr Jaensch, through you, Madam Speaker, was that you would have built 900 homes - roofs over people's heads by the end of June this year.

All we are seeking is an update on how you are tracking to meet that commitment. We do fear that you will not deliver on that promise. We hear from you that you are now including lots as a part of that commitment. That is not what you told people when you went to the election and promised them 900 homes. You should be able to come into this place and give an update on how you are tracking to meet that promise you made to Tasmanians.

I was very disappointed today in the response the minister gave to the question we asked about Nikki, that she should contact the 1800 number of Housing Connect. I understand they are the front door but had you read the letter that she wrote to the Premier and myself and, no doubt, yourself as the Minister for Housing, you would see that every week - multiple times a week - she does contact Housing Connect. She is desperate. She is in a shelter and in two weeks she and her four children are looking like they are going to be homeless. Her family has broken apart already. She is frightened about what will happen with her children. You came in here and you could have given a much more empathetic and sympathetic response without going into the details of an individual, but you did not. You told people to call a 1800 number.

It is not good enough that today you have failed not only to give an update on responsibilities in your portfolio, but you have also failed to show the heart required for a minister for Housing, given the very dire circumstances so many Tasmanians are facing.

I am incredibly concerned that the minister has confirmed that there will be no new money in this budget for housing. It is only money brought forward that was already allocated across the forward Estimates of his portfolio. This is despite the crisis that we are facing in this state, despite the problems we are seeing in accessing emergency accommodation, a transitional accommodation, supported places, public and social housing. There is not a single extra dollar that the minister has been able to guarantee for Tasmanians that is additional to what was promised already at the election.

That is what the minister has confirmed and that makes me very sad. They failed to take action on short stay accommodation and regulation and it is not only people seeking accommodation in the private rental market who are feeling the consequences of that. It is also businesses that are operating in the traditional B&B accommodation sector.

I talk again, what is going on in your own electorate of Braddon where I have members coming to me from chambers of commerce up there expressing their concern that they are now operating in an environment that is uneven and unfair against those in the sharing economy.

You look at the Tasmanian Visitor Survey data. It shows the number of properties now accommodated by visitors to our state has increased. Double digit, over 30 per cent, the number of properties being utilised by visitors in the traditional B&B sector is down by the same amount.



People are operating with an uneven playing field in the private sector. That is of concern but also it is shutting people out of the private rental market because those properties on short stay have been removed from the supply. You have not been able to keep your promise to build 900 more houses by the end of this year.

If you were on track to meet that target to build 900 more homes and provide roofs over people's heads, you would have been in this house today and talking about that. You did not mention it.

**Mr Jaensch** - I told you we are on track.

**Ms WHITE** - You did not go anywhere near it. You gave a figure that you are going to build 252 social housing properties or you have built that many of your 272 target. That is not 900 homes. It is a third of what was promised. That is terrible. Awful for people like Nikki to hear. It does not matter one bit how much money you bring forward if you do not spend it, if you do not actually deliver on the targets and the promises that you gave to the people of Tasmania.

I do not care how much money you bring forward if you do not use it wisely, if you do not actually use it to put roofs over people's heads. It is only a statement to get you a front page on the newspaper and nothing more. It is shameful.

It is not meaningful, it is not action and it does not help those people who are being turned away from the Women's Shelter, over 230 of them every month and that is only in Hobart.

You say you have increased the number of rooms at the Hobart Women's Shelter. You did do that. You did not increase the resources for them to actually support those women. You did not increase their operating budget. They have to care for more women, more desperate people and they have to do that with the same budget. It is hard for them to do that and at the same time deal with the emotional impact that dealing with people like that has on them and their everyday life.

How are they supposed to tell Nikki in two weeks' time that with her four children she has to vacate that property. She has nowhere to go. You are putting your staff in incredibly difficult positions. You are putting Tasmanians in incredibly difficult positions.

It is incredibly deceitful of you to say that you have brought forward funding and that will make a difference when you have not met your targets this financial year or any time during your tenure as a Housing Minister and people are missing out.

**Time expired.**

**Matter noted.**

## **WORKERS REHABILITATION AND COMPENSATION AMENDMENT BILL 2019 (No. 20)**

### **Second Reading**

[12.49 p.m.]

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

That the bill be now read the second time.

The purpose of the bill is to amend the Workers Rehabilitation and Compensation Act 1988 to remove wage step-down provisions applying to police officers who are incapacitated as a result of an operational-related injury.

Under the existing act, all workers who are incapacitated by a work injury have their pay reduced to 90 per cent after 26 weeks of incapacity, and further reduced to 80 per cent after 78 weeks of incapacity. Police officers who are injured whilst protecting our community should not be subject to these step-down provisions.

Policing is unique in that police officers not only put themselves at risk for the public benefit, but they do so in circumstances where the injuries sustained are often a consequence of being attacked. I acknowledge that there are other occupations whose members suffer injuries while providing services for the public. However, policing is the only occupation where we expect employees of the state to routinely attend situations of violence and where it is not uncommon for that violence to be redirected at them.

A police officer's duty requires them to put public safety ahead of their own. This duty is imposed by law, and it is unconscionable that the state require this commitment and not fully support police officers who are injured.

In this state we have had police officers who, while serving the community, have been shot, stabbed and otherwise assaulted. It is simply not reasonable that we would expect our police officers to respond to such danger while knowing that they will suffer a loss of income should they be injured.

As an example, there was a very public case in 2006 where a police sergeant who intercepted an erratic driver was shot in the face before being shot a further two times. He suffered life-threatening injuries, and under the current legislation had his pay stepped down. This is not a situation we want to see repeated and the Government is moving this legislation to ensure this does not occur again.

The bill inserts a new subsection 2DA into section 69B of the Workers Rehabilitation and Compensation Act 1988 which will ensure police officers who are incapacitated by an operational-related injury will continue to receive 100 per cent of their wage. The subsection provides that the existing step-down provisions do not apply to a police officer 'if, had the person not been a police officer, it is unlikely that the person would have been in the circumstances as a result of which the injury was suffered.'

This wording is to make clear that the wage step-down is only removed in those circumstances that are unique to the policing role. For example, if a police officer is injured apprehending an offender, they are covered as the circumstances in which the injury was suffered were a result of them being a police officer - the policing role being what required them to apprehend the offender. Similarly, a police officer injured undertaking search and rescue operations would also be covered, those operations being something undertaken in the policing role. However, a police officer injured by falling from a chair in an office would still be subject to the step-down provisions, as it is not unlikely the injured officer would have been in those circumstances if they had not been a police officer. This ties the removal of the wage step-down to where the incapacity is a result of an operational-related injury.

The bill also introduces a new section 164BB into the act to make clear the removal of the step-down provisions only applies to new claims post the amendments becoming law. As much as the Government would like to provide for every police officer who has ever been injured, it is not possible to provide this compensation retrospectively. As a consequence, the date of claim will be the cut-off for when the removal applies, this being based on advice from WorkSafe as to what is most practical to implement.

Madam Speaker, the bill will become law on the day on which it receives royal assent. I commend the bill to the House.

[12.54 p.m.]

**Ms O'BYRNE** (Bass) - Madam Speaker, I appreciate the opportunity to comment on the introduction for the first time on an exclusion paragraph within the Workers Compensation Act in relation to step-down provisions. I thank the department for the briefing they provided and the very frank conversation that was had and I genuinely respect and understand the particular circumstances that their membership finds them in.

I note that because the police are bringing this bill before the House, it is impossible for them to comment in a briefing on what the minister responsible for workers compensation might be able to answer in terms of the impact to the broader engagement. I absolutely respect the information that we received and did find it very useful.

I do note that this is coming as an initiative through police and not through workers compensation which does limit our ability to get information and understanding about the impact of step downs to other classes of work.

The minister, in his second reading speech, quite rightly says that there are occasions when our serving police officers are at significantly increased operational risk by the nature of the jobs that we ask them to do.

What we also know, from speaking to the Police Association, is that more and more occasions are occurring where police are called in to circumstances that might have been dealt with by other responders in the past. Due to demand pressures, those other responders are struggling to make those commitments.

My colleague, Dr Broad, will talk a little bit about how that has been impacting on some of our paramedics and when the ambulance responders cannot come, sometimes our police are called in to those situations. Not being an ambulance officer or a paramedic able to provide that support, that can create increased risk for them in those circumstances, so we do appreciate that.

I do have one question firstly for the minister, and he might want to take some time to resolve that. During the discussion, the minister's representative did make some commentary around the workers compensation reviews that are being undertaken. I know that there were a number of reviews being undertaken by the WorkCover Tasmania Board and we have tried to find out the scope of those and what is being referred in relation, particularly to PTSD. The minister, Ms Courtney was unable to provide that information.

It would seem reasonable to me that when the minister's adviser said that step-downs are being included in that review, that that was actually taking place. I understand that is not taking place. WorkCover does not currently have a review on step-downs. What they have a review on is

section 88, I believe it is, which is the issue of older workers, which will have a financial impact to workers compensation. They also have before them a number of questions, a referral, around the extension of PTSD to support for other workers, presumptive PTSD recognition for other workers.

The minister has been unable to provide to us what of the PTSD review was given to the WorkCover board so we do not know how extensive that is, but I have been told that they do not have before them a step-down review.

I would be really interested if they did but I actually think that might be a conversation for a greater period. So, if the minister could just confirm whether or not that is happening, perhaps a conversation where we are both talking at cross-purposes which certainly can happen. I do want to clarify whether or not there is currently a review in front of the WorkCover board for step-down provisions. If that is the case, is that the most appropriate body to have it? As the minister is now bringing to this House, he is recognising that step-down provisions in circumstances, in this case for police officers, he believes that is an unfair circumstance.

I would contend that step-down provisions for other people who are also at increased operational risk also have a significantly poor impact on people who have been put at increased operational risk. I also have to say, particularly in times of economic stress, and the growth in economic stress that we are seeing in Tasmania, that any time where you are into that work and your pay becomes less after 26 weeks, it is actually hard to survive.

If you are a cleaner, earning somewhere in the mark of \$40 000, and suddenly your salary goes down to 80 per cent, when you are injured at work, through no fault of your own, and I point out the Workers Compensation Act is supposed to be a no-fault act. Yet we are punishing workers who have an extensive period of workers compensation by giving them less money to live on.

Madam Speaker, you would know that the end point of that is the financial pressure that is put on people, and that pressure is sometimes that they go back to work when they are not really ready to do so. They will settle their workers compensation and try to get work somewhere else because they desperately need to support their families.

Before the bells ring, I do want to say that we do support this legislation and we will be acting to support it.

However, there is a broader conversation that we need to have as a parliament, as a community, about the decency and the integrity of the actions that we take as a government, when we sanction reduced salaries for people who have been injured at work in a no-fault circumstance. Those cases, I remind members, are heavily contested. I recognise that Tasmania Police are actually very supportive of their workers with workers compensation. We are talking about eight people at the moment who would have been entitled had we done this legislation earlier.

Police are not talking about large numbers, and police do support their staff when they have been injured in an operational circumstance because those things are often clear and easy to define. That is not the story of other workers.

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

## **WORKERS REHABILITATION AND COMPENSATION AMENDMENT BILL 2019 (No. 20)**

### **Second Reading**

**Resumed from above.**

**Ms O'BYRNE** (Bass) - Mr Deputy Speaker, we were debating the Workers Rehabilitation and Compensation Amendment Bill brought forward by Mr Ferguson.

This is an act that amends the Workers Compensation Act, an act that is the responsibility of Ms Courtney. As I understand it, the bill has come through this process because it is firmly limited to the implications on our serving police officers who, from the commencement of this act, are involved in an incident where they are injured and remain injured for a period great than 26 weeks. Therefore, the step-down applications apply to them. However, they were injured in a circumstance that is so peculiar to their job, because of the nature of the increased operational risk. That is where we were.

The point that I was making is that whilst we do recognise the increased operational risk that serving police officers are in, and the nature of the incidents that they attend and the minister has referred to some within the bill that is brought before the House. He is talking particularly about those circumstances where you are required to put public safety ahead of your own, which is something peculiar to certain classes of employment within our public sector, within our community sector, but not limited to police. I do understand that this is an impact for police.

Some of the questions that we had were that the legislation has had to be drafted in such a way as to not identify the circumstances that would qualify because we cannot necessarily anticipate these circumstances. I did ask some questions at the time, minister, about how the process would be undertaken.

After implementation of the bill, if a serving police officer is injured in a circumstance which may be questionable as to whether they are at the increased operational examples that you have given in the second reading speech as opposed to the example which is commonly used of falling off a chair. The phrase, 'falling off a chair' does make it sound like someone has acted in a less than clever way but as we know those sorts of incidents do occur. People can be genuinely quite badly hurt through those processes.

I guess the process was that as a police officer, the police department will need to accept that the injury occurred during the workplace environment. If police argued that the type of incident was not enough to give you qualification to get this sort of support, what process would that police officer then need to participate in through the Workers Compensation Act? Normally you apply for your claim. The claim is accepted or denied. If it is denied you then have a claim.

Do they have to pursue two claims is the question? One, for the claim to have the injury accepted and the second to allow them access to the removal of step-down provisions. One of the issues is we do not really know how that will play out because the legislation, by its very nature, has had to be broad enough to allow that flexibility.

The issue that I raised in the briefing, minister, you would be aware that I mentioned that we would ask you to put on the record how this would be reviewed? When we have done legislation

in workers compensation in areas that are new and we are not really sure about how the implementation might work, we are not really sure if we are going to capture the groups, say presumptive cancer was one of them and PTSD, we have actually talked about bringing in review periods. Presumptive cancer for fire officers is probably the first one.

We put in a review that was after 12 months which given the small cohort of people who are picked up was considered to be too short a time but there is no review period in this legislation at all. It might be because we are dealing with so few numbers that it would take a very long before you could get that cohort. If you let us know, minister, what process might be undertaken if down the track we recognise that we have got serving police officers who it was intended this bill would capture but are not captured for whatever reason. How do we then clarify the bill or get a process where the bill might come before the House again to clarify that process?

In your second reading speech, minister, you talked about those circumstances that are unique to the policing role, such as apprehending an offender and undertaking search and rescue operations. There may be some circumstances in which you may be apprehending an offender and you might have tripped when you were apprehending an offender. Does that qualify or do you have to be almost assaulted by that offender in order to be at increased operational risk?

We need to get an understanding of exactly what the threshold point is before that provision would be accessed. If in the case of a disputed claim how that provision would be accessed, or if it was only in the circumstance where police said, 'no worries at all, it clearly happened in the course of their duty, it clearly happened during that process'. The reason we need it spelled out is that I do think that Tasmania Police are probably a little more accepting of some of those claims because they do have a very defined view of what is taking place and a very clear incident reporting process. That would not necessarily be the case for other workers but given that we have been quite broad in the language, it is probably something for which we do need to have an explanation.

That leads us to recognising those other professions that provide an increased operational risk. We can think of them immediately - there are paramedics, prison officers, child protection workers and they can be ED workers. In the last workers compensation bill that this House dealt with, there was a significant issue in the way the public sector and private sector workers would be treated. A public sector nurse working in an ED under the previous legislation we dealt with only weeks ago would be covered by presumptive PTSD. A private sector nurse employed by an agency is not a public sector employee and could be in the same circumstance and yet is not covered. It also leads us to that it provides information towards that broader conversation around what we are doing for private sector workers as well.

There are a number of professions in which there is an increased operational risk and whilst we do think of our first responders and our emergency services quickly in that, you can be a linesperson working at a very great height and you are an increased operational risk because of the height. Should you necessarily then be encumbered with step-down provisions? The step-down provisions historically were there for two reasons: one is that very clinically they reduced premiums and there is an economic argument for them.

There was also an argument that would assist workers to actively engage in their rehabilitation, to actively seek to come back to work because there was an economic pressure to not come back to work. There is good intent in that, in terms of working with people to encourage them to participate in the rehabilitation program. This is however, by necessity, the other side of it in that people might

be encouraged to come back to work too early so there is the fundamental challenge with step-downs.

Before the lunch break we talked about the sort of circumstance where the people might not be able to afford to pay their bills. They may be receiving significant pressure to return to work and they may be receiving significant pressure challenging their claim. There would not be a member of this parliament who has not dealt with workers compensation issues where the worker has been followed incessantly by private investigators, who has not been sent time and time again for medical reports. Some of those medical reports can conflict with the medical reports they have already received, it is highly legislated and it is highly complex. For those people receiving or seeking workers compensation, it is incredibly stressful. I doubt that any of the more complex workers compensation cases that I dealt with in my previous role and also as a member of parliament the person I have been dealing with is under extreme pressure.

They do become very difficult so anything that acts to get people to take a settlement that does not cover their ongoing medical costs or forces them back into the workforce before they are ready and safe is a significant issue. There are many injuries that actually preclude you, so you might take your settlement because you are being pressured substantially and then you cannot get another job because your injury precludes you from another job.

In their applications many employers ask if you have had any workers compensation claims in the past or whether you have any pre-existing medical conditions. One of those pre-existing medical conditions, and this is my absolute favourite, is a pre-existing degenerative complaint. We all have a pre-existing degenerative complaint - it is actually called 'age'. As we get older, we heal slower; as we get older, we injure ourselves more. So there are many workers who are captured in that. So with their workers compensation, it takes longer to heal so they are moved into the stepped-out position earlier, but they are then penalised because when they continue to try to get that support, they are old. They are not going to heal better and they actually do have a pre-existing degenerative condition, and particularly that applies to soft tissue injuries.

In the briefing, police mentioned that there were some eight police at the moment who, had this legislation been in place, would be impacted by step-downs. Now, of those eight, whether each one of them would necessarily meet the test, would have to be tested, but there was a general view that that is probably the number that we are talking about.

I appreciate that in the sphere of police, we are not talking about large amounts of money; we are talking less than \$150 00 to implement this change. So it is cheap, it is efficient, and it is a nice fit. However, we cannot have this conversation without thinking about the equity for other employees. Whilst the minister responsible for workers compensation is not bringing this bill through and it is a little unfair, I think, to ask this minister to give huge commentary on the Workers Compensation Act, it is something that we take very seriously.

We did consider actually bringing in an amendment that removed step-downs entirely. We did consider that because, philosophically, I know I have a significant problem with step-downs. I know that they are causing significant harm or concern for people who receive them. However, we understand that advice is being provided that should we pursue such a pathway the Government would withdraw the offer to police. One argument: you might say that is a bit petty and mean and a bit political; the other is it might be because we generally do not understand the actuarial impact of extending it. We do not want to cause additional stress for police. We understand that this is a Government commitment. However, we genuinely want to pursue a better outcome.

The previous minister, Mr Hidding, when we looked at the workers compensation provisions for PTSD, when we asked questions around extending PTSD to other frontline workers, and that debate was happening more broadly, accepted that we did not know enough about it in order to make that decision as a government. We said he could have done it at the time and in the end, it worked out okay because we have actually worked further and extended PTSD even further, so it was a good outcome for workers.

I will circulate this as soon as I have worked out the most appropriate place to slot this clause in - which is my challenge at the moment - but we will seek a similar review of the impact of step-downs on workers. So as not to cause an impact and deny access to this to our serving police officers who are at increased operational risk, it will not be an amendment that limits it to a scope of workers and carves out a scope of workers. From an ethics and equity position I do not believe in carving out some workers in separation to other workers. I believe your workplace should be safe and, if your workplace is not safe and you are injured, the no fault processes should be that you are supported, regardless of who you are. There will be police officers not covered for this who have injured themselves and are on step-down and it causes significant concern for them.

The amendment that we will seek to move will simply be to call for a review. We will reflect the language that was used by the former minister, Mr Hidding, in calling for a review, and creating and requiring that that review be presented to parliament. It does not bind the Government to implement, but it does allow the Government to do some work to understand how many people are impacted by step-downs. Of those people, how many they may believe to be of increased operational risk. It can have a look at what we know to be the impact of workers who are impacted by step-downs, and also it can have a look at the potential cost of extending such a mechanism, which we do need to understand.

Right now, the WorkCover Board is looking at two issues that may have an impact on costs for workers compensation, that being the retirement age of older workers and the ongoing payments. We are now asking workers to work for much longer; the act does not cover them after a certain age, and I believe we all think that is inequitable. The WorkCover Board is reviewing that. They are also reviewing, on a fairness capacity and equity issue, the extension of presumptive PTSD to all workers, not just public sector workers.

There are two issues that we know may have an impact on cost. We are cognisant of that. But we do believe that this information that we should understand because if we accept, as we clearly are today, and we clearly will when this goes to the upper House, that it is not fair for some workers to lose salary when they are injured, who might find it harder to pay their bills, find it harder to meet their economic circumstances, to have to manage their mortgages with less pay, then by extension we must accept that applies to anyone who is injured at work.

We talk about workplace accidents, but let us be honest, workplaces have accidents because we do not put enough work around requiring safe workplaces. We must have an obligation and a legislative framework that requires workplaces to be safe. The more pressure we can do to do that, then the better outcomes we are going to have for workers.

It is not good to have a worker off on workers' compensation. It costs money and not in police where they do not back-fill because of the establishment costs - the minister may wish to address whether that might be something that he is looking at. In other areas across the public service and in other employment areas when a worker is off on workers' compensation, you need to back fill, and there are additional costs. It is far better for all of us, as a society, to have workers in safe



workplace environments, adequately supported and adequately supported to transition back to work as well as possible. That was the intent of the Workers' Compensation Rehabilitation Bill. That is why it has rehabilitation as a primary focus, because we want people to go back to work.

We also need to be looking at those structures we can put in place. Whether they are around industrial manslaughter provisions, which is another conversation that we will have, or whether they are about more pressure points to require employers to act in the interests of their staff and not the interests of income, then we need to do that. That is our job as legislators.

Governments are required to legislate, in a sense, for the lowest common denominator, for the worst outcome. There are always employers who do the right thing. The vast majority of employers who do the right thing. However, there are employers that knowingly allow unsafe circumstances to occur, and people get hurt. They are the ones who pay the price. Through our legislation if we can create a framework that puts pressure on them to do the right thing, then that is what we should do.

The only questions I have, to summarise, were around whether the WorkCover Board did have a referral for step-downs, which we may have been confused about, and how this will be implemented in terms of a disputed claim as opposed to an accepted claim. We will be seeking, and I will give you a copy of the draft without the position of it yet as I seek some advice from that, to have an independent review done that allows us to look at what the impact would be in a broader context. It does not bind the Government and it should in no way act to preclude the work that has happened today.

We want to support this legislation. We see it as a positive step towards recognising the inequity of step-downs. We also recognise the very strong concern that has been raised by police officers.

I will finish with one piece of information that was evidence given to the Senate Inquiry around PTSD. The Police Association made a very compelling case to that inquiry around the impact of PTSD for frontline serving police officers. Subsequent evidence to that point did very clearly say that they are not the only workers for whom there is a significant risk for PTSD. When it talked about the impact of step-downs for PTSD, that evidence suggested that there were other workers, and I would say all workers, with increased operational risk of which step-downs is an inequitable response and an almost unkind response for the risks that we ask them to take in their day to day business, the risk that we ask them to take in relation to the protection of us.

Whilst today we are talking about police officers, we are very clearly talking about paramedics, prison officers, people on the front line in ED, child protection workers and arguably we are talking about the cleaner on \$36 000 or \$40 000 a year who is injured at work and cannot pay the bills because we have decided that under this no-fault system, they should get less money because they are injured.

[2.49 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, this bill provides a unique exemption for police officers from the step-downs in weekly workers' compensation payments that are prescribed in section 9(1)(b), the period for which benefits are payable.

We start by acknowledging the spirit of this bill and we commend the Government's concern to support police who have been injured because of the very real dangers that they actively confront

for all of us in the work they do on a daily basis. Police officers in Tasmania, as elsewhere, enter a profession knowing that part of the work they do will inevitably mean they have to go into situations that are highly dangerous and, sadly, life-threatening in certain situations, and they do this for all of us. We commend them for that and support the Government's intention to recognise that for people, through no fault of their own, who have been placed in life-threatening situations and have suffered injury as a result, should not have their salary penalised because they are unable to continue to work for a period of time.

We have concerns, however, about who this bill does not speak for. I have heard from paramedics and other early responders, and have spoken to doctors and nurses who work in emergency departments about the injuries and serious mental health, such as post-traumatic stress injury, they have suffered as a consequence of the work they do where they are also professionally committed to put themselves in situations which are dangerous. Currently in our emergency departments in hospitals in Tasmania it is increasingly dangerous, where there is real stress and people who are either suffering the effects of drugs or who are angry, violent or frustrated let their violence and anger out physically onto staff in those situations.

I understand from the minister that the Government's view is that there is a distinction between the police and everybody else who works in those sorts of jobs in Tasmania on the basis that the police are required to go into situations that expose them to potential or real violence. I do not see that to be a real distinction because in reality paramedics, volunteer ambulance workers, emergency department staff, child protection workers and family violence workers are also professionals who willingly go into dangerous situations, not necessarily understanding that the result of that is going to be violence, but they expose themselves because of their professional commitment to all of us to provide service to highly dangerous situations where injuries do occur.

Although the Government is making a case for a difference, I do not see it to be a meaningful difference. I actually think it is a problem because it is picking out a group of people who are in this situation of being professionals who work on our behalf and expose themselves knowingly to violence and aggression through the work they have committed themselves and signed up to doing. I do not think it is helpful for us as a community to pick one group out - in this case, police officers - and essentially elevate them and their experiences above other people, for example, a paramedic who is attending an event and the police are not there.

I have experienced this myself at a festival in southern Tasmania where on the side there was a family dispute that was going on. A person was highly charged on methamphetamines and had been fighting, attacking and causing a lot of damage to the public. The first person who was there was the paramedic. There were no police available to go in but that person went in to calm the person down and successfully did so. I had so much respect for their ability to be able to go into a highly dangerous situation and use their skills and resources to defuse the situation and give that person some sort of medical treatment and effectively make other people safe.

I do not think it is a good space for us to be in where we start to pick groups out - and essentially what we are talking about is 100 per cent of their salary without any step-down provisions - without also considering who else and under what circumstances other categories of public service workers should also be included.

I had a few other questions about the intention of the Government with this amendment bill because I am not convinced it is doing what it is intended. It might be that I have not properly understood some underlying parts of the Workers Rehabilitation and Compensation Bill but in the

minister's second reading speech he says its intention is to ensure that police officers who are incapacitated by an operational related injury will continue to receive 100 per cent of their wage.

This bill will create not just a difference between police officers and other first responders in the public service, but it also creates a different category within police in relation to workplace incidents that result in injury. I believe the intention is to try to single out an operational-related injury and situations where a police officer will knowingly go into a violent situation and then receive an injury. To me this raised a plethora of questions. How would it be determined? I will give an example that just came to my mind. A police officer is called to respond to a speeding car and ends up in some sort of car chase, not that I am suggesting that that is something that is actively done in Tasmania, I know that is not, but a situation where through pursuing a potential offender the police have a car crash and a person suffers an injury. Would that injury and access to full salary be distinguished from a situation where a police officer was sitting parked in a car park and somebody backed into the police car and they got whiplash? Is that sort of injury going to be different to an injury where somebody walks into a house where there is a domestic violence dispute and they get shot, where they are clearly knowingly going into a dangerous situation? How are we going to differentiate what an injury is?

I am also wondering what we mean by an 'injury'. Recently the post-traumatic stress disorder amendments went through; very important legislation. I spoke quite strongly for us to consider looking at our wording regarding post-traumatic stress disorder because globally it is now being considered as an injury - post-traumatic stress injury. Given that section 69B is proposed to be amended so that it specifically talks about the result of which the injury was suffered, I am seeking some clarification on whether that could be interpreted to mean post-traumatic stress injury.

As we know about PTSI, there is a very long temporal chain from an incident, an event and a person finally coming to a diagnosis of a post-traumatic stress injury and at that point needing to take time off work. It could be a succession of events that have happened and then PTSI would happen for a person some years, months or days later. It depends on the person and the situation. It is clearly complex.

What I am concerned about in the way this is drafted is that we have a situation where, if we are talking about some police being able to access full salary and others not, what sort of hoops would people have to jump through in order to be able to prove that it was a so-called operational circumstance that is unique to the policing role, that it is 'an operational related injury'?

The minister said:

For example, if a police officer is injured apprehending an offender, they are covered as the circumstances in which the injury was suffered were as a result of them being a police officer - the policing role being what required them to apprehend the offender.

The minister has used the words 'apprehend the offender'. Is that the only time this would be enacted, this particular amendment clause? How would 'apprehend' be interpreted? It is all starting to sound very legal. Some clarification around that would be useful.

We are also concerned about what the bill does not do, which would be important. One of the problems for people seeking to access workplace compensation is the difficult and complex dispute process which can sometimes leave vulnerable public servants, including police, without any

payments if the employer disputes their claim. Under the act, the government can choose to dispute the claim within the 84-day time frame or as the result of an independent medical assessment. The onus is then on the injured employee to take the matter to the tribunal.

Arbitrated hearings of the tribunal involve legal representation, the cross-examination of witnesses, presentation of medical specialists, testimony and all of that is very legal. It requires professional expertise and support. The government is able to engage specialist lawyers to represent the government's interest in the tribunal. However, the injured worker is left to foot the bill for the legal representation, much of which most people cannot afford and often valid claims have been abandoned. We have certainly heard of cases where people feel that they are unable to prosecute their interests properly because it is a very onerous process.

I would like to hear from the minister what the Government is intending to do to increase justice for those workers? At the moment, Worker Assist has two lawyers, with most of their time being taken up providing phone assistance. There is really no actual time available to stretch their work to include court appearances and the preparation of cases for individual people at the level of detail that is required, especially given that some cases are fairly complex and hard to argue, essentially.

If you think of a person with complex mental health injuries, including post-traumatic stress injury, but not only that, who is making a claim that they suffered that injury in the course of the work that they were doing, it is very difficult for that person to be able to bring to bear the emotional resources, as well as the financial ones to organize the case properly. They should not be left unsupported to mount a legal case. I would like to hear the minister's comments about what support would be increased, given that there is a concern, obviously, for police officers, but in order to go the full mile, I suppose, people need to be assisted properly to be able to make the claims if there is a dispute.

With respect to a full review, I have not seen the final wording from the Labor Party on what they have foreshadowed in an amendment, but I can say that we do support the Government's intention to support police who have been injured. We do not think it is fair or reasonable to focus only on police. It sends a signal that other workers, especially those who commit to putting themselves, actively and professionally, in situations where violence may be experienced, such as paramedics, doctors and nurses, child support workers and family violence workers, that those people are not as important. We do not accept that they are not as intrinsically at risk.

We support the legislation but not the narrow focus on the police but I can say that we do support this bill. We support an extension towards other workers, and we support a review of how that should be conducted because we accept there may be valid arguments for different categories of workers and different types of work. It is a complex legal, financial and ethical issue. It should have a proper review and it is past time for that to happen in Tasmania. I have heard stories of people who have been trying to prosecute cases and whose pay has been stepped-down over years and it is very difficult for them. As a state, we do need to look at this for our public service workers, all of whom are working on our behalf.

[3.08 p.m.]

**Mr TUCKER** (Lyons) - Madam Speaker, as a community we depend on those who put themselves on the line for others and as a Government we are working to make sure they are looked after in return. The Hodgman Liberal Government firmly believes that police officers who are unable to return to work as a result of being injured protecting the community should not be subject to any step-down provisions. That is why we have committed to remove the step-down provisions

that apply to police officers, ensuring that they will continue to receive 100 per cent of their pay while they are on workers compensation payments.

I would like to talk about the uniqueness of policing. This bill recognises that a police officer's duty requires them to put public safety ahead of their own safety. This duty is imposed by law. It is unconscionable that the state requires this commitment and does not fully support police officers who are injured.

The Police Service Act 2003, section 35, states that a police officer must undertake the duties assigned to him or her. Section 36 states that an officer must take an oath of affirmation to swear that they will faithfully execute the office of police officer in Tasmania and, that to the best of their power, without favour or affection, malice or ill-will, will cause the peace to be kept and preserved and prevent all offences against persons and properties in Tasmania, and that to the best of their ability, skills and knowledge, will discharge all the duties of a police officer according to law.

This is what makes policing a unique occupation. Police officers not only put themselves at risk for the public benefit on a daily basis but they do so in circumstances where the injuries sustained are often as a consequence of being violently attacked in situations that often they are not prepared for.

Policing is not an occupation where risk mitigation measures can always be put in place. Like other occupations, this reflects the dynamic and unpredictable nature of the situations that police officers are so often faced with. A police officer never knows what scenes they will be confronted with when they start their shift. Tragically, some officers do not make it home to their families, yet we still expect our police officers to put their lives on the line to protect our communities and our loved ones. We also expect our police officer to act with bravery and perform their duty without fear or hesitation, often in the face of great danger.

In this state we have had police officers who, while protecting our community, have been shot, stabbed, run down by cars, and otherwise assaulted. It is simply not reasonable that we would expect our police officers to respond to such danger while knowing they will suffer a loss of income should they become injured. I acknowledge that there are other occupations whose members suffer injuries while providing services for the public. However policing is the only occupation where members actually take an oath of office. This oath often requires our sworn police officers to routinely attend situations of violence that they are unable to retreat from and where it is common for that violence to be redirected at and targeted towards them.

The involvement of police is often the risk mitigation measure for many of our other frontline service providers who call on police officers to deal with violent or dangerous situations that they themselves do not face. I wish to take this opportunity to thank all our 1254 police officers in Tasmania for the fantastic job they do in protecting us and keeping us safe. Their dedication and contribution to our community each and every day ensures that Tasmania remains the best place to live and raise a family.

I would like to outline a couple of examples. In 2010 Constable Mark Wolfe from Hobart was working on the waterfront in Morrison Street when he approached a male who was seen to be drinking alcohol in the street and clearly under the influence of liquor. After initially walking away, he returned in a non-threatening manner when, without warning, the male punched Constable Wolfe flush on his left cheek with great force. The king-hit punch was such that it knocked the constable off his feet, forcing him to fall backwards, striking his back and then head on the footpath, rendering

him semi-conscious. He sustained massive tissue trauma to the left side of his face, suffered pain in his cervical spine, was unable to report for duty and unable to perform day-to-day activities in his home life for a significant period of time. The assault left Constable Wolfe questioning himself with long-lasting memories of the assault.

In another example, in 2007 Constable Dennis Coad was struck from behind to the back of the head with a full stubby of beer while working at a festival on New Year's Eve on the east coast of Tasmania. Constable Coad had only recently graduated from the police academy and the assault was completely unprovoked and only due to the fact that he was a police officer. The assault was so severe Constable Coad was required to be airlifted from the scene to the Royal Hobart Hospital. He suffered significant physical and mental trauma as a consequent of the assault, was unable to report for duty for a period of time and was made nonoperational due to his injury, requiring medical intervention to stabilise his neck which had degenerated as a result of the initial assault. The incident has left Constable Coad suffering PTSD.

In another example, in 2006 a police sergeant intercepted a vehicle reported to be driving dangerously. Upon initially speaking to the driver, he attempted to return to his vehicle. At this point the offender - Patrick Burling, the driver - exited his vehicle and shot the police sergeant three times in the back and in the face and left him on the side of the road for dead. Miraculously, the sergeant survived but was never able to return to duty as a result of this incident and had his life irreparably changed forever on that day simply because he was a police officer.

In another example, in 2009 constables attending a Glenorchy address to assist mental health professionals were confronted with a male holding a large knife. After negotiations failed, the male lunged at the attending officer and ran from the house. A struggle ensued and Constable Brierley was stabbed with a large kitchen knife twice in the back. The constable suffered two deflated lungs and required emergency surgery. The incident left Constable Brierley with lifelong reminders of the incident.

I will now mention some of the other related initiatives the Government is doing to help police. The Hodgman Liberal Government is committed to supporting our frontline emergency service workers to ensure that they are provided with proactive professional support and assistance where they experience a workplace injury, illness or medical condition. Earlier this year Tasmania became the first jurisdiction in Australia to legislate a presumptive provision for workers suffering from PTSD. Police, firefighters and other emergency service workers are susceptible to PTSD and other mental illnesses, both on account of the severity of incidents they attend and the cumulative effect of incidents attended over a long period of time. This amendment aims to remove barriers to public sector workers, the first responder volunteers diagnosed with PTSD, from accessing workplace support.

The Hodgman Liberal Government has also committed \$1.5 million per annum for a proactive and preventative health and wellbeing program that supports both the physical and mental health of our emergency services personnel. Significant work has been undertaken in health and wellbeing space to ensure that our emergency service workers are supported in the critical service they provide to our community. The health and wellbeing program will provide a mix of proactive and preventative measures to detect and respond early to health and wellbeing risks that may impact the ability of our people to perform at their optimum level, support and promote wellbeing across our agencies and achievement of target outcomes, and educate and empower our workforce to maintain or improve their wellbeing.

In addition, recruitment is underway to two additional wellbeing statewide officers which will establish four dedicated officers statewide. Recruitment of these additional roles allows the client base to be extended to include Ambulance Tasmania employees.

This bill is strongly supported by the Police Association of Tasmania. Yesterday the president of the Police Association of Tasmania, Colin Riley, urged all members of parliament to pass this bill to end pay cuts for officers who are injured in the line of duty.

[3.19 p.m.]

**Dr BROAD** (Braddon) - Madam Speaker, what we have before us is a relatively simple bill that goes through the process of striking out wage reductions for police officers and it is quite a neat bit of work in the way it acts. It is a simple amendment which goes along to say:

Despite subsection (1), a weekly payment in respect of a worker who is a police officer is not reduced by a percentage specified in subsection (1)(b) or (c) if, had the person not been a police officer, it is unlikely that the person would have been in the circumstances as a result of which the injury was suffered.

This raises a number of issues. As a bill, this is a very neat instrument to achieve what it seeks to achieve.

I will talk about the huge pressures on police officers. Police officers are working in what is a dangerous environment. As Mr Tucker aptly read out, the police officers do take police officer affirmation which I will read into *Hansard*. The affirmation, or oath, depending on your religious beliefs, says:

I (insert name) affirm that I will faithfully execute the office of police officer in Tasmania and that to the best of my power, without favour or affection, malice or ill-will, will cause the peace to be kept and preserved and prevent all offences against persons and properties in Tasmania, and that to the best of my ability, skill and knowledge will discharge all the duties of a police officer according to law ...

That is different from the rest of the public service. That means that police officers are obliged to take action. They are obliged to keep the peace and take on somebody who is assaulting the public or breaking the law. That is part of the oath of office. We accept that. There is no doubt that is the case.

We know there are huge pressures on police officers. It is not only the danger of their day-to-day work but there are bigger issues such as fatigue. The police in Tasmania desperately need a fatigue management plan. Fatigue is a massive issue and there is a substantial drop-out of police officers. Police officers take the time to join the force, go through all the training, to work as police officers but there obviously is a problem when we see that police officers are dropping out of the force. Part of that is the issue with rosters, for example, putting pressure on their personal lives. Shift work is always difficult for any section of the workforce but we know the police are fatigued.

There are also increased administrative pressures from laws that pass. For example, the body worn cameras that are now being rolled out around the state are fantastic. However, there is an administrative burden that probably has not been dealt with and now police officers are finding that they are spending time having to log their footage from their police cameras.

Increased pressures on other sectors of the public service put more pressure on police. The stretched health system means that when there is no ambulance available, we are seeing police officers being sent to incidents to triage, in effect, and provide first-aid when there is no other option. This is a duty that was very rarely used. Increasingly, we are seeing police officers used instead of ambulance officers, not only to back them up but as our health system is stressed and there are ambulances ramped and no ambulances available, we are now starting to see police officers put into situations they should not be in. They are providing frontline health services.

Increased pressure on child protection and lack of mental health services, et cetera, are leading police to be the front line of child protection and mental health as well.

We heard from the member for Lyons, Mr Tucker, about assaults on police officers. There is no doubt that police are assaulted. I was reliably informed during our briefing, which I thank the members in the gallery for providing, according to them, there were 273 assaults this year. That is up to the most recent data. The average over the past five years has been about 229, which works out to about four a week. There is no doubt that police officers are subject to assaults. There is no doubt that police officers put themselves in danger. The average of claims is about 103 per year and 38 of those roughly, account to an immediate incapacity.

At the moment, in the detail from the briefing I received, there are eight police officers in the state on step-downs. They are subject to the step-down provisions this bill seeks to strike out.

We know that between 26 weeks and 78 weeks, according to the existing legislation, there are two police officers who are subject to a 90 per cent step-down. We know there are six police officers who have been injured and are on workers compensation for greater than 78 weeks, so six police officers are subject to an 80 per cent step-down. I am reliably informed, at the moment as it stands, there are eight police officers this legislation actually applies to. I am not exactly sure of the costs of what it would take as soon as this bill is enacted - and we do support this bill - as soon as this bill is enacted there will be eight police officers who will no longer be subject to step-down provisions but maybe the estimate is around \$150 000 a year in additional costs. These police officers will receive in the order of \$150 000 back in their pay packets. It may be a bit less: the figures are actually rather hard to calculate on my feet here now because you have to know their rank, et cetera, to be able to do the calculation.

This step-down provision, as it stands, only applies to eight people so while step-downs apply across the board more generally, and there are far more people in the public service than this eight that are subject to step-downs, as we speak.

This bill also sets out, without wording it as such, that the injuries should occur during an operational duty. We have every confidence that the police, fire and emergency management, the police section, is likely to pay out, or likely to be a good faith litigant, to act in good faith. If somebody is injured, they would definitely receive workers compensation and would not be dragged through the wringer, but it can happen.

We know that in this financial year, as at 31 March, a number of police officers were on workers compensation. There were 74 soft tissue injuries, eight fractures or traumas, and eight psychological injuries. That is as we stand, so that gives you an idea of the number out of the police force of 1200. As at 31 March there were 90 workers compensation claims. If these figures are incorrect, I apologise, and maybe the minister can correct me with the appropriate figures. I am trying to quantify the level of what we are actually talking about here.



This bill does a couple of other things. I have already outlined how police officers are different from the rest of the public service. However, what this actually does is to pit police against other workers, unfortunately. Mr Tucker mentioned already that there are other members of the public service who do put themselves into positions of danger and have dangerous duties. We know that firefighters can be attempting to rescue people in burning buildings and they will be subject to step-downs. We know that search and rescue staff may be rappelling down a cliff to rescue somebody. If they fell and hurt themselves in that duty, they would still be subject to step-downs. The issue is really about step-downs themselves rather than whether police are more deserving than others. We understand that police have an oath of office, we understand that police put themselves in danger, but, then again, so do others. This bill pits one group against another and I do not think that is particularly appropriate.

Also, this could potentially pit an officer against another officer because the way that this is defined, it says:

... had the person not been a police officer, it is unlikely that the person would have been in the circumstances as a result of which the injury was suffered.

If we have a police officer who does not meet that definition, they will be subject to step-downs, whereas other police officers who were on operational duty will not be subjected to step-down. Within the police force you could very realistically have a circumstance where you have one police officer on step-down and another not on step-down. I understand that the way this is drafted it is more about the circumstances of the injury, et cetera, but you will have that tension within the force that you have people on step-down and people not on step-down, even within the police service itself.

One of the disappointing aspects of this bill is the threats made to the Police Association in that the association is of the understanding that if Labor or anybody else attempted to extend the range and remit of the step-down provisions to other first responders, et cetera, it would mean that the minister would not proceed and that, in effect, it would fail. I do not think pitting the Police Association against other emergency service associations is a particularly good way to try to get a bill debated. There is no doubt that the Police Association want this and we want this too. We want it so that when police are going into a dangerous situation they do not have in the back in their mind that their injury will cost them 90 per cent or 80 per cent of step-downs. But what happens if you are a firefighter heading into a dangerous situation? There is a house burning down with somebody inside, and if that person gets injured in the line of duty they would be subject to a step-down.

Part of our argument is that police officers are exceptional in their oath of office and their duties but there are other emergency services personnel and first responders who also put themselves into dangerous situations. We have ambulance officers assaulted as part of their duties. I have heard stories from family members who have been ambulance officers of being in a situation where they are trying to assist a patient and there is some drunk boyfriend or idiot who gets very frustrated and is not thinking straight and assaults them. If that happens, this person who is trying to render first aid in a dangerous situation will be subject to these step-down provisions.

We are not arguing that police do not deserve it. We are arguing that there are other people who deserve it too and, indeed, the whole concept of step-downs is a bad idea. Getting rid of them altogether would be a far more appropriate approach. We are not going to interfere with the passage of this bill because we believe that police officers deserve it but we also believe other emergency services personnel and indeed workers all around do not deserve step-downs. Things do not get cheaper when you are injured. People still have bills to pay.

Going to some of the situations that were described by the member for Lyons, Mr Tucker, he highlighted some horrendous assaults on police officers, and these happen far too often. One of the hopes is that body-worn cameras can reduce this level of assault. We have seen more assaults this year. What I am really hoping for is next year the body-worn cameras result in fewer assaults on police officers. Let us just hope that technology is part of this solution.

However, while detailing the horrendous and unjustified assaults on Constables Wolfe and Coad, one thing Mr Tucker did not clarify was whether these constables were subject to step-down provisions. Given the injuries they suffered maybe they could not come back to work for more than 26 weeks. I assume given the descriptions that maybe they were, but one of the key aspects that would have added value to his contribution was to detail that they were subject to step-down provisions. Otherwise he is describing assaults on police officers and not the actual implementation of this act. Maybe they were, maybe they were not.

We have a firefighter who was injured in his line of duty, Rob Boost. Not only has he had to battle workers compensation, he has had to battle Allianz as an insurer which has put his family through the absolute wringer. I think he must be getting close now to 26 weeks so he will be subject to step-downs as well as an insurer that makes his life a living hell by not giving him adequate pain medication. Firefighters have another battle to fight as well in that they are insured with Allianz and I will continue calls for the Government to insure firefighters using the same system, the Tasmanian Risk Management Fund, to look after firefighters rather than making a precedent by having them insured by Allianz which has dealt with a number of firefighters and put them through the wringer and at times reinjured them psychologically by the way they have been treated.

Rob Boost was fighting a fire and was hit by a tree. He put himself in a dangerous situation but he will be subject to step-down provisions. We are arguing that that is inequitable. Given we accept that police officers have their oath of office, we are not arguing that they do not deserve step-downs. We think that step-downs should apply more generally and indeed it would be far better for everybody if we got rid of step-downs all together.

These are the arguments we will be putting up. We will not stand in the way of this bill because we believe that it is appropriate to pass it given all the arguments that have already been put. We know that assaults on police officers are horrendous and police put themselves in danger. Mr Tucker described the assaults on constables Wolfe and Coad as one-punch assaults. This legislation sets up a potential grey area where if those police officers had not been police officers it is unlikely that the person would have been in the circumstance as a result of which the injury was suffered.

When these police were assaulted they were performing their duties, but is that a duty only of police officers? They were not arresting, they were not confronting and they were not exercising any of their police powers. We could have a situation where there is a grey area on whether or not those constables would have been covered because their one-punch assault was in a situation where that could happen to anybody in the street. You would have to mount the argument that those police officers were assaulted because they were police officers, and we know that there are one-punch assaults that happen.

Unfortunately, we had an academic from UTAS killed by a one-punch assault. We know that one-punch assaults happen but I am mounting an argument that it is more than likely that constables Wolfe and Coad would be covered under this provision if they were indeed subject to step-downs.

However, you could have a situation where it could be argued that maybe they were not actually assaulted because they were police officers; maybe they were assaulted because this guy was drunk and could not see properly and he is a real idiot.

**Ms Archer** - Are these cases in court?

**Dr BROAD** - I do not know.

**Ms Archer** - You want to be careful.

**Dr BROAD** - It was Mr Tucker who raised these so he might want to be careful too.

**Ms Archer** - I just said be careful.

**Dr BROAD** - I am trying to make a point that if you wanted these constables to not be subject to step-downs, one way to do that is to remove step-downs for everybody and then we know these constables would be covered. You could have a situation where there could be potential for a grey area. The police, in our briefing, assured us that would not happen; they tend to look after their officers and they should be commended for that. However, if you want them to be covered 100 per cent, get rid of step-downs for everybody.

It would be interesting to get the figures. Today we are trying to achieve a greater understanding of how much it would actually cost. What are we talking about? We know with police officers as it currently stands we are dealing with eight people. How many public servants are on step-down provisions? If we can quantify that number, how much would it actually cost if we got rid of step-downs for those public servants? That is an important question. If it is not a significant amount of money, why do we still have step-downs? If it is a significant amount of money, how can we budget for it?

We need to know the quantum; what we are actually talking about here. We know with police it is eight. How much is it for other public servants? That is why it would be great to have that information. That is why in doing a bit of research and having it presented to parliament would be a good thing.

[3.40 p.m.]

**Mr O'BYRNE** (Franklin) - Madam Speaker, the Labor Party has indicated our support for the legislation. I will flag some issues that we will work with.

I put on the record my appreciation of the work of the fine men and women of Tas Police. They do a tremendous job, year in, year out, generation after generation, in supporting the Tasmanian community and keeping them safe.

I had the pleasure of being police and emergency services minister for just under three years and I must admit it was a difficult time politically. I inherited a budget that was framed at the time around some significant financial issues for the state and working with the commissioner, the deputy commissioners and commanders across the states, we worked extraordinarily hard to ensure that those budget restraints did not have the impact that some people may have said they had on the Tasmanian community. We worked extraordinarily hard to minimise the impact.

Across the Chamber there is a whole lot of banter about all the police officers that I allegedly sacked, almost like I had walked around to every police station and started sacking people. There were no sackings. Unfortunately, we could not maintain the numbers to the level that we had as a party supported historically. There was an attrition that we were not able to sustain but that did not in any way, and should not be seen as, a lack of respect for the important role of Tas Police and the work they currently do every day.

I have known members of Tasmania Police. I went to primary school and high school with a number of serving officers. I call them friends. I played football with and against, cricket with and against police officers and some of them I would call my close friends. We share a beer and talk about their experiences.

As minister, I was fortunate to be able to regularly visit police stations and sit down with the men and women of Tas Police and talk about their day-to-day challenges and the environments they are sent into, the complex and dangerous circumstances and situations they are forced to go into.

As with many emergency services, the normal citizen runs away from these circumstances. We ask our emergency service workers - and particularly the members of Tasmania Police - to go into these dangerous circumstances, to make people safe and to minimise the impact of anti-social, violent, aggressive and illegal behaviour, day in day out. The Tasmanian community should not forget. We take for granted sometimes the work of the men and women of Tas Police.

I have visited many stations: Queenstown, Smithton, along the north-west coast, and in my electorate, Huonville, Cygnet, Kingston. I was fortunate to visit the serving officer on Flinders Island when I was over there for infrastructure ministerial duties. Sitting down, having a cup of tea, chatting, talking and understanding the day-to-day stories of members of Tas Police and the pride they take in being able to represent Tas Police but also making sure they can protect people in their homes, their communities and their workplaces. They should be absolutely commended.

No-one should be under any doubt that the Tasmanian Labor Party, previously or now, would have anything other but the highest respect and regard for Tasmania Police serving officers.

Over many years I have not supported stand-downs for any worker who has been injured or has become ill due to their occupation. The belief that when people go on workers compensation you work on the assumption they are malingerers and they are not wanting to come back, therefore you need to invoke a financial penalty or pressure. In my view this is a moribund view.

Whilst in any system, you will have some people who may not follow strictly by the rules. Overwhelmingly, people who are injured or sick because of work, the best thing they want for themselves and their family is to get back to work, to return to a normal life and be able to provide for their family. The concept of step-downs is something that I do not support. It actually does not mean workers go back to work any quicker. If you are genuinely sick and you are ill and you have an appropriate rehabilitation program, those workers will go back to work.

In terms of this particular bill, it is acknowledged that Tasmania Police officers go into some of the most dangerous circumstances. It is not the exception; it is the rule. It occurs on a day-to-day basis and I commend the work of the Police Association for doing their job. That is to advocate for their members to ensure that one, they have the safest possible workplace; two, they get the equipment and the services and support they need to conduct their work appropriately and safely; and three, that they are not financially disadvantaged by virtue of an injury at work.

I commend the efforts of the Police Association of Tasmania and despite a couple of moments in my history, we have had many conversations with the Police Association of Tasmania, apart from a short period of time where there were a few issues with the then-leadership. That has changed and whilst I was always very keen to have an open door to the Police Association of Tasmania, I never lost respect for them. We had a disagreement; there were circumstances which we were both the victims of in terms of the financial circumstances of the state. We had to make do, given the circumstances, and people had to make decisions. At no stage did I or our party lose the respect for the role that the association played and I commend them for their lobbying and their advocacy on behalf of their members.

The issue and the concern that has been raised by other members though, I would echo. You look at the circumstance where, for example, an officer of Tasmania Police and a paramedic are attending the same call and they are confronted by the same violent response, hypothetically. They are both injured and they are both in circumstances where, under the current workers compensation scheme, they will be subject to step-down provisions. All of a sudden after the 26 weeks, the police officer maintains their wage but the paramedic does not. I am not saying that the Tasmania police officer should therefore suffer a step-down. In those kinds of circumstances, there is an injustice. There is a double standard to say to a Tasmania police officer that we value you and your contribution more than we value that of the paramedic. That is a fundamental question.

We have indicated we are supporting this bill because it is a good step forward and a return to circumstances where there are no step-downs. We think that is important but there is a fundamental problem where you have emergency services workers, paramedics, firefighters, nurses - particularly in emergency rooms, and we are seeing violent acts.

If you look at the potential of that, there is no doubt Tasmania Police go to more dangerous circumstances over their career. I am saying that anecdotally; I have not seen the statistics, but based on my experience in talking to workers in those environments, there is no doubt Tasmania Police are in a whole range of circumstances which are dangerous. When you have frontline emergency service workers, they go to the same incident, the same call-out and the same unfortunate, sad and tragic result occurs where they are injured and, unfortunately, the paramedic or the nurse or the firefighter will suffer a financial disadvantage compared to a Tasmanian police officer.

From the perspective of the Police Association they are advocating on behalf of their members. As a former union official of many years, I have the utmost respect for them to argue their case. The response, then, is with the Government to make the decision about looking after all workers. Philosophically, I have never believed in step-downs.

It is not funny. This is serious. You have two workers who are in emergency services heading to an incident; they both get injured, they both get leave for the same period of time but one loses money, one does not. I have never philosophically believed in step-down provisions. It is something that has caused great harm amongst workers who are injured. In the contributions by our shadow minister and the shadow minister for police, we have made it very clear that this is a good first step. This is an acknowledgement that step-downs harm workers. Step-downs do not actually force people back to work earlier. It does not deal with a rehabilitation environment where you are working with someone who is injured or ill because of a workplace event or illness. The carrot, I suppose, is, 'You will be right, come back to work earlier because you get back to full pay', because you may be losing your house or you may not be able to afford the rent. So you are starved

back to work but you come back to work sick or injured. You do not make the person better. You do not make the person healthier. There is a philosophical issue about this that the Government, for whatever reason, is choosing not to acknowledge.

Having said that, for Tasmanian Police Officers we support that, but let it be very clear that from our side of the House we think there is much more work to do on that. Our message to emergency service workers across the state and to workers in this state is that the Labor Party does believe that this matter needs to be resolved. However, we will not stand in the way of some workers benefitting from a change in the legislation.

In summary, I acknowledge the fine and inspirational work of Tasmanian Police Officers across the state. They do amazing work and they keep our state and our community safe. When I was minister the amazing amount of work in terms of the crime rates were dropping; despite a couple of high profile incidents the crime rates were dropping, the clearance rates were up and the investigations and a whole range of major challenges - including international terrorism and motorcycle gangs - the work, the professionalism, the forensic approach is something to behold.

I remember on a Friday night, I went to the briefing before shift about what had been going on in the day and what they were expecting on the night, did the walk around with the PORT team and then sat in a paddy wagon and went out with the commissioner and a few others to a couple of events. I saw first-hand some of the stuff they had to deal with. It was not an eye opener because you expect things to happen, but the professionalism and work of Tas Police was inspiring in how they calmly went about their work. There was no panic; just clear and consistent response that made the community safer. I put on the record my utmost respect for the fine men and women of Tasmania Police.

[3.53 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, I congratulate my colleagues for their input on this very important issue. In short, I support the removal of wage step-down provisions for injured workers. I have never supported under compensating workers for injuries acquired whilst working. I completely support the removal of step-down provisions for police officers as well.

I do, however find the action taken by the Government to essentially get rid of step-down provisions for one element of its frontline over other elements of its frontline somewhat bizarre. My thoughts were shared in the 2018 report of the findings of the Australian Senate referred inquiry into the role of the Commonwealth, state and territory Governments in addressing the high rates of mental health conditions experienced by first responders, emergency service workers and volunteers. The Senate referred the inquiry to the Education and Employment Committee to ascertain looking at the mental health conditions experienced by our first responders.

Wage step-down provisions were discussed during the hearing and inquiry, and the step-down provisions involved in long-term illness or conditions identified as a critical factor for some first responders. The Police Association of Tasmania described how these provisions cost first responders financially and add to the stress of an already difficult situation:

The conditions that our members are currently subjected to reduce their salary from 100 per cent after 26 weeks on workers compensation. Their salary drops between 27 to 78 weeks, and then to 80 per cent thereafter until such time as they return to full time work.

That creates another level of stress for a member who happens to be off on an accepted worker's compensation claim.

Representatives from the association noted the current Tasmanian Government's commitment to exempting Tasmanian Police from these step-down provisions. Other witnesses' families' commitment from the current Tasmanian Government to be lacking as it does not cover other Tasmanian first responders:

We just find it quite bizarre that the Government might announce a policy for reducing or essentially getting rid of step-down provisions for one element of its workforce, given what we know particularly about the frontline. That is: nurses in emergency departments, ambulance workers, firies, et cetera, as to why there would be some favouritism applied in those circumstances, particularly given that the statistics in relation to PTSD in ambulance are that it is higher in our space.

There does not seem to be any science around that decision at all. It is quite concerning and upsetting for us that that is the approach that the state Government is taking.

The purpose of this bill is to amend the Workers Rehabilitation and Compensation Act and to remove those step-down provisions applying to police officers who are incapacitated as a result of an operational-related injury. Under the existing act all workers who are incapacitated by a work injury have their pay reduced to 90 per cent after 26 weeks of incapacity and further reduced to 80 per cent after 78 weeks of incapacity.

I am in agreeance that police officers who are injured whilst protecting our community should not be subjected to these step-down provisions. To be injured at work, especially as a first responder, is an atrocious occurrence. In fact, I do not support the principle of step-down provisions for workers at all. Step-down provisions imply or suggest that somehow the injured worker may have been injured on purpose or should have an injury that mends in a set amount of time, or that workplaces that injure people are not responsible for the environment they provide workers to work. Why should any worker be disadvantaged who is injured at work?

Workers do not set out to injure themselves - that is the philosophy behind my disagreement - at work, yet they are penalised financially and sometimes socially for being injured and not being able to return to their normal hours and duty. The social stigma associated with return to work programs in a lot of industries is dire. It causes great mental strain on workers, not just police officers, not just first response workers and public servants, but in all industries.

If we have a look at some of our manufacturing industries here in Tasmania and the degree of injuries in that sector, they may not be such a high concentration of mental health injuries in those factors but there are still manual handling injuries. Many of those injuries take a lot of time to heal. Those workers are also penalised and treated as if they were meant to be injured or they have been injured on purpose.

In short, the bills do not become cheaper. The salary and the wage in which the worker was working should continue to be afforded. We know that inflation is at 1.6 per cent and the current step-down provisions are just not fair. I support the Tas Police Association for their work in protecting their workers. I also know that it is a fabulous recruitment tool as well if you can prove a culture of looking after your workers and making sure that if they are injured at work they will be

properly compensated, looked after and managed in a professional and effective manner. I believe that should be extended right across the board, not just for our Tasmania Police workers.

Showing that respect for our workers is very important and going right across different industries as well, not just first responders. We need to make sure that we treat all workers with respect and make sure that if you are injured at work you are compensated appropriately, and that you are not subject to any step-down provisions.

[4.00 p.m.]

**Mr FERGUSON** (Bass - Minister for Police, Fire and Emergency Management) - Madam Speaker, that has been a really terrific debate. I genuinely thank members of the House for their contributions. I particularly thank members of the Labor Party, the Greens, and my colleague from the Liberal Party, Mr Tucker, for their clearly and unequivocally expressed support for what the bill attempts to do. I and the Government appreciate that, because it guarantees the passage of an important commitment made by our Government before the election, and also delivers on a significant wish, I suppose, if I can put it that way, that has been expressed by the Police Association for at least 11 years and perhaps longer.

I will attempt in my summing up to respond to a range of issues and concerns and will attempt to clear up any misunderstandings which may have developed, and trust that that will satisfy all members of this House that not only is this the right thing to do for our police, but there are also ways in which we can ensure that government and parliament in future can be informed about potential other policy measures to ensure our workers compensation system is fair for all, not just police.

I will commence with a reminder to the House about the real point here. I have to pay special tribute to Rene Hidding, one of our former members, who was the first member of this House to attempt to achieve the removal of step-down provisions for sworn Tasmanian police. It was interesting when I went back to the record on this because Rene Hidding may have been the first mover of the first private member's bill - which was opposed, for the record, by the then Labor government - but in his second reading speech I was able to uncover that it was at least in part in response to the very substantial 2008 review of the act which I understand was done by Mr Alan Clayton, described as a respected actuarial expert. I assume he had been commissioned by the then government at that time to the matters generally. In his prosecuting of the argument in 2008 Mr Hidding said -

In the review of the Tasmanian workers compensation system, respected actuarial expert Alan Clayton commented on the controversial step-down arrangements.

I do not think Mr Hidding was claiming that this was Mr Clayton's particular view, but Mr Clayton states in page 60 of the report -

The present arrangements do appear to have created a particular concern in the policing environment. The uncertainty of risk in that environment, together with the public benefit aspects of police and services means that difficulties and hardship resulting from the operation of the step-downs in this area are deserving of attention.

I know it is a long time ago, but that is when this debate started, 11 years ago, in 2008, in that report.



As I continued to read through the parliamentary debate at the time, it was the then minister for infrastructure, Mr Sturges, who explained why the government at that time was not supportive of Mr Hidding's and the Liberal opposition's bill. Mr Sturges made the observation that, at that point in time, the government had not yet responded to that report and no doubt it would consider it through the usual government process. I found it compelling that way back in 2008, a major review of the act had established that there was an area deserving of attention around one group of workers in the state - not that they are public sector employees who are police, just that they are police. I will now leave aside Mr Hidding's comments, only to repeat the point that police officers are sworn to intervene and protect the peace. They are sworn to do so, as Mr Tucker so well articulated.

I am sure I will come back to that again but that is the historical environment we find ourselves in. I have to point out as well that this has been a long campaign by the Police Association on behalf of their members and I will certainly be making further comments shortly that will I think set aside some of the more unfortunate comments that have been made at least by one member of this House.

I take the opportunity to thank my colleague, minister Sarah Courtney, for her work in this area. We have been working throughout the day to ensure that the good-faith comments that were made in the briefing, while not entirely accurate, I want to clarify those today before the House and also establish that the Government will make good on the commitments to ensuring that the matters that are of concern to a number of members of this House can nonetheless be considered in a proper way. I would argue that will set aside the need for any amendment to this bill. I hope to do that in a way so that members will feel satisfied that the issues they have raised are being responded to properly.

I thank Ms O'Byrne, the member for Bass, for her comments. I particularly make the point that I found little in her contribution that I would disagree with. There would be a few years where we might have different points of view and, indeed, the record I have pointed to demonstrates that while members of parliament and members of the community will have strong views on the justice or otherwise of certain elements of our workers compensation and rehabilitation system, a responsible government on behalf of the Tasmanian people must find a balanced approach in responding and ensuring that the law is not only fair but also takes account of the needs of industry as major employers in the state who have to pay workers compensation premiums and ensure we get the balance right.

While we are focusing today on step-down provisions there is a whole range of other entitlements which have time limits that nobody has touched on in this debate. The point made here is that there is an overarching need to ensure that the system is fair for the employer but most importantly fair and just for a worker who is injured while undertaking their employment.

I recognise that Ms O'Byrne would have significant experience in individual concerns and complaints around workers compensation matters and appreciate those comments that have been made.

I want to pick up on one other point that I feel members of this House would benefit from hearing. I do not know if it was in the Clayton review or not, but Mr Sturges, the minister of the day, in explaining why the Labor government would not be supporting the Liberals' bill to remove step-down provisions for police officers - which was defeated on the floor of the House - said:

Historically these limits, including the weekly payment step-downs, have been justified as a trade-off for not having to establish fault. I think it is relevant that I make that point so you have an understanding of that. Police officers were specifically excluded from the Workers Compensation Act 1927, and it was through the introduction of the 1988 act that police officers were brought into the general compensation scheme.

I will now respond to a number of comments and concerns that have been made during the debate. In response to Ms O'Byrne's comments which were reasonably made, although I think there is a misunderstanding, but also more pertinently in response to Dr Broad's comments which were inflammatory and inaccurate, I will make it very clear for members of this House that no threat of the nature that has been described has ever been made. That is false and misleading. If it is on the basis of a misunderstanding I will leave it to Dr Broad to clear the matter up.

I can assure you, Madam Speaker and members of this House, that is not how this Government operates. However, it is true to say that this is a very important legislation. We do not make such threats at all. What I have done, and I am happy to put on the record again today in saying, it has been very important to the Government to let people know that this legislation is too important to be amended or meddled with, frustrating its success.

Indeed, the President of the Police Association of Tasmania, Mr Riley, has contacted me and he has had this to say, which I will repeat for the benefit of the House. He said to me this afternoon:

In our discussions the PAT never indicated we were threatened that if the bill did not remain unchanged it would not pass through the lower House. We stated our concern was that if it changed from its current format it would get bogged down in reviews and political gaming. This is a 12-year journey for the PAT to get this legislation considered by the Parliament and hopefully progressed for our members who are regularly subject to violence. The PAT is appreciative of the leadership shown by the Minister for Police, Fire and Emergency Management to actively progress this bill after being approached by the PAT to do so.

I did not ask Mr Riley for those comments. He has provided them to me after witnessing the debate that has gone on before just now. It is helpful and supports my claim that Dr Broad is out of line in saying things that are not true in this House.

Madam Speaker, I will clear up something that I could appreciate politicians on the other side of this House may wish to say but are not true. There is no attempt by this Government to try to create, or pit one group against another. That is unhelpful, untrue and it is not what this bill was motivated by, nor was it in 2008.

Picking up Dr Woodruff's comments I wrote down the suggestion that this bill would create a difference between police and other employees. I would put it differently. I would say it recognises the difference between police and other employees. We all want all of our employees - privately and publicly employed - to enjoy the benefits of a strong and fair workers compensation and rehabilitation system. I believe we all agree on that.

The point the Liberal Party has been making for 11 years is that there is something unique to policing that renders them that they should not be subject to step-down provisions because of an injury that occurred in the course of policing. Through the legislation, we have made it clear that

it is not about being a police officer, it is not about wearing the uniform or the badge: an injury is caused and you are entitled to and benefit from not having step-down.

We have made it clear in the bill that even a police officer, if they are injured in the course of their work that does not relate to the special role of the policing then they would be subject to step-down provisions just like every other employee. It is not the personality of the police officer. It is the nature of the work that is different that we wish to protect. I say that as minister responsible for quite a number of other emergency service personnel for whom our track record is extremely strong in wanting to protect in a range of different ways, including in sentencing reform.

We have never said that police are more deserving than other workers. That is debunked. It does not pit one group against another. That is debunked and rejected. I absolutely reject Dr Broad's false claim that it would pit one police officer against another. It is a misrepresentation and I have to caution Dr Broad that it is creating mischief in the Tasmanian community when you say things like that. Coming from an Opposition which promised a third of what this Government promised when restoring police numbers, no commitment to our mandatory sentencing reforms; indeed you opposed them just a fortnight ago. You even opposed a loyalty payment to police who took a wage freeze and you claim that it is not fair to remove step-down provisions for police.

We are doing this because we recognise that police are sent into situations where they are not only subject to risk but subject to attack and nonetheless they are sworn to protect the public peace.

I will focus on the uniqueness of policing. Mr Tucker has spoken on this so I will not repeat everything he has said. There are other occupations where there is risk. I have spoken about that at length in previous debates and I hope we can speak about that again in sentencing reform. Unlike other occupations where risk mitigation measures can be put in place, there are sometimes, where for police, risk mitigations cannot be put in place for circumstances where police are expected to perform. This reflects the dynamic and unpredictable nature of the situations that police officers are so often faced with.

We still expect our police officers to put their lives on the line to protect our communities and loved ones. We expect them to act with bravery and to perform their duty without fear or hesitation and it is not reasonable that we would expect police officers to respond to such danger, knowing that they will suffer a loss of income should they be injured in that role. Not in the occupation, in the role. Not because of the nature of their employment or the award under which they are paid, but for the activities that they are engaged in.

In relation to Ms O'Byrne's question on how a claim would be assessed: great question and I have a simple answer which I think will help. First, before step-down would apply at all, the injury would have to be accepted as a work injury in the first place. If a worker felt that an unfair decision had been made, they would have recourse to the tribunal. There is a second stage. If it was a work injury and step-down was an issue, there would also have to be an assessment about whether or not it was operationally-related as the bill proposes to provide for. If the department determined that it was not operationally-related, the employee could take that issue to the tribunal. In each case the recourse is the same but there would be two avenues for that recourse.

Ms O'Byrne, you also asked me about police establishment numbers and maybe it was in the context of back fill?

**Ms O'Byrne** - No. It was more explaining why there might be pressure points. The other question was to do with the process to review to see that we are actually capturing the group of workers we want to capture.

**Mr FERGUSON** - I am not sure how to answer that. I will come back to you on that.

**Ms O'Byrne** - As clarification, with Madam Speaker's indulgence, with PTSD, when we do presumptive cancer, we put a review period in. The review period in fairness was actually too short. There were not enough people picked up to get a proper assessment of it. I understand the issue. Do we actually put in a mechanism for a piece of legislation that we had no idea really how it would capture people? I am not really sure, because the nature requires it to be quite broad, whether it will capture everybody. Are you planning an internal review, given that there is no legislative review? What will you do to make sure the workers are picked up?

**Mr FERGUSON** - I understand the question. If you would bear with me as I approach that matter toward the end of my time.

**Ms O'Byrne** - Sure, that is fine.

**Mr FERGUSON** - I have the comment you want to make. The determination is whether the injury occurs in circumstances that result from a policing function. If the circumstances are brought about by the policing role, then the employee would be covered to not have step-down. If the circumstance is not directly related to the policing role but could have happened to any other worker, then step-down provisions would continue to apply.

**Dr Woodruff** - Minister, in my example, through you, Madam Speaker -

**Mr FERGUSON** - That was in response to your question.

**Dr Woodruff** - How would it solve that situation so the person who is in the carpark who is still sitting there waiting to go -

**Mr FERGUSON** - It would be determined by the employer. In this case it would be Tasmania Police, and if the employee felt that the wrong decision had been made by the employer they are entitled to take that to the tribunal for reconsideration.

**Dr Woodruff** - Is it going to be more clearly defined?

**Mr FERGUSON** - It is the business of this House to set the legislation. We have had it professionally drafted so that it makes it clear in the bill that if it is operationally related to the role of policing it will be covered without step-down. If a police officer is injured at work but it is not an injury related to their operational duties then they would be covered but over time they would also experience step-down payments.

**Dr Woodruff** - Would 'operational' mean any time they are in a vehicle, or anytime they are called out to an incident? Would that all be covered by 'operational', whereas if they were in the police station that would not be operational?

**Mr FERGUSON** - In the office?

**Dr Woodruff** - If they were actually in the office, would that be the distinction?

**Mr FERGUSON** - You have borne out a distinction I provided in the second reading speech; it is exactly that kind of distinction which we offer in explaining the wording of the legislation.

**Dr Woodruff** - So office/non-office is the understanding.

**Mr FERGUSON** - That is one way to express it.

**Ms O'Byrne** - But tripping over a curb when you are on your normal beat is different from chasing someone in a dangerous circumstance in which you fall and get hurt.

**Mr FERGUSON** - That is another reasonable way to put it. I am advised the police department is supportive of its workers and will not be disputing valid claims and does not; it has a very good reputation in this area. Some may have different points of view of that, but the employer has a duty to ensure that valid claims are supported and claims that are questionable are not, or at least allowed to go to the tribunal for final assessment.

I hope that clarifies the matter of the distinction that applies in the bill. One option available to the Government was to give blanket coverage to the occupational group of police. On advice, we believe the arguments that sustain this bill needed to be specifically recognised in the legislation. We are not singling out people who are employed under a particular award; we are singling out people who are employed under an award who do a specific function of policing and are sworn to protect the public peace.

I have other advice here regarding Dr Broad's comments. The distinction with police is not an issue about the importance of different workers; the Government values all our employees. The distinction with police is that we require them to attend situations of violence knowing that the violence may be redirected at them. The difference is we send police to situations where they will be attacked. Although others may be injured, we do not intentionally send them into those situations of violence. We have had examples of these provided to the House.

There was an example raised in the debate about pursuit. A pursuit would be exempt from step-down because pursuing an offender is a police-specific function. With a car that is parked and accidentally backed into, I am advised it would be unlikely the circumstances would have occurred if the person was not a police officer, but the above is only an issue if they are incapacitated by the injury and step-down only applies if the worker is incapacitated.

Finally, the example of assaults that were brought into the debate were intended to demonstrate the unique situation that police face in that they are attacked. There have been statistics in the hundreds each year illustrating that point. Paramedics and child protection workers are attacked, other workers are attacked and people in the private sector are attacked. We are talking here about a group of people who are employed for a specific function where we know they will be attacked and indeed are sent into situations to protect somebody who is suffering an offence and they are there to separate the victim from the offender and to protect the victim.

Not only are they injured as a result of those attacks but they are injured because someone has intentionally decided to hurt them. In regard to the individual cases, some resulted in step-downs but not all, but that was never the point. The point is this is a dangerous occupation and because

they are employed specifically in this area and are sworn to protect the public peace they should not be subject to step-down provisions.

I might have covered most, if not all, of the issues and questions that were raised.

**Ms O'Byrne** - Minister, you were going to touch again on that review issue.

**Mr FERGUSON** - I am coming back to that now. I am aware of Ms O'Byrne and the Opposition's wish to have a review. I would like to clarify and clear up any misunderstanding. I understand that it may have been stated previously in the briefing,

**Ms O'Byrne** - My apologies, minister, I did not mean that review. Given that there is not a review on the efficacy of the impact on police you were going to address the issue of whether or not you had a process internally of making sure that it was capturing the police who needed to be captured, in the same way that we did with the presumptive cancer legislation. We said that there would be a review to make sure that we had taken care of the right people. That review is not about extending it anywhere else but merely about making sure that in the intent of this bill alone we do not miss the people that we genuinely want to pick up.

**Mr FERGUSON** - I understand the question. I think this will be helpful. I would like to make it clear that the WorkCover Tasmania board is currently undertaking a broad review of the operation of the benefits structure for workers compensation schemes. It was understood that the board would specifically look at step-down provisions as part of its forward work plan later this year. I apologise if anybody has been given to understand differently that it was already underway; it is not. That was part of its forward work plan so I apologise on behalf of the Government for that misunderstanding.

However, given that, I am happy to commit, having spoken throughout the day with my colleague minister, that the responsible minister, Ms Courtney, Minister for Building and Construction, will direct the board today to undertake a review of step-down provisions. The Government has today consulted with Kath Morgan-Wicks who, apart from being the secretary of the department, is also the chair of the WorkCover board which also includes union representation, and she has indicated that the board is able to undertake this task within an 18-month time frame, which is an extremely positive development and extremely efficient to make that undertaking.

I note the WorkCover board has broad representation, including that of unions. The direction Minister Courtney will be providing to the board is a far more appropriate method to direct the board to formally carry out a review, which could happen quickly, rather than the legislative review option. I offer that in good faith. It is not often that we have to clear up a briefing matter outside the House in the House but I do so for the benefit of clarity. I furthermore indicate that while we cannot and must not give any sense of what that process may lead to because that is genuinely an open-ended question for government policy and this House indeed which no doubt will have budget implications, ramifications for other entitlements within the act, we make that commitment. As soon as the minister has finalised her written direction to that board we are also more than happy to table it in this House for the benefit of members. I say all that in a hope not just to advance the issue -

**Ms O'Byrne** - I am being quite genuine in this. I was going to make sure that the report would be tabled in the parliament and that is a commitment that you have given, which is one thing that the legislative mechanism would ensure. The issue though is that if it is 18 months then we are

looking at, once this parliament has risen in 2020 and we do not come back again until potentially late March 2021, so we are looking at quite an extended period. I appreciate the 18 months; I think 12 months is probably enough but I appreciate the intent around 18 months, but if we could bring it in before parliament rises next year then at least we would have the capacity to work on it while parliament is not in session. If it is 18 months it does not come in until after we rise and then there is another three, maybe three-and-a-half months, before we see it and it gets tabled in parliament and then we have a response, so we are looking at not 18 months but two years. I am not trying to be problematic at this point but if we could get a commitment that it would be tabled perhaps in 16 months, not 18, that would at least bring us into it being tabled within the 2020 parliamentary year.

**Mr FERGUSON** - I would express it like this. I think we are both being reasonable. I will undertake to discuss that with my colleague minister but I think the right approach at this point in time for our House is to be satisfied that the review is kicking off and the direction is kicking off immediately. Please understand also that the time frame has been on advice from the department and the WorkCover board chair herself as to what would be an appropriate time frame to get the job done properly and fulsomely. As for reporting, public release and government response, I would not be empowered to make any guarantees on that, standing here as I am today. I would submit to the House that, that is a pretty good arrangement to satisfy the concerns that have been raised.

Madam Speaker, I will conclude my remarks by again saying some difference of opinion on where to go from here. I hope that the record clearly shows that this is overdue, it is a congratulatory message to the Police Association of Tasmania and its executive and its former executive, together with its members, for their campaign on this. I particularly thank those who have hung in there with us on this journey and hearing, as I think I do, the support around the House for this bill. I appreciate that. I submit and commend this bill to the House for approval so that we can get on and do it.

**Bill read the second time.**

## **WORKERS REHABILITATION AND COMPENSATION AMENDMENT BILL 2019 (No. 20)**

### **In Committee**

**Clauses 1 to 3 agreed to.**

#### **Clause 4 -**

Section 69B amended (Period for which benefits are payable)

**Ms O'BYRNE** - Minister, I am not sure that I got the answer to the question and that is probably because we were dealing with a number of the issues at the same time.

In the pure intent of this bill, to capture police officers who are injured in the line of duty, what process will be undertaken to ensure that the implications of the bill be reviewed to make sure that we capture those workers we want to and they are not inadvertently interpreted out? I understand why the drafting has been done the way that it has; it makes absolute sense. However, until it is tested, we do not know that it will necessarily pick up the cover that we need it to.

Whilst we are not suggesting that there is a formal review of the very small numbers that we anticipate being picked up by this bill in itself, we do want to have some comfort that there is a mechanism that assesses whether or not the bill has done what I think every member of this House supports it doing.

**Mr FERGUSON** - Thanks, Ms O'Byrne, for the question. If you were suggesting that the wording appears a little clunky, I would agree with you.

**Ms O'Byrne** - I did not say that.

**Mr FERGUSON** - You did not say it, then I think I will, but it is professionally drafted to provide for exactly as we want. You have acknowledged that, and I thank you for that. To ensure that it achieves the purpose stated, I am assured by Tasmania Police that the agency wants it to work. They will be closely monitoring it, and certainly wants to see step-down removed for police who, we, in this debate have agreed should have it removed. I am assured that in the course of implementing this in the future, Tasmania Police take the view that a worker injured in the course of duty finds themselves unable to obtain the benefit of the removal of step-down provisions that it will be raised with me and any future minister. I do not have to take advice on this and I fully would expect as well that the association would do likewise.

**Ms O'BYRNE** - My second question is another one that comes into the complexity of the PTSD issue. This only applies to new claimants. If we have a person who has previously made a PTSD claim that has been accepted and who has a new injury and not a current claim, but as we know could potentially be cumulative, if they have already made a claim in the past, will that prevent them from accessing step-downs in the future? In the nature that you have already made a claim for an existing injury then you would not qualify, but under PTSD we are dealing with a slightly different cumulative effect. Do you have any advice as to what would happen in that circumstance?

**Mr FERGUSON** - Thank you, Ms O'Byrne. The advice is as follows: if it is a new claim because it is a new injury post the passage of this legislation, the answer is yes, they will not be subject to step-down provisions. I will put it a different way. If it is a new claim it is because it is a new injury, then there will be no step-down.

If it relates to an existing injury with an existing claim then they would continue to be subject to step-down provisions. As my second reading speech indicates it does not attempt to capture retrospectivity on existing claims. However, to the nub of your question to a new claim that relates to historical cumulative effects in relation to a PTSD diagnosis then that would be considered a new claim if it was considered a new claim in relation to that injury, that diagnosis of PTSD. It would not be subject to step-down.

**Ms O'BYRNE** - I have a new clause 5, a new clause after clause 4. Just checking the process that we now agree with this new clause then I seek to introduce a new clause after clause 4. Making sure we are all clear on the process before I do it.

**Clause 4 agreed to.**

**New Clause A -**

Review in relation to weekly payments

**Ms O'BYRNE** - For the benefit of those members who have not been part of the ongoing conversations, I do thank the minister for engaging in them with me. We raised a concern in the



debate our position around the broader implications of step-downs and what they do to workers and whether or not they are fair or equitable. We also raised the issue that this bill applies only to a small part of the minister's responsibility. That is clear in this bill and we have no intention of undermining that intention.

However, we feel that there is an opportunity for us to look at the broader scope of issues of step-down and that this should be done independently of the department.

The way that the conversation has gone on - and I appreciate the Government engaging with us on it - is recognising that that is a good piece of work that could take place and we could review the implications of step-downs. We could then, as a parliament, have an understanding of how the step-downs are impacting on all workers but in particular those workers who we talked about today, but that all workers should be covered by it. It should be reviewed and also some advice could be garnered on what the actual cost implications of that are.

The minister has said that his colleague, the minister is not responsible for this bill but is responsible for workers compensation and rehabilitation and is comfortable to direct, as of today, that such a review take place. I thank the ministers for doing that. However, I am still uncomfortable that it may sit off in the never-never. One of the things that did come out of the review that was put into the legislation around PTSD was not only a defined time frame but also the obligation to report back to this House in a manner in which we could respond to it. Directing the WorkCover Board to do some work does not mean that this House ever gets to see what that work is and what that work finds.

The reason that I know that is that when I asked the minister about the other matters that have been for minister Courtney - I apologise for doing it too - in the PTSD legislation that other work that had gone to the WorkCover Board, the minister was not able to give me a full list. He said that he had sent a number of matters to them. I do not want to have that sort of vagueness about a matter that is so important, and I think that people in this House genuinely do agree with.

I am also conscious that the minister wanted 18 months. If we were going to do this, Mr Ferguson intimated that we might be able to update the House on that after 18 months. Eighteen months from now the parliament will not be sitting and there are some months before parliament resumes. So we are not talking about 18 months before we see something. We are talking about something a bit longer.

I have an amendment to move that I would seek the Government's concurrence - and I do not do it in any way to undermine this bill; we support this bill; we respect the commitment given by the minister, but we think that it gives greater effect and some control of the parliament to this piece of work and reporting on this piece of work.

**Mr Ferguson** - Can I propose that you might listen to what I might say next before you move though?

**Ms O'BYRNE** - Do you want me to talk through the amendment first and then you can respond? I am happy to do that.

The amendment will seek for a review to be conducted in relation to the weekly payment determined under section 69 - the impact of workers receiving less than 100 per cent of the weekly payment after the first 26 weeks of the period of incapacity following the date of the initial

incapacity. That this review would be carried out by people, in the minister's opinion, who are appropriately qualified for that task and include people who are not employees of the state or commonwealth. As I am advised, this wording reflects the wording in the PTSD review that we did and that the minister, at that stage, it may be minister Barnett or it may have been minister Hidding, somewhere in that mix, that did go to WorkCover. WorkCover did not conduct the review themselves but they did commission that work to be done.

I was wanting it to be done by 30 June. It would be great if the minister wants to do it today. That is fine but I do believe that we could realistically have a reporting date to the parliament by 30 September, and that would give this House enough time to look at that work and for the Government to make decisions about what it may chose or chose not to do, but also inform this debate more broadly. We could have a genuine conversation about what step-downs look like in the future and who they pick up and what impact is made, not only to those workers but also to the premium cost because we do need to understand that, in particular, in the light of the other reports that we are still expecting from WorkCover on older workers and on extension to PTSD to the private sector. We need to understand it in light of all of those.

I will wait and see what the minister has that may provide us some advice but at this stage, minister, I am inclined to move with this formal amendment. If the minister can achieve it in greater time than that then that is fantastic. But it does provide, I believe, a safety net for this House because we do not have another mechanism to open this up again. I would rather we dealt with this downstairs than upstairs because we then, as members of the lower House, have some control about what we agreed and the upper House is in control of its own destiny and decisions.

**Mr Ferguson** - They do their best work when they review legislation, not make it.

**Ms O'BYRNE** - Minister, I completely agree with you. The upper House's role is to review legislation and therefore we should send to them, the best legislation and if we can resolve matters down here, we should and if we can do it collaboratively that would be great.

**Mr FERGUSON** - I am in a position now to provide the House a signed letter of direction from the minister, which has changed in the time since I last rose. We have sought to do everything we can to address the reasonable comments that were made by Ms O'Byrne. This is us at our finest and this will achieve the outcome desired. It also, in Ms Courtney's direction, requires that it be provided to her in time for tabling in this House by no later than the last parliamentary sitting day in 2020.

**Ms O'Byrne** - Can you filibuster for a while so I can have a look at it?

**Mr FERGUSON** - Of course. I have three copies of the same letter unsigned. I will speak to that for a moment longer which is to make the point that in moving to an 18-month time frame, we initially were at two years. This is a large piece of work. It will require consultation and significant analysis. This is not a rushed job. I am not accepting the argument from the Opposition that there was the potential for a longer period of months when the house would not be sitting which would potentially be said to delay the matter. The minister worked in very good faith to mitigate that concern and to address it. It is not plausible that it could be done in a sooner time frame. That is the advice I have been provided.

What the member wishes to do now is entirely a matter for her and the Opposition. I felt that was useful to inject into the debate. The letter of direction has been sent to the board -

**Ms Courtney** - I understand it has been signed.

**Mr FERGUSON** - If the direction is active, it is in place. It is quite unusual in this House to see the Government move so swiftly on something like this. We have done that in order to ensure the safe passage of this legislation without members to feel the need for amendments.

**Ms O'BYRNE** - Minister, I have a question about the letter, which may still be in the ether about to go.

I note that it only asks them to look at occupational groups within the public sector. We know the WorkCover Board can look more broadly at those implications. The only reason I raise this, minister, is the discussion we had before about PTSD.

It is the nursing ED who is a public sector employee, one of your employees who is involved in an altercation, injured and is covered and develops PTSD. They are covered by the PTSD legislation but the agency nurse working beside her in the same circumstances is not.

It still goes to the equity issue. I feel like I am being belligerent. I apologise because I appreciate the Government has moved substantially on this and attempted to respond. I appreciate the time issues but it does not give us a lot of time to raise questions or talk about it in the House.

If it is tabled, can I seek advice, minister, is it your understanding whether or not it becomes a disallowable piece of work? Is there a certain time limit before we have to respond after tabling? What does that mean? Does it mean that parliament cannot deal with it until we sit again?

**Mr Ferguson** - It would be simply a document that is provided for members information as requested.

**Ms O'BYRNE** - We then would not be able to raise questions about or discuss in this House until late March. So we are still in the same time constraint. I am trying not to be obstructive. I appreciate you have worked very hard and Ms Courtney, you have worked very hard too.

**Mr Ferguson** - We have.

**Ms O'BYRNE** - I am still of a mind to move the amendment that we have. Putting on the record the fact that we recognise how far you have moved, simply because I do want a commitment that is legislative in this House as opposed to a letter which could be changed. A new letter could come back from the WorkCover Board saying, 'There is no way we can get it done in time. Can we have another six months?'. The minister could write back and say, 'Yes, that is fine. Make sure I can table it by June'. All those things are possible outside the legislative framework. I know it sounds a little unfair to be so untrusting but we have all been in places where circumstances have changed. I want to put on the record my thanks for how far you have moved and your desire to do so but I am still of a mind to move the amendment.

**Mr FERGUSON** - Understanding all that, the purpose of the amended last sentence of the letter which is now signed and active is that it would address the concern that had earlier been raised about lack of information over a longer period when the House is not sitting. I should emphasise that there is no suggestion that this would be legislation or a regulation that would be changing the law. I also have to emphasise that because we do not know what the outcomes of that investigation

will be, it would not be plausible for this to be assumed that the Government is necessarily going to take any particular action that could be disallowed.

**Ms O'Byrne** - I apologise. I did take us down a bit of a rabbit hole then.

**Mr FERGUSON** - We are simply undertaking; indeed, we are now initiating that this work be done so that Government can be informed about what the actuarial implications would be of a policy change, what the implications would be for agencies to implement such change - implications for the extent to which it might support or impede genuine return to work and of course budget issues. Any attempt to bring in private sector employment brings in a whole new kettle of fish. I will make that point gently because at this point in time we would just be guessing.

I say this with respect, we have come in here today to do a job, that is to support our police who are put into dangerous situation in response to the oath of office that they have taken in doing so to protect the public peace. We are not prepared today to move any further than we have already done so, which I think is in extremely good faith. If the House still wishes to consider an amendment that is obviously out of my hands.

**Ms O'BYRNE** - I now seek leave to move the amendment in my name, that after clause 4 I move -

That the following new clause A be inserted to follow clause 4 -

(A) Review in relation to weekly payments

After Section 69B by inserting the following new section:

- (1) In this section a review is to be conducted in relation to the weekly payment determined under Section 69 and the impact on workers of receiving less than 100% of the weekly payment after the first 26 weeks of the period of incapacity following the date of the initial incapacity.
- (2) In this section review means a review carried out by persons who -
  - (a) In the Minister's opinion are appropriately qualified for that task; and
  - (b) Include one or more persons who are not employees of the State or Commonwealth, or of any agency of the State or Commonwealth.
- (3) The Minister is to cause to be commenced by 30 June 2019 a review as to whether this Act should be amended to remove provisions relating to reduced weekly payments.
- (4) The persons who carry out the review are to complete the review and give to the Minister a written report on the outcome of the review, as soon as practicable but in any case before 30 September 2020.
- (5) The Minister is to cause a copy of the report to be tabled in each House of Parliament on or before 30 September 2020.

I do move that now - and I appreciate that Government members can vote against it - that is entirely up to you. The numbers may not fall my way on this. However, my concerns are one: it seems to be bizarrely designed not to have a legislative framed time work around it, which is odd given this a precedent set by the Government to have a legislated review process, which I was a bit critical of when it came in but it turned out it worked quite well. I learnt something from that and the Government's precedent turned out to be not a bad idea.

Two, I do not think it should be limited to public sector workers. If we are going to get that actuarial advice it would be good to have all of that. Clearly, that advice can then step out the difference if you were to extend a removal of step-downs, what it would mean for other emergency services, other frontline workers, public sector workers and of course what it would mean for private sector workers. That work is capable of being done.

I want the work to be tabled in the House in a timely manner for this House to be able to deal with it and not have to wait a lengthy period of time before we could ask the minister questions about the review or seek further advice. It being tabled in a time that allows us to deal with it before the last sitting day does give us some scope in capacity. It would be after the budget period so we are not looking at a period of time that is heavily intensive. It is the middle of the four years, after the third budget.

We are in a reasonably good space to be able to manage a discussion around it. It is a discussion that we as a community, as a government and as a parliament should be having, around the impact of this sort of legislation. We need to know what it does to people, what it means to people and particularly low-income workers, who if they lose 20 per cent of their pay, on the incomes that we are talking about they struggle to meet their bills every week. You are injured so you already have a significant restriction on your life, your engagement and participation with your family, your participation in work. I have never dealt with a person on long-term workers compensation who is not horribly depressed, whose personal life has not been horribly impacted by the injury that they have sustained. To give them even less money to live on, putting that kind of pressure on them, is unconscionable.

I know that there are people who have taken settlements because they need to get back into the workforce, despite their horrible pain because they cannot afford to pay their bills. They cannot afford to live. We are talking about cleaners and low paid workers who get paid bugger all money to be honest. Life is getting far more expensive. Even today we talked about how much more expensive it is to get housing, how much more expensive it is to live in Tasmania. To give these people less money, under a system which is supposed to be no fault is unconscionable.

This amendment does not impact on police; we support the bill before House. It simply says we should use this opportunity, when we are recognising as a parliament that it is unfair to have police on step-downs that maybe we should have a look at how fair it is elsewhere. That does not mean that the parliament is bound to extend it. It does not mean that the parliament is bound to change it. It does mean that we all in this House choose not to change it with the understanding of the implication. Any debate in this house that is better informed is a better debate so on that basis I move the amendment in my name.

**Dr WOODRUFF** - It is good that the Government has recognised the importance of moving on the issues that both the Labor Party and the Greens raised in the second reading speech about our concerns. We think it is an unsubstantiated focus only on police in this particular instance on the basis that they have a special and different relationship. I do accept what the minister said.

They do have a particular special and different relationship but I do not think that it is different enough from others, particularly emergency workers, first responders who every day around Tasmania place their lives at risk because of the professional work they do on our behalf.

They do not undertake an oath to do it in a particular way but they sign up to it by virtue of it being their profession. By their very professionalism and commitment to caring, they do actively put themselves in extreme danger. We can all think of the firefighters who fought the flames on our behalf earlier this year, for weeks on end. We can only all agree that they put their lives on the line. We believe that this needs to be explored in more depth. We support the need for a review. We do not want to start a wedge in any way between police and other groups in the public service who are exposed to these extreme risks. I hear the minister's concerns about raising expectations and whether we like it or not by virtue of this bill being before us, expectations will be raised. Concerns will be had and we cannot be responsible for all of them but we can act as quickly as possible to come to a considered response and a proper review. I would hope that this could be an independent review. It does need to happen sooner rather than later.

We cannot disagree with the Labor Party's amendment because it does say essentially what Ms Courtney's letter has said which was tabled by you, minister. It says the same thing except essentially it is focusing on bringing it forward and September next year is quite a long time to do this work. This has been a point of discussion for a very long time. This concern about step-downs and who it should apply to and in what circumstances and the need for a review has been in the public discussion. We agree with the amendment and we will support it.

**The Committee divided -**

**AYES 12**

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

**NOES 12**

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

**Mr CHAIRMAN** - The results of the division is Ayes 12, Noes 12. Therefore, the Chair has the casting vote and I cast my vote with the Noes.

**New clause A negatived and bill taken through the remainder of the Committee stage.**

**Bill read the third time.**

## BIOSECURITY BILL 2019 (No. 15)

### Second Reading

[5.09 p.m.]

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

That the bill be now read the second time.

Tasmania's agri-food production had an estimated gross value of \$2.4 billion in 2016-17 and the combined agriculture, forestry and fishing sector employs about 13 000 Tasmanians. Then there is tourism and hospitality, which provides direct employment for 15 000 Tasmanians and contributes around \$2.3 billion per annum to the state economy.

The growing success of these industries is, in no small part, due to the Tasmanian mainland and its many smaller islands being free from many pests and diseases that are rife elsewhere. Biosecurity is essential to our state's agricultural productivity and market access, to our reputation for high-quality primary products, and to the health and beauty of our natural environment, but we face increasing challenges in managing biosecurity.

Globalisation of trade, internet commerce, and the modern ease of travel establishes new pathways for the introduction of pests and diseases to the state. Climate change could mean that Tasmania becomes a niche for invasive species that previously did not pose a serious threat to us. In January of 2018 we faced the first ever outbreak of Queensland fruit fly in this state. We must all consider how to deal with such biosecurity threats across the 'biosecurity continuum' - that is, before they reach the state border, at the border, and after they have passed the border.

Tasmania needs a modern regulatory system that operates extra-territorially to cover the entire biosecurity continuum, one that provides an appropriate level of protection from the risks of new pests or diseases being introduced, and one with the capability to manage pests and diseases that, unfortunately, are already here.

Until now, we have managed our biosecurity under eight disparate pieces of legislation, namely:

- the Animal (Brands & Movement) Act 1984;
- the Seeds Act 1985;
- the Biological Control Act 1986;
- the Animal Farming (Registration) Act 1994;
- the Animal Health Act 1995;
- the Plant Quarantine Act 1997;
- the Weed Management Act 1999; and
- the Vermin Control Act 2000,

although these acts served us well and were developed incrementally over three decades and in a piecemeal fashion. As a result, it was clear our biosecurity laws were becoming increasingly disjointed, duplicative and outdated.

2014 saw the beginning of significant reforms to enhance the management of biosecurity in this state. The Government established Biosecurity Tasmania and initiated a comprehensive policy review of Tasmania's biosecurity system. The review was to make sure Tasmania has practical, modern biosecurity legislation capable of furthering the principles and objectives in the Tasmanian Biosecurity Strategy, while minimising red and green tape for business and the community in general.

The initial review process involved input from industry groups such as the Tasmanian Farmers and Graziers Association, the Tasmanian Seafood Industry Council, the then Primary Industry Biosecurity Action Alliance, the Tourism Industry Council Tasmania, local government and other key stakeholders such as the Tasmanian Conservation Trust and Invasive Species Council.

A draft position paper setting out policy positions for proposed regulatory reform was released for public consultation in March 2016, and a draft future directions paper outlining a new legislative framework for biosecurity was released in November that same year.

In line with the main recommendation of this review, the Government made a decision to replace seven of Tasmania's biosecurity-related acts with a single piece of framework legislation - the Biosecurity Bill that is now before the House.

For the sake of maintaining national consistency, it was determined that one of our eight existing biosecurity-related acts - the Biological Control Act 1986 - should remain as a standalone act. That act, which we recently amended, is part of a national scheme of uniform legislation to regulate the release of biological control agents such as rabbit calicivirus across Australia.

The Biosecurity Bill now before the House overhauls and consolidates Tasmania's biosecurity laws and aligns Tasmania with the recent biosecurity reforms of New South Wales, Queensland, Western Australia and the Commonwealth.

The bill has six equally important objectives. First, to ensure that responsibility for biosecurity is shared between government, industry and the community. Second, to protect Tasmania from threats posed by pests and disease to land- and water-based industries and environments, public health and public amenities, community activities and infrastructure. Third, to provide a robust and fair regulatory framework for biosecurity in Tasmania that is based on sound risk assessment and evidence. Fourth, to give effect to state, national and international biosecurity agreements and strategies, such as the Tasmanian Biosecurity Strategy. Fifth, to facilitate the trade of Tasmanian produce by ensuring it meets national and international biosecurity requirements, and sixth, to promote compliance with a 'general biosecurity duty' through emergency preparedness, effective enforcement measures, and communication and collaboration between government, industry and the community.

This new legislation will also form part of the Tasmanian Resource Management and Planning System - or RMPS - and furthers the general RMPS objective of promoting sustainable development which is, in a nutshell, to ensure the use and development of our natural resources meets the needs of the present without compromising the ability of future generations to meet their own needs.

So, what reforms will be introduced by this bill to achieve these objectives? To start with, the bill introduces a range of new legal concepts and definitions that reflect the terminology now used in contemporary biosecurity systems in Australia and overseas. I want to explain some of these concepts because they are critical to understanding the bill.



First, the bill establishes the concept of 'biosecurity matter', which is any animal, plant or other organism apart from a human being. It includes animal and plant pests and diseases, disease agents, prions - a particular form of biological matter implicated in animal diseases - contaminants and animal and plant products. For example, bovine animals and foot and mouth disease, a disease that affects bovines, would both fall within the definition of 'biosecurity matter'.

The bill also defines a 'carrier' of biosecurity matter. A carrier includes any living or non-living thing that has, or is capable of having, biosecurity matter on it, attached to it or contained in it. For instance, a vehicle may be a carrier of a cow, while the cow in turn may be a carrier of foot and mouth disease. Examples of carriers include vehicles, animals and plants (dead or alive), soil, sand, gravel and material such as packaging, clothing and agricultural equipment. A carrier does not include a human being but does include things that are worn or carried by a person such as clothing, footwear and personal baggage.

Most human activities involving biosecurity matter or carriers fall within the bill's definition of 'dealings'. Common examples of dealings include keeping, breeding, selling or transporting biosecurity matter or carriers; importing biosecurity matter or carriers; and propagating, growing, cultivating, experimenting with or supplying biosecurity matter or carriers. Dealing also includes arranging for or causing a dealing to occur, so a person who arranges for biosecurity matter to be imported into Tasmania via the internet will be dealing with the biosecurity matter for the purposes of the act.

Finally, there are the concepts of 'biosecurity impact' and 'biosecurity risk'. A biosecurity impact is, to paraphrase the bill's definition, an adverse effect on our environment, community or economy arising from the presence, spread or increase of any plant or animal pest, disease, or contaminant. The loss of market access for fruit exporters associated with an incursion of fruit fly in the state - an economic impact - is an example of a biosecurity impact, as are the environmental impacts of a plant disease like myrtle rust on our wild native flora, or the impacts of an animal pest like European carp on our inland waterways. A biosecurity risk is simply the risk of a biosecurity impact occurring.

These are certainly not the only new legal concepts in this bill. However, they are key to understanding many of the bill's main features, which I will now explain.

I indicated earlier that this new bill is in the nature of framework legislation. As framework biosecurity legislation, it sets out the overarching legal concepts, principles, functions, and machinery to support biosecurity management in Tasmania. It also enables more detailed measures to be tailor-made for managing specific issues, activities or impacts, and implemented via subordinate legislation.

As the House knows, before any subordinate legislation is made it must, in accordance with the Subordinate Legislation Act 1992, be assessed by the Department of Treasury and Finance to not impose any unreasonable cost or burden on any part of the community. A regulatory impact assessment involving public consultation must be carried out unless the secretary of Treasury determines that it is not necessary. So, for example, if a new fee or levy is set by regulations made under this bill, it would be open to review and disallowance by either House of Parliament, as is the case for all subordinate legislation.

An example of an existing biosecurity system that will be implemented through regulations under the bill is the National Livestock Identification Scheme, or NLIS. As most farmers could tell

you, the NLIS is a national scheme for the identification and traceability of livestock sold or moved anywhere in Australia. It is recognised as a world-leading biosecurity initiative and was established because animal traceability is fundamental to managing both animal health and the integrity of food produced from livestock - predominantly meat and dairy produce. Tasmania implements the NLIS under the Animal Brands and Movement Act 1985. That act, which is more than 30 years old, is cumbersome and outdated, and will be replaced by this bill.

Unlike Tasmania, other states implement the NLIS through regulations made under their overarching biosecurity or animal health legislation rather than through a special NLIS-related act, so using regulations under Tasmania's new biosecurity legislation to implement the NLIS is a sensible reform that will bring us into line with other states.

The bill includes improved governance with industry engagement enshrined. The bill establishes the Minister for Primary Industries and Water and the secretary of the Department of Primary Industries, Parks, Water and the Environment - which I will simply refer to as the department - as the two key decision-makers who can delegate their powers.

The two principal authorised (scientific) officers are the Chief Veterinary Officer and the Chief Plant Protection Officer, both of which have deputy positions attached. The Chief Plant Protection Officer is a new statutory position created under the bill.

Under the bill's framework, high-level decisions that are likely to have broad strategic, social, economic or environmental ramifications are the responsibility of the minister. These include decisions on the listing of permitted, prohibited or restricted matter; issuing emergency orders and control orders; approving biosecurity programs; and reimbursement schemes.

The secretary is primarily responsible for high-level administrative functions such as appointment of authorised officers, business registration, approval of accreditation authorities, granting of general permits and general biosecurity directions, and government cost recovery.

The Chief Veterinary Officer, the Chief Plant Protection Officer, their deputies and regular authorised officers will be responsible for most day-to-day technical and operational functions under the act. These officers on the ground are likely to be first responders in a biosecurity emergency.

Importantly, the bill requires the minister to establish a biosecurity advisory committee with broad representation from industry and other community groups to provide advice to the minister or secretary on biosecurity-related issues referred to it. No such committee exists under the seven pieces of legislation to be replaced by the bill.

In line with the new biosecurity acts of New South Wales and Queensland, the bill introduces a statutory general biosecurity duty. This duty provides that any person dealing with biosecurity matter or a carrier who knows, or ought reasonably to know, that a biosecurity risk is posed or is likely to be posed, has a legal duty to ensure that, so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimised.

The general biosecurity duty will operate as a statutory 'duty of care' in respect of biosecurity. It is legally enforceable and non-compliance with the duty may be penalised by criminal sanction, as is now the case in New South Wales and Queensland.

Tasmania's Biosecurity Bill makes it an indictable offence for a person who deals with biosecurity matter or a carrier to breach the general biosecurity duty. A significant breach that is intentional or reckless will be an aggravated offence that carries the highest maximum penalty in the bill. An example of an aggravated breach of the general biosecurity duty would be a person causing a significant biosecurity impact by deliberately releasing an invasive pest, such as live fruit fly or European carp, into the Tasmanian environment.

This bill is more evolutionary than revolutionary. We are building on what has been successful to date in protecting our biosecurity status. Our new legislation will retain many of the components of the existing legislation, albeit in modernised and improved form. A good example of this is an improved system for regulating the importation of plants, animals and other material into Tasmania from interstate and the management of them once they are here.

The bill does away with the confusing and opaque listing regime we currently use. To illustrate that point, I want to go through some of the discrete statutory list categories we now have in our existing legislation.

Under the Animal Health Act 1995 we can have List A diseases and List A disease agents, List B diseases and List B disease agents, listed animals and listed animal products, relevant listed animal diseases and restricted material. Under the Plant Quarantine Act 1997 we can have List A plant pests, List B plant pests, List A plant diseases, List B plant diseases, prescribed matter, prohibited plants and prohibited plant products. Under the Weed Management Act 1999 we can have declared weeds, emergency declared weeds and non-declared weeds. Under the Vermin Control Act 2000 we can have rabbits, foxes, other unspecified declared vermin and non-declared vermin. Under the Animal Farming (Registration) Act 1994 we can have a list of prescribed animals which at present comprises just one animal, the emu.

None of our existing legislation provides express criteria or guidance in respect to listing decisions or explanation of what their list categories actually mean; it is all left open to interpretation. By contrast, the new Biosecurity Bill has just three self-explanatory list categories - prohibited matter, permitted matter and restricted matter. All are listed in the same way, under the one act, and in accordance with clearly expressed statutory criteria relating to biosecurity risk.

Prohibited matter is biosecurity matter or carriers of greatest concern. It must be assessed to pose a significant biosecurity risk to Tasmania. For example, most current List A and List B pests and diseases under existing biosecurity legislation would be likely be classed as prohibited matter under the new legislation and declared by notice in the *Gazette*. A person cannot possess or deal with prohibited matter without a special prohibited matter permit.

Permitted matter is biosecurity matter of least concern. It is assessed to not pose a biosecurity risk to Tasmania or an acceptable risk that is manageable with conditions. Permitted matter is declared by formal notice in the *Gazette* following risk assessment. It can be brought into Tasmania without a permit so long as any conditions relating to import and dealing with the matter are followed. A failure to comply with a listing condition will disqualify the relevant biosecurity matter from being considered permitted matter. This means it will revert to being restricted matter in respect to importation into the state.

Restricted matter is a catch-all which covers any plant or plant product, animal or animal product or a plant or animal disease that is not listed as either prohibited matter or permitted matter.

The minister may also declare some restricted matter in the same way that prohibited or permitted matter is declared. Restricted matter cannot be imported into Tasmania without a permit.

This approach, known in the biosecurity world as a 'permitted list system', embodies the precautionary principle and is used in Western Australia and New Zealand. It is particularly suited to geographically isolated jurisdictions such as Tasmania where, with our maritime borders, we have greater ability to control imports from other states, and it provides a consistent, proactive approach to assessment of imports rather than a reactionary system.

Listing will be by ministerial declaration and notified in the government *Gazette*. An objective statutory test is included to ensure there is solid evidence to support the declaration. An objective statutory test means that the minister of the day must have reasonable grounds - normally appropriate scientific advice and assessment - on the level of biosecurity risk before making a decision to declare something as either prohibited or permitted.

This bill establishes a system of enterprise level regulation that corresponds with the newest systems of other states and the Commonwealth. Group and individual permits may be granted, which can authorise a person, or classes of persons, to engage in activities that would otherwise contravene the act. Permits are a key biosecurity management tool because they allow action by exception, and have valuable roles both in emergencies and business-as-usual situations. For example, a permit might allow a person to import restricted matter, deal with prohibited matter, or move cattle during a foot and mouth disease emergency. These are all things that would otherwise be unlawful.

The bill also provides that certain dealings with biosecurity matter or carriers may, by regulation, be made regulated dealings. In order to undertake a regulated dealing a person must become a registered entity. Registration allows for the rapid identification and tracking of activities, which facilitates quick contact with those engaged in the activity in times of need.

I note this was something that was recommended by the Legislative Council Subcommittee B in its recent report on blueberry rust in Tasmania. Recommendation 7 of the committee's final report is, to quote the report directly, that -

a comprehensive grower database and system of property identification for blueberry growers be developed that can be applied across other industries.

The biosecurity registration system in this new legislation will help deliver on that recommendation for blueberry growers and other industries. For example, commercial bee-keeping could be prescribed as a regulated dealing. It would then be compulsory for a person to be registered in order to participate in the honey industry. It is worth noting that beekeeper registration has been compulsory in all other states for a number of years under the National Bee Biosecurity Program.

In the event of a disease outbreak involving commercial honey-bees such as colony collapse disorder, occurring in North America and Europe, the number and location of Tasmania's beekeepers would be known, allowing rapid communications and tracing of the disease spread. Without a registration system, the disease could prove impossible to trace and thus impossible to control.

Registration is by the secretary, or a delegate of the secretary, and will be valid for the dealing or dealings specified in the registration notice for up to five years. It is anticipated that this

registration system will, among other things, replace the system of 'approved quarantine places' for receiving plant imports that has been operating under the Plant Quarantine Act 1997 for the last twenty-odd years.

An advantage of the new registration system over the old system of approved quarantine places is that a business can operate across multiple sites under the one registration. Under the Plant Quarantine Act, each site needs a separate approval as a quarantine place, even where all sites involve the same activity and are managed by the same person.

Registration can be with or without conditions, so if a commercial supply of biosecurity matter or carriers of a particular type - say fresh fruit and vegetables - was made a regulated dealing, then registration to undertake the activity could be conditional upon certain hygiene or transportation standards being met and verified by independent audit, or product inspection and certification under a recognised industry certification scheme.

This leads me to another important new feature of this bill - the way it promotes shared responsibility for biosecurity and co-regulatory arrangements with the private sector. The bill provides opportunities for business to choose to work cooperatively with others in their industry sector, or with government, to manage biosecurity risks and impacts. We already have some examples of self-management. TT Line personnel undertake clearance of inbound movements at embarkation in Melbourne, and Tasmanian cherry exporters may be accredited to inspect their own produce.

The bill enables the state Government to recognise non-government organisations as accreditation authorities, who in turn may accredit private certifiers and auditors to audit and inspect business operations and provide product certification. Among other opportunities, this could see government recognising industry-based quality assurance schemes for regulatory purposes where appropriate. One such scheme already operating across Australia is the Interstate Certification Assurance Scheme, a national system of plant health certification based on quality management principles.

The problem we have with our existing biosecurity legislation, particularly the Plant Quarantine Act, is that they are not specifically designed to regulate the operation of industry certification schemes. As we saw with the recent fruit fly incursion, these schemes can sometimes fail to deliver intended outcomes. For example, a situation may arise where someone on the mainland who is not appropriately accredited to perform that task is certifying produce as being pest-free, enabling the importation of high-risk material to Tasmania.

To avoid those sorts of problems with industry schemes, we need a robust legal framework to govern their operation here, and this new bill provides that. Under the new legislation, industry-based biosecurity certification, auditing and accreditation activities will, to the extent they are connected with this state, be subject to regulatory oversight by Biosecurity Tasmania, even where some of the activity occurs on the mainland. A private certifier who fails to meet with Biosecurity Tasmania's regulatory standards can have their accreditation to operate in Tasmania cancelled or suspended, and may even face criminal sanctions in certain circumstances.

The bill also provides a legal structure for the development and implementation of biosecurity programs. These can be administered by government or by industry groups such as Oysters Tasmania or Fruit Growers Tasmania, or a non-profit environmental organisation such as Landcare or the Tasmanian Land Conservancy.

Biosecurity programs could be established to, for example, eradicate weeds or feral animals from a particular area or region or to promote the adoption of industry-wide disease control and prevention measures by a particular commodity sector. Biosecurity programs must set out in writing the actions which the various parties will undertake, and also how the program's costs will be met. This may be through sector or industry-specific mechanisms, co-funding by government, or other means.

This bill sets out the range of circumstances in which owners of plants, animals or other property may be reimbursed for biosecurity-related loss of that property. Currently in Tasmania, reimbursement in respect to biosecurity is effectively limited to animals or plants destroyed in a biosecurity response when it is covered by one of several national cost-sharing deeds entered into between the states, the Commonwealth and the relevant industry body. These deeds typically only cover pests and diseases that are exotic to Australia. They do not cover pests and diseases that originate within Australia such as Queensland fruit fly. This shortcoming was evident in recent state-based responses to blueberry rust, where landholders were unable to be directly recompensed for the loss of plants destroyed on their properties.

Under this bill, owners will be entitled to reimbursement for the death or destruction of animals, plants, or other property in the following circumstances:

- where the animal, plant or property is covered by a biosecurity cost-sharing agreement which provides for reimbursement;
- where it is destroyed under a government biosecurity program which specifically provides for reimbursement;
- where it is destroyed under an approved industry or community biosecurity program which specifically provides for reimbursement; or
- otherwise in circumstances that may be prescribed by regulations.

To maintain general affordability and to prevent creating situations of moral hazard, there will be no statutory entitlement to reimbursement for indirect or consequential losses associated with biosecurity responses, such as compensation for loss of potential profits or future income, nor for the death or destruction of any animal, plant or other property that is connected with a breach of the act by or on behalf of a claimant.

The scope and nature of reimbursement schemes will be determined through proper consultation with relevant stakeholders and the general public. Of course, this process would need to include discussion around the proportion of funding for reimbursement that is appropriately provided by the public purse versus those involved in activities associated with biosecurity risks.

Like the legislation it replaces, this bill provides the necessary legal framework for dealing with biosecurity emergencies. The state will continue to be guided by national approaches such as national emergency response deeds and agreements. However, these will be implemented through a simpler and more flexible regime of statutory instruments. The bill establishes a three-tiered hierarchy for biosecurity emergency management. The choice of which statutory instrument to use is determined by the relative urgency of the response required.

In the most urgent situations, the relevant minister of the day can make an emergency order which will expire after six months unless remade. A court cannot issue an interim or interlocutory injunction to stay the operation of an emergency order, however a court is not prevented from making final orders to that effect. Where the risks of a biosecurity impact are significant but do not require the same degree of urgency as an emergency order, the minister can make a control order. A control order can be in effect for a period up to five years without needing to be remade. Where long-term management of a biosecurity issue is required, biosecurity zones can be made by regulations. These will generally be ongoing until the risk or impact being managed is addressed or accepted. However, as the House knows, regulations normally expire after 10 years unless remade.

Biosecurity zones could target established populations of animal pests such as feral rabbits or cats, or weeds such as gorse or blackberry. Alternatively, a particular region or part of Tasmania's archipelago, such as Flinders Island or Maria Island, could be made a biosecurity zone to enable the application of particular management measures in that area.

While emergency orders may mandate special measures such as requiring people to undergo an external treatment to decontaminate their clothing before entering or leaving an area, the types of measures will likely be similar across all three tiers of biosecurity response. Response measures may include, but are not limited to, spatial zones or areas where different biosecurity requirements apply; measures to control the movement of biosecurity matter and carriers; and measures relating to the treatment, seizure, testing, destruction and disposal of biosecurity matter and carriers. Both biosecurity zones and control orders can also be used in conjunction with, or to complement, biosecurity programs.

At present, a Tasmanian biosecurity officer who is authorised to exercise powers in relation to plants under the Plant Quarantine Act 1997 would require another separate authorisation under the Animal Health Act 1995 in order to exercise similar powers in relation to animals. Under the new act, the appointment and functions of authorised officers will be streamlined and far less prone to confusion or error.

The bill requires the secretary to be satisfied that any person appointed as an authorised officer holds appropriate knowledge, skills and experience to perform regulatory functions under the act. The bill also enables the minimum qualifications, skills and experience of authorised officers to be prescribed by regulation. Following feedback from stakeholders in the last round of public consultation, a requirement was added for the secretary, who appoints authorised officers, to be satisfied that a person is suitable - or 'fit and proper' - to be appointed as an officer.

All authorised officers will be operating under the same legislation and be able to exercise common functions in relation to all biosecurity risks, as opposed to having discrete powers applying to plant and animal biosecurity under different acts. This reform will simplify the task of training and supporting authorised officers in the performance of their work. It will greatly improve the ability of Biosecurity Tasmania to carry out its regulatory responsibilities in a consistent and efficient manner.

Officers will have a similar range of powers and functions under the new legislation to what they have under existing legislation, but their functions can only be used for an authorised biosecurity-related purpose under the act, and have limits placed on them in certain circumstances. For example, an authorised officer cannot destroy anything that is over the value of \$5000 unless

he or she is specially authorised to do so, or is acting under a control order, emergency order or specific power granted in regulations.

When carrying out any functions on any private property, officers are under a statutory obligation to exercise due care and do as little damage as possible. Officers are empowered to use only 'reasonable force' when it is necessary to gain entry to premises or vehicles, or open containers and other equipment for an authorised purpose.

This bill also promotes a flexible risk and performance-based approach to compliance, which includes measures to avoid the need for costly criminal investigations and prosecutions in every case. Two such measures in the bill are biosecurity directions and biosecurity undertakings. These can be used when a person is engaging in an activity that contravenes, or may contravene, a requirement of the act.

A biosecurity direction is a formal order issued by an authorised officer or the secretary requiring a person to do something, stop doing something, or change the way they are doing something in order to comply with the act. For example, a direction could be given to ensure a person takes certain actions to comply with the general biosecurity duty.

A biosecurity direction can be individual or general. An individual biosecurity direction may be given by an authorised officer and applies to a specific person or business. A general biosecurity direction may be given by the secretary or delegate, the Chief Veterinary Officer and the Chief Plant Protection Officer. It can apply to the general public or to a specified class of persons.

In cases of emergency, an emergency biosecurity direction, both individual and general, may cover wider powers of inspection or control. A right of appeal lies against an individual biosecurity direction, but not a general biosecurity direction or an emergency biosecurity direction. As an alternative to issuing an individual biosecurity direction, an authorised officer may accept a written biosecurity undertaking from a person.

Undertakings - which will not be treated as an admission of criminal wrongdoing - are offered and accepted by mutual consent as a way of achieving compliance in an agreed time and manner. However, once accepted, a biosecurity undertaking will be enforceable. Non-compliance with either a biosecurity direction or an accepted biosecurity undertaking will be an offence under the act.

In relation to biosecurity offences, we need appropriate penalties to serve as an effective deterrent against unlawful activity. The bill and regulations that are to be made under it will create biosecurity-related offences and other mandatory requirements that are specific. The bill refers to these as specified biosecurity requirements.

Where a person has committed a specific biosecurity offence such as breaching a permit condition, the person may be charged with the specific offence or, alternatively, the offence of breaching the general biosecurity duty, or both. The general biosecurity duty will also apply to any risks not covered by specified biosecurity requirement. However, to prevent double jeopardy of punishment, a person found guilty of two or more biosecurity offences arising from the same conduct can only be punished for the one most serious offence.

Under Tasmania's current legislation, maximum fines and limitation periods for biosecurity offences are disproportionately low in comparison with other states. Tasmania's highest maximum



biosecurity fine on 2016 rates was almost \$70 000 less than the lowest of the other states with a single Biosecurity Act (Western Australia), and is more than \$2 million less than the highest (New South Wales). Furthermore, biosecurity investigations can be complex and it often takes time to detect a statutory breach or determine the cause of a biosecurity impact.

The limitation period for prosecuting an offence under both the Animal Health Act and Plant Quarantine Act is six months from the date of the offence - basically the default time limit for minor summary offences in the Justices Act 1959. In practice, six months is often not enough time to allow a proper investigation of a biosecurity incident to be completed and risks an important matter not being able to be progressed to court.

This bill extends the limitation period for commencing a prosecution to three years from the date of the offence, with the possibility for that to be extended further by the court in special circumstances, such as when discovery of an offence was delayed due to fraudulent behaviour on the part of the offender.

The bill will also introduce a three-tiered penalty regime that matches the nature and gravity of biosecurity offences. The highest fine is 10 000 penalty units for a corporation (\$1.63 million on 2018-19 rates) or four years imprisonment for a natural person. This penalty will only apply to cases where a person is convicted of an intentional or reckless breach of the general biosecurity duty, resulting in a significant biosecurity impact.

The next level is a maximum fine of 3750 penalty units for a corporation, or two years imprisonment for a natural person. This will apply to an offence requiring proof of fault or negligence, such as a breach of the general biosecurity duty that was negligent, rather than reckless or intentional. The third level is a 2500 penalty unit fine for a corporation or 500 penalty unit fine for a natural person. This is the standard maximum penalty applying to most offences in the act, including offences of strict liability, such as importing restricted matter without a permit.

Mr Deputy Speaker, I will finish my outline of the bill's features with its provisions for natural justice and transparency in administrative decision-making. Like other RMPS legislation, the bill provides appropriate rights of appeal to the Resource Management and Planning Appeals Tribunal for decisions that directly concern private interests.

Appeal is available for decisions about individual biosecurity directions, biosecurity registrations, accreditation as a biosecurity certifier, appointment as an auditor, approval as an accreditation authority, claims for reimbursement, cost recovery orders and individual permits. Appeals to the tribunal are not available in respect to high-level decisions applying generally to the public, or to broad classes of people. Examples of such decisions include emergency orders and control orders, listing declarations by the minister and the issuing of a group permit or general direction by the secretary. Nor is appeal to the tribunal available for decisions in respect to emergency permits or directions, permits relating to prohibited matter - known as 'prohibited matter permits' - or permits authorising a prohibited dealing - known as 'prohibited dealing permits'.

However, the Government is fully committed to upholding the principles of natural justice and ensuring that officers performing functions under the act meet the highest ethical and professional standards. Decisions or conduct that cannot be appealed on the merits to the tribunal can still be reviewed administratively within the department, or by the Tasmanian Government Ombudsman.

The Supreme Court can also review the Government's biosecurity decisions on a range of legal grounds, for example a denial of natural justice, manifest unreasonableness, or failure to consider relevant evidence. That is the normal right of review under the Judicial Review Act 2000 available to an aggrieved person with a proper interest in the subject matter of a government decision.

The Judicial Review Act also enables an aggrieved person to request written reasons for a decision made under the act. For example, an industry representative, or other affected person, can request that the minister provide written reasons for a decision to prohibit imports of certain products or a decision to make an emergency order under the Biosecurity Act. The minister must then by law provide written reasons for the relevant decision within 28 days. A request for reasons can be made whether or not the person making the request wishes to appeal against the decision or go through a court process.

In response to stakeholder concerns, we have also added a requirement in the bill in respect of control orders for the minister to specify reasons for a decision to manage rather than attempt to eradicate a new disease or invasive pest found in the state. In any event, it is the Government's intention that we will be proactive in the active disclosure of statements of reason for high-level decisions made by the minister and secretary under the bill.

Along with appeal provisions the bill requires publication of a Tasmanian Biosecurity Compendium on the department's website to aid in transparency and promote public awareness of Tasmania's biosecurity requirements.

The compendium will contain up-to-date lists of all prohibited matter, permitted matter and restricted matter declared under the act. It can also include any explanatory and supporting information concerning listing decisions and other biosecurity requirements that the secretary considers appropriate. A good example would be information on how to comply with the general biosecurity duty in particular situations.

Access to the Biosecurity Compendium will be free and I anticipate it will quickly become an invaluable plain-language resource that contains forms, guidelines and supporting information necessary to assist the business community and the general public to understand and comply with Tasmania's biosecurity laws.

This bill represents one of the most significant reforms of Tasmania's agricultural and environmental laws in decades. It is very important for Tasmania that we get it right. That is why we had such a thorough and lengthy public consultation process to develop the bill. It has been an exacting process but well worth the effort.

The Government would like to acknowledge and thank the stakeholder groups and individuals who have engaged with the Government in good faith and over an extended period to provide submissions and feedback to assist in the formulation of this bill. These include, but are certainly not limited to, the Tasmanian Farmers and Graziers Association (TFGA), Tasmanian Seafood Industry Council, Fruit Growers Tasmania, Wine Tasmania, Poppy Growers Tasmania, the Tasmanian Agricultural Productivity Group, Primary Employers Tasmania, Oysters Tasmania, Nursery and Garden Industry Association, Tourism Industry Council, Primary Industries Biosecurity Action Alliance, the University of Tasmania and the Tasmanian Conservation Trust.

**Mr DEPUTY SPEAKER** - I need to inform you, minister, that your time - 40 minutes - has expired.

**Mr ROCKLIFF** - I move -

That the minister be granted an extension of time for a further 10 minutes.

**Motion agreed to.**

**Mr BARNETT** - Thanks to their efforts and others; we now have a better bill, which has broad support within primary industry and the general community. Just to give the House some added comfort in regard to this, I would like to take the opportunity to quote some recent feedback on the bill from relevant stakeholders. The first is from a letter the TFGA provided to the department in March of this year:

The TFGA is grateful for the opportunity to make comment on the revised Biosecurity Bill. The TFGA believes this bill is vital to the protection of Tasmanian agricultural industries. The amalgamation of a single bill covering biosecurity within the state is important to ensure streamlined and effective legislation.

The TFGA has been involved with revision of the Biosecurity Bill since 2017. We have worked closely with the Department of Primary Industries, Parks, Water and the Environment during this time and worked through several versions of the bill. The TFGA was glad to be able to once again consult with the department and discuss the current version of the bill. After a productive consultation with the department, the TFGA is comfortable with the current version.

The next words are from Fruit Growers Tasmania, a group whose members were directly impacted by the recent Queensland fruit fly crisis, the largest and most expensive biosecurity emergency Tasmania has faced in modern times:

This bill has undergone an extensive, iterative consultation process since 2014, which has enabled all Tasmanian industries to provide input and engage with government on this issue throughout the review process.

As a peak industry body for Tasmania's fruit sector, FGT strongly supports the proposed introduction of a general biosecurity duty which clearly lays out the expectations and responsibilities of both agriculturalists, service providers, and members of the general public. FGT is supportive of the overarching structure of the proposed act, which will provide a holistic approach that eliminates any potential gaps between the existing acts.

In consideration of all its improvements over the existing legislation, FGT strongly supports the proposed Biosecurity Bill 2019. In our view, it represents a legislative framework for biosecurity management that is transparent and fair, yet also flexible and adaptive to Tasmania's evolving biosecurity needs.

Of course, while the Government is pleased to hear there is stakeholder support for the bill, we must not take it for granted, and our work does not finish when the bill receives royal assent. The implementation of any major new legislation like this bill will require the development of new administrative practices, regulations, programs and standards. In leading that process, the Government will consult widely and will work with primary producers and other stakeholders

towards our common goal, which is ultimately to protect the Tasmanian environment, community and economy from biosecurity risks.

In conclusion, this bill will keep the biosecurity functions that have protected our state for the last 30 years, but will streamline and modernise them so that they can continue protecting us for the next 30 years. At the same time, the bill will give us new tools to manage the types of biosecurity threats and the opportunities that may arise in the future.

Seven acts will be reduced to one, making our biosecurity system simpler, easier to understand, and more efficient. The basic responsibilities for managing biosecurity risk held by all Tasmanians, all visitors to Tasmania, and all who do business in our state will be given legal force through the general biosecurity duty.

Mr Deputy Speaker, I believe that current and future generations of Tasmanians will recognise the introduction of this bill as a watershed in the development of our world-renowned primary industries and for the protection of our magnificent natural environment and our way of life.

The Government fully supports the introduction of this bill.

Mr Deputy Speaker, I commend the bill to the House.

[5.55 p.m.]

**Dr BROAD** (Braddon) - Mr Deputy Speaker, in the time that I have left before the bell strikes 6 o'clock, I would like to discuss the Biosecurity Bill.

This is significant legislation. It is 342 pages long and is an immense amount of work that the department has undertaken over an extended period. That is why, I must admit, I was very disappointed when the minister rose to start what was a 23-page second reading speech, that he was the only member on that side of the parliament to hear it. Probably for the first 10 minutes he was the only Government member present in the Chamber, apart from the Deputy Chairman, and then halfway through the former minister, Mr Rockliff, arrived, and then later, Mrs Rylah.

I did not want to call for a quorum because I did not want to hold things up. However, this is significant legislation and it should have due respect. I acknowledge the amount of work the department has undertaken. This is framework legislation but this is legislation that has seen three ministers look at this over the journey. There has also been a blueberry rust outbreak and a fruit fly outbreak that the department has had to deal with all the while undertaking this significant work, so they have to be commended.

I commend them for affording me, not one briefing, but actually three briefings over the journey. The first briefing I received, from memory, was November 2017. I remember coming into this parliament and I was afforded the privilege of being the primary industries spokesperson for Labor. It was not long after entering parliament that I heard murmurings about the Biosecurity Bill and the significant issues that stakeholders were discussing and the concerns that they had.

Unlike other bills that we have seen before the House, the Government, and the department especially, should be commended for going back and redrafting and resubmitting and re-consulting at each stage. As a result, we have significantly improved legislation and they should be commended for that. We have seen times in this place when bills are pushed through and I know that would have been very difficult given the issues that the various industry players had with the

initial drafts. I am not sure how many drafts it went through but it was probably in the thirties or more - and I am getting nods.

I had the first briefing in November 2017, followed by February this year, and even subsequent to that briefing in February where the exposure draft was provided and discussed, there were 30 changes after getting six submissions.

What I really appreciated were things that I had mentioned in the briefing, in good faith, trying to improve the bill, which the department took into account and modified the legislation. I have had the opportunity to provide input in a pre-legislative manner, rather than having to try to seek it out in parliament. I really appreciate the efforts that the department has undertaken to take on board some of the things that I have been saying.

In February, one of them was an issue around the date of when something could be considered indigenous or not. The department had picked the date of 1770 and in questioning that and pointing out that Abel Tasman actually came to Tasmania in 1642 and why were we using that date as opposed to another, the department took that on board and actually removed 1770 and found another way, which I may get time to discuss.

Also, there have been a number of concerns expressed by industry and they have gone to great lengths to look after those and assuage those concerns, things like absolute removal of doubt over humans being carriers, et cetera.

**Debate adjourned.**

## **ADJOURNMENT**

### **Ten Days on the Island Festival**

[6.00 p.m.]

**Ms ARCHER** (Clark - Minister for Arts) - Mr Deputy Speaker, I rise tonight on the adjournment to mention the success this year of Ten Days on the Island, a little bit belatedly but nonetheless I wanted to do it.

We have had an enormously successful Ten Days on the Island Festival this year. Since its inception in 2001, Ten Days has been a cultural highlight of Tasmania. It delivers a festival every two years presenting a program that balances Tasmanian arts and culture with national and international work and, of course, a lot of local content has been the focus this year.

The 2019 festival was a significant milestone for the organisation as it marked the festival's 10th anniversary. This year for the first time a new format was trialled where the festival was spread over three separate weekends in more than 50 locations across the state with events in the north-west held between 8 and 11 March, events in the north-east held between 15 and 17 March and events in the south held between 22 and 24 March; totalling about 10 days, although we did have an extension into the Huon, which I will mention in a minute.

The new format proved to be an outstanding success giving people across our state the opportunity to engage with performances, exhibitions, discussions and forums as well as through the wonderfully inclusive and welcoming community events which are a highlight.

As Minister for Arts I was delighted to officially launch the 2019 Ten Days on the Island festival in Devonport on 8 March. Some of the highlights of this year's festival - which is certainly not an exhaustive list but just mentioning some of the things that were highlights: *Mapali-Dawn Gathering*, which saw hundreds of local performers and community groups gather to greet the dawn at the Devonport Surf Lifesaving Club in a moment of quiet reflection and ritual; *Here She Is*, which celebrated the local community by gathering memories, stories and artefacts representing the experiences of those in the north-west, particularly local women. I was honoured to open this very touching exhibition on International Women's Day. That would explain why I missed all the festivities down here that day but it was certainly a really special opening.

We also had our very own Tasmanian Symphony Orchestra which presented the classical tale of *Peter and the Wolf* to enthusiastic family audiences in Launceston and Scottsdale, demonstrating that the value of quality art and cultural experiences can bring to people of all ages.

Nationally renowned dance company, Dance North, and Tasmania's own Liminal Studio jointly presented contemporary dance work *Dust*, in Glenorchy which has been short-listed in the prestigious 2019 Australian Interior Design Awards for its breathtaking use of space and design. So well done Peta Heffernan in particular.

This year was the first festival for Ten Days' incoming artistic director, Lindy Hume who brought her wealth of experience and unique approach to the festival to build such an exciting and diverse festival program.

I take this opportunity to highlight some interesting and positive comparisons between the recently completed new format festival and the previous festival held in 2017. In 2017, Ten Days presented eight free events with a total of 840 attendees whereas in 2019 the festival presented 13 free events with a total attendance of 8496 people. In 2017, Ten Days sold 3839 tickets whereas in 2019 the festival sold almost double this with 6061 sold. In 2017 the average ticket price for the festival was \$46.48 whereas in 2019 the average ticket price was down to \$25.91, making more events more affordable for Tasmanians to attend. It really was about bringing local community to a lot of these events and, as I said, there was a large local content component to the festival.

Attendance figures for the festival show more than 15 000 people attended Ten Days on The Island events over three weekends. Almost 200 Tasmanian artists were engaged in the 2019 festival. As we know, because of bushfires we decided to add some additional funding to the Huon region to hold additional screenings or showings of various events. All in all, it was a highly successful event that provided opportunities for Tasmanian artists while attracting visitors and growing and celebrating connections within our regional communities. This is why our Government is proud to be contributing more than \$5.36 million to the organisation over four years.

### ***The Addams Family - Rosny College***

[6.06 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I am also on an artistic theme and I am sure the Minister for Arts will be very interested. I am glad the minister for Education is here as well because last year I updated the House on a marvellous performance by the Rosny College performing arts team last year of *The Drowsy Chaperone*. They have done it again. Last week I was fortunate enough to be in a large crowd of supportive guests to see the opening night of *The Addams Family*, a fantastic comedy. I remember growing up with Morticia and Gomez and

watching their antics on the television program, then there was the film and in around 2007 they took the show to Broadway and it became a stage show.

Last week I was fortunate to see a magnificent performance of the musical *The Addams Family* at Rosny College. The singing, the music, the production, the comedic timing, the rapport and the stage presence of some of these young students was just magnificent. They did a tremendous job and we had a fantastic night, all of us laughing and smiling on the way out and talking about how great it was.

It is important we acknowledge that in our public system we have such professionals not only in terms of teachers but those who help our educators work with our young students to put on such an amazing performance. It was a very funny program, with a couple of small changes to the script to reflect local circumstances. There was a reference to home schooling, a reference to the cable car, which was all very funny, and a few other contemporary Tasmanian references. It was fantastic and very funny and it is important that we acknowledge them.

On the record I acknowledge the director extraordinaire, Darren Sangwell, and his production team, including Claire Latham, who is working as a drama teacher and is helping out Darren and the team. Claire has been selected as an ambassador of public education as a part of the Department of Education's 150 year celebration.

I acknowledge Andrew Castles, who held the band together and brought the team together. Music was such a big part of the night with the songs and the dramatic pieces of music which added to the drama on the stage. In terms of the production crew we had Christy Baker, Nicole Ottrey, Tony Sayer, Suze Quinn, Chris Oakley, Aron Webb and Alex O'Brien all doing amazing work.

It is important we also acknowledge the young actors who did a fantastic job in portraying the various characters. There was Sophie Williams as Wednesday Addams, Alexander Tye as Lucas Beineke and Elowen Killion-Bradley as Morticia. The singing of Sophie as Wednesday Addams and Elowen as Morticia, was magnificent in their strength and ability to hold the notes and hold the audience as well. Paul Dellas was Gomez Addams who, for the whole performance, really nailed the kind of character that Gomez was; he was hilarious during the entire performance. Bryce Tollard-Williams as Pugsley did a fantastic job. In some respects, I do not want to overshadow the other actors, but Jacob Golding as Uncle Fester did a cracking job. The pinnacle, his attachment to his love, the moon, was a very funny piece to finish up with at the end of the play.

The ensemble cast, all the students, did a magnificent job with the dancing and singing and the ensemble roles they played. It really was a testament to public education and the Rosny College production team - the technical and stage crew, all the band, well led by principal Anthony Coe, who is very proud of the work the production team have done. It was fantastic. It is on again on Thursday, Friday and Saturday night so you have three more chances to have a look at it.

There were many funny lines during the performance. One in particular was when Gomez was talking to Wednesday and imploring his daughter to listen to him. He was saying, 'Happy sad, happy sad, like the bull when the matador put the sword into him and he looked at the matador and said, "Nice job - I hate you"'. Well done to the kids and the students and all those involved in that production. It was tremendous.

## **St Helens District Hospital**

[6.11 p.m.]

**Mr TUCKER** (Lyons) - Mr Deputy Speaker, I rise to talk about our brand new \$12.1 million St Helens District Hospital, officially opened on Thursday 16 May. It is a purpose-built facility on Annie Street which has been designed to cater for the current and future needs of St Helens and the greater east coast community. The land purchase of 10 Annie Street, St Helens, from Break O'Day Council was finalised on 30 June 2017. Construction of the new St Helens District Hospital was approved by the Parliamentary Standing Committee on Public Works in June 2017 to replace the existing hospital that was constructed in 1975.

Following an open tender process, Fairbrother Pty Ltd was selected as the builder and work commenced on the site on 7 November 2017. The new St Helens District Hospital is now substantially complete. The project has delivered a fit-for-purpose facility on a new site, built in line with contemporary health facility standards with the capacity to cater for the current and future needs of the St Helens and greater east coast community.

Our new hospital features 10 inpatient beds, four emergency bays, four consultation rooms and two physio rooms. It also provides allied health, radiology, community nursing, oral health, education and training, community nursing and treatment and community activities.

The new hospital provides greater security of access to health care services by eliminating the risk of flooding events that have been experienced on the current hospital site. The contemporary facility improves working conditions for staff and much more pleasant surroundings for patients and their visitors.

Importantly, the east coast community will have a most dignified palliative care facility which will give families access to better services that can and should be available in the local area. This has been a wonderful joint effort, with many in the Break O'Day community actively contributing towards this in-community health care project.

In an extraordinary effort, the St Helens Hospital Auxiliary raised more than \$100 000 towards the new hospital and furnished the palliative care family suite and patient rooms with generous community donations. The Government pays special tribute to the auxiliary for the exceptional efforts that they have given to support our new district hospital.

## **Bridgewater Community Centre NSP**

[6.14 p.m.]

**Ms BUTLER** (Lyons) - Mr Deputy Speaker, last week I wrote to the Minister for Health seeking support to increase funding for the Bridgewater Community Centre NSP, which is the needle and syringe program run through Jordan River Services as part of the primary outlet south area.

The Bridgewater community has the highest level of disadvantage and drug-related issues in Tasmania. Despite an increase in demand and usage of the needle and syringe outlet, the program has not received an increase in funding for many years. In fact, Jordan River Services cover the shortfall between health funding and the required cost to run the program safely and to meet demand. This is not the way to fund and treat a program that saves lives.



Given the financial circumstances of Jordan River Services, the NSP is now at a critical point and, without an increase in funding, Jordan River Services will be unable to continue to deliver the program. The Jordan River Services did receive an additional funding of \$45 000 through neighbourhood houses. However, the stipulations of the funding did not allow for the Bridgewater Community Centre to use that funding towards the NSP. Just as a note, sometimes having such a strict directive as to how money can be spent for neighbourhood houses and community centres can be very limiting and you might not get the best 'bang for your buck' from the funding because those people really know where the gaps are. If you limit the criteria as to what they can spend, you could end up shooting yourself in the foot.

The Bridgewater Community Centre NSP provides a wide range of sterile injecting equipment for injection of licit and illicit substances including safe sharps disposal containers. The centre is also a safe sharps collection point. The NSP reduces the incidence of blood-borne virus and bacterial infections and is a vital point of contact and support for some of the most marginalised and vulnerable people in the community. Bridgewater NSP clients are provided harm reduction information and are able to access a wholistic service with a range of other services located on site to support people in housing, emergency food relief, family support and other community programs.

The Jordan River Services has over 30 years' experience in supporting the Bridgewater/Gagebrook and wider communities. It is deeply connected and hugely respected, making it well placed to provide any of the higher levels of service if the funding were available. Ensuring this essential service is maintained and increased funding is essential. The program saves lives, not just for people of that community. The annual statistics provide insight into the people who travel to the area, as there are no other options between there and Launceston.

I hope funding is increased to the people who really need it. It does save lives and we must make sure that we do not force these people to beg, borrow and plead for funding for a program that does work.

### **TasWater - Trade Waste Issues**

[6.20 p.m.]

**Dr BROAD** (Braddon) - Mr Deputy Speaker, I rise on adjournment to discuss a very serious issue that is having a massive impact on small businesses all around Tasmania, but especially you can see it is evident on the central coast, and in my home town of Ulverstone.

What we have is a situation where grease traps - yes, grease traps - from TasWater are still a problem but we are getting to the stage now where these are forcing businesses to close and people to walk away from their businesses and their livelihoods, losing everything but the equipment that they can sell. This is a very serious issue and it is one that has seen even TasWater wring their hands and search for answers. As discussed today earlier in parliament, we have seen the letter from TasWater chairman, Dr Stephen Gumley, to Labor Leader, Rebecca White, highlighting the desperate situation faced by, not only the mum and dad operators of small businesses, but also our large industrial trade waste customers. The bit in the letter that is relevant especially to the small mum and dad operations is this section which says -

It is important to note that the expense of complying with environmental regulations also jeopardises the viability of many small commercial operations

like bakeries, cafes or hairdressers, who, though small, collectively employ just as many people in Tasmania, especially in our regions.

Many of these mum and dad operators are in difficult positions as they can neither afford to comply, nor can they sell a non-compliant business. TasWater estimates the cost of compliance for these mum and dad businesses statewide is approximately \$5 million. That \$5 million is actually the figure that the Labor Party took to the election as a promise to help solve this issue for mum and dad operators. This is a good confirmation that we had the right ballpark figure of \$5 million to fix this problem, which has been totally ignored by the Government.

This letter was also sent to the Treasurer. What responsibility is the Treasurer going to take, especially now that the Treasurer is actually a shareholder in TasWater? We dial the clock back to 16 August 2017 where the Treasurer, Mr Gutwein, said in a press release that:

TasWater's single-minded trade waste policy is having a devastating impact on hundreds of businesses around the State. In fact, I've been told it has actually contributed to businesses shutting down. It's absolutely ridiculous and it needs to be stopped now before it destroys more Tasmanian businesses.

The Government is now a shareholder in TasWater so what responsibility is the Treasurer going to make to these mum and dad businesses. This impact is real. We have seen the situation at Ulverstone, which was formerly well known for its café culture, down three cafes specifically due to this issue of grease traps.

We have had a situation with The Archie Secret Café where Janice Archie was on ABC radio discussing the difficulties that she had. It is also pitting landlords against their lessees. In her particular example, she had a sale for her café business but that sale fell through because it was a non-compliant business. It did not have a grease trap and if there was going to be a grease trap in that business it would have to be put in the ceiling of all things. That is another issue. How do you put in grease traps?

It saw Ms Archie walk away from that business, lose all the goodwill that she had built up over seven years because she could not sell it as an ongoing business concern. The only thing that she could sell was her equipment which meant that she lost well over \$70 000 because of this issue that the Government is doing nothing about.

We have seen other businesses shut in Ulverstone. This spreads across the whole municipality. I have been shocked as I have been speaking to small business owners. I talked to my local shop. Yes, they were having trouble. Hairdressers, yes, they were having trouble. Cafes were having trouble. This was such a prominent story *The Advocate* put it on the front page. I was talking to Sky Muir, the owner of Thirty Three Cups, which is quite a well-known Ulverstone café. She had to move across the road because there was no way that she could put in a grease trap in the Thirty Three Cups business. She has moved across the road, the former site of The Depot.

The Depot Café is actually a new building and in that new building a grease trap was put in and this is very fortunate for her but it means that Ulverstone is down another café because of it. She has two years left on the lease on her former site so now she is having to develop another business and I wish her all the success. She is going to put in a juice bar but the only sort of cooking she can use is a sandwich press. This is having a significant impact. Another café in West Ulverstone has exactly the same problem. They cannot sell their business; they have had buyers,

they have had people who want to take it over but they cannot because there is no grease trap. Fifteen thousand dollars is roughly the price and the price has been going up, as Sky Muir talked about in *The Advocate* today. It started off probably \$4000 or \$5000 and now it is \$15 000 plus.

What is the Government offering? We heard the Treasurer today talking about interest-free loans. That does not cover the entire cost and that business has to pay back that cost. As Janice Archie said \$15 000 may not sound a lot of money to some but how many coffees was she going to have to sell to make up that \$15 000?

Mum and dad businesses are not always making a lot of money and this is pushing them to the wall and making them leave, making them walk away from their businesses. It is halting sales, it is stressing people out. The Treasurer knows about this and yet all we hear are platitudes, no responsibility, and no funding. This is causing carnage all around the state and needs to be fixed. The minister has to do something now instead of fobbing it off. He knew about the issue back in 2017 yet he has done nothing.

The Government is now a shareholder and they have to take responsibility. They have to do something about this before more businesses take the only option, which is to walk away.

**S-Box Rally - Alex and Cameron Ives**  
**Vicki Purnell - 2019 Tasmanian Local Hero**  
**Ulverstone Rowing Club - Annette Dolbel**

[6.24 p.m.]

**Mrs RYLAH** (Braddon) - Mr Deputy Speaker, I rise to talk about all things Ulverstone.

Recently I had the privilege to meet two young men from Ulverstone who had donated a great deal of their spare time and money in preparing a car, which they had to buy for less than \$1000. This car was to take on the great cancer charity car rally and I will call it the S-Box Rally -

**Dr Broad** - What is it called again?

**Mr O'Byrne** - S stands for?

**Mrs RYLAH** - something. Travelling some of Australia's dustiest outback roads, it has been held annually for the past 10 years and the rally is the largest independent fundraiser for the Cancer Council nationally. Last year the rally raised \$1.974 million. I tried to look up to see what they have done today, but I could not get the figures. What I have learned about this rally is that it is incredible fun. Camaraderie, mechanical wizardry extraordinaire. It is a great charity.

This year's rally started in Perth on 8 May and finished in Sydney last week. Alex and Cameron Ives from Ulverstone left on 1 May and they got across the Nullarbor with some assistance. My brother was in a helicopter, going across the Nullarbor and saw some of these guys in their cars. They landed and had a chat and some photos, so it was pretty amazing.

Previous rallies have been a seven-day situation but this year, because it was the 10th anniversary of the rally, they made it a 10-day affair. Leaving Perth on back roads with buddy teams of eight cars, each team has to arrive as a team at that night's destination where they get meals

and all sorts of stuff. They sleep in their swags on the ground. Gaffer tape wire, ingenuity, on-road repairs, working as a team trying to get all the cars there every day, apparently it is tremendous fun.

Alex and Cameron Ives were the team Tassie Toy Soldiers and held many fundraising events along the coast, several that I attended. The events raised more than \$12 000 towards the cancer charity before they left. It was my pleasure to present Alex and Cameron with the Tasmanian flag to adorn their Toyota Camry. Think Priscilla, Queen of the Desert and you get the idea down the Oodnadatta Track with the Tassie flag hanging out the back; fabulous photo, a bit of fun.

Alex and Cameron successfully reached Sydney and their car, along with the other cars that survived the rally are being auctioned by Manheim and all the funds are going back to cancer research. Alex and Cameron have advised me that they have to bring their car back to Tasmania so they are going to buy it back at the auction so they can bring it home.

I congratulate Alex and Cameron on the outstanding job that they have done and the great fun they have had being ambassadors for our state.

In my electorate, we have a proud reputation for doing great things to help others less fortunate. These deeds often go unnoticed by the wider community but are very much appreciated by those that directly benefit.

Recently it came to my attention that Vicki Purnell, the 2019 Tasmanian Local Hero, is bringing some brightness to the lives of many people. Vicki is making quilts for the Warrawee Women's Shelter in Ulverstone. Warrawee offers short-term emergency accommodation for women and children escaping family violence, sexual assault and who are homeless. These quilts have been very warmly received and are colourful, amazing updates to the rooms at Warrawee.

Ms Purnell's tireless efforts do not end there. After a friend's child was stillborn in 2013, Ms Purnell found that hospitals were not equipped to clothe tiny stillborn children to enable the respectful grieving of this tiny life and so began Bridie's Blossoms. Ms Purnell spends 70 hours a week sewing. In the five years since she began the project, she has sent out 460 packages to grieving parents. Ms Purnell uses her skills and talent for sewing to ease the trauma for parents of stillborn babies.

Vicki Purnell is a deserving 2019 Tasmanian Local Hero recipient and I am proud to say she is a constituent in my electorate of Braddon.

The weekend before last, member for Braddon, Dr Broad, and I were at the Ulverstone Rowing Club. I was very pleased to be able to name the newest boat the *Annette Dolbel*, a double scull. The boat was named in honour of Annette Dolbel, a very long-serving member of the Ulverstone Rowing Club who has worked tirelessly for this club. It was through a commitment of \$15 000 that I was able to get for the club from the Hodgman Liberal Government to enable them to buy the latest boat to make sure their equipment was current and competitive.

This club has a long and proud history of rowing on the Leven River; in fact they have been rowing on the Leven since 1854 which makes it one of the oldest sporting clubs in the state. With over 50 registered rowers today and a swathe of social members, this club is a vibrant and important part of the Central Coast community.

Annette has served this club for over 30 years, with over 25 years of service managing the kitchen, training and supervising. As we all know in this place, kitchens and all that goes with them are very important places in clubs. Further, Annette has given years of service at Lake Barrington, in particular at national finals, and Annette served for many years as secretary of the Tasmanian Schools Rowing Association. She assisted her husband, Rod, while he was club president and has supported two sons who are still rowing at Ulverstone. Collectively it is an outstanding contribution and due recognition was given to Annette for her longstanding sterling efforts by the naming of the boat.

I congratulate the club in recognising such a wonderful contribution. I recognise Andrew Streeter, the president, vice president Simon Jones, and Rodney and Annette Dolbel.

### **Legislative Council Election Results**

#### **Women in the Tasmanian Parliament**

[6.31 p.m.]

**Ms HADDAD** (Clark) - Mr Deputy Speaker, I rise this evening to congratulate the members for Pembroke and Montgomery, Jo Siejka and Leonie Hiscutt, on their recent re-election to the Legislative Council and to recognise the amazing although ultimately unsuccessful campaign run by Labor's Michelle Rippon for the seat of Montgomery. I also note and welcome the newly elected member for Nelson, Meg Webb, to the parliament. There is a huge historical significance on the election and re-election of these women to parliament, and that is that for the first time in Tasmania's history women now make up the majority of both Houses of the Tasmanian Parliament.

In March last year Tasmania became the first state to elect a majority women lower House and I am proud to say that we are now the first state to do likewise in the upper House. It is not lost on me as a woman in this parliament that the very fact I am speaking here and recognising the election of these other women to the two Chambers of parliament owes a great deal to the outstanding women who have come before me and before all of us, because it was not always this way.

This building, Parliament House, was constructed in 1840 and it would not be for another 64 years before women would be allowed to vote for the people who would represent them in this place, a place paid for with their taxes and authorised to make laws that apply equally to them as it did to their husbands and other men. It would be another 17 years beyond that, 1921, before women would win the right to stand as candidates for election to the House of Assembly.

Less than 100 years ago women were not even permitted to stand for election in this state. At the 1922 election, the first election in which women were able to run, there were just three women candidates. One of them was Alicia O'Shea Patterson who contested the seat of Denison, now Clark. O'Shea Patterson was a tireless advocate for women's suffrage. From 1903 she held mock elections in which only women candidates were eligible to nominate and held them at every election until women won the right to stand as candidates in actual elections.

She was described by the papers as having the courage of her convictions. They said she was aided and abetted by a ready wit and a frankness of expression that often turned the spotlight of public curiosity on her. It is interesting to note the use of that phrase 'aided and abetted' in the media at that time, carrying as it does the implication that there is something criminal about speaking up for women's rights, because O'Shea Patterson's tenacity did not go unpunished. After standing as a candidate she faced lots of public harassment including legal harassment, eventually being fined

£50 - I am told about \$4000 in today's money - for refusing to move a fence which she had been given permission to erect on her property. She could have avoided the fine by agreeing to move the fence but instead she told the Supreme Court that she would rather go to jail than comply with the order, such suspicion and derision there was towards a woman who would dare to stand for parliament at that time.

O'Shea Patterson was not just an advocate for women's suffrage, she was also an active member of a number of pioneering women's organisations. As vice-president of the Women's Health Association she launched schemes for child welfare and bush nursing. At the time of her death she was on the executive of the National Council of Women and the State Council of Workers Educational Association. She was an advocate for criminal law reform, particularly regarding violence against women and girls, and was apparently well known by members of the government for her outspoken suggestions to ministers. 'No flowers at my funeral' was her last request before she died in 1923.

When I was born no Tasmanian woman had ever served as a minister in a Tasmanian government, nor had a woman served as a leader of a political party. It is only in my lifetime that these important milestones have been reached for women in Tasmania's Parliament. When my two daughters were born, 14 and 11 years ago respectively, Tasmania had never seen a woman leader as Premier or seen a woman serve as Speaker of the House of Assembly. These things have happened in that very recent time.

I end with a call to the women in this Chamber and the Legislative Council and all women outside of this parliament never to forget how far we have come, but equally to never let go of how much more we have to achieve, to use our voices and our votes to improve the lives of women and girls and indeed all of us here in Tasmania.

### **Justine Keay - Tribute**

### **Federal Electorate of Braddon - Election Promises**

### **National Volunteer Week**

[6.36 p.m.]

**Ms DOW** (Braddon) - Mr Deputy Speaker, I rise tonight to pay tribute to my friend and colleague, Justine Keay. Justine is smart and incredibly driven and was a hardworking local MP whose door was always open with her office assisting many thousands of people during her time in office. I want to thank Justine for her service to the Braddon community and her unwavering commitment to improving the lives for the people who live in our community and giving all members of the community, despite whatever their political affiliation, a voice locally and in the Parliament of Australia. I enjoyed very much working closely with Justine and her team. In fact our offices worked very well together and I will indeed miss working with her now.

During her campaign in the by-election and the recent federal election there were a number of very important commitments to the electorate which were made and some which were matched by the Liberals but others which disappointingly were not. These included ambulatory care centres, an upgrade to the dredging of the Burnie Port, development of a manufacturing hub, flood mitigation in Latrobe, a coastal pathway, Wynyard waterfront development and the list goes on, including investment in regional football and investment in the North West Regional Hospital.

These were some great grassroots commitments that would have benefitted regional Tasmania immensely.

Whilst I respect that the people of Braddon have spoken with the election of Gavin Pearce I want today to put on the record that as a state Labor member working in and across Braddon I will be holding the coalition government and the Tasmanian Liberal Government to account over the next three years when it comes to making sure the huge number of commitments they have made are upheld, funded and delivered. The list of these commitments is huge.

Of particular interest to me will be those commitments made by Senator Steve Martin who will no longer have a seat in the parliament, and I want to know whether the Coalition will commit to delivering those. A couple that are of interest to me are the King Island worker accommodation and service hub and the Burnie cultural precinct and west coast sports and recreational facilities. I will be watching those with great interest.

Finally, considering it is National Volunteer Week I was to extend my sincere thanks to all those volunteers who have given of their time as part of our campaign efforts across Braddon and our state and country during the recent federal election. We could not do what we do as local members of parliament or run election campaigns without them and we are sincerely grateful. To the wonderful volunteers who work in my office, Mitchell and Theresa, I thank you so much for your support and hard work every week. To all those wonderful volunteers who I get to know in my role as a local member, I thank each and every one of you for the valuable work that you do in and around our communities and the difference you make to individuals' lives in our communities.

### **United Nations Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services - Summarial Findings**

[6.39 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, I rise to read into the House the summarial findings from the United Nations Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services. The report, tabled on 6 May this year, was a summary for policy makers around the world of their global assessment on the state of the world's biodiversity and ecosystem services. It was a very wide and highly august panel of many scientists around the world representing national governments. Their findings, their key messages, were that nature and its vital contributions to people, which together embody biodiversity and ecosystem functions and services, are deteriorating around the world.

Both nature and its contributions to people are vital for human existence and the good quality of our lives. We know that more food, energy and materials than ever before are now being supplied to people in most places by nature. This is increasing at the expense of nature's ability to provide the other contributions that we need for our health and wellbeing and for our very survival; things like water quality and sense of place and pollination.

The biosphere upon which we all depend is being altered to an unparalleled degree across all space and scales, and biodiversity; that is the diversity within the species and between species and of ecosystems, is declining now faster than at any time in human history.

Mr Deputy Speaker, they find that nature plays a critical role in providing food and feed, energy, medicines and genetic resources, and that more than 2 billion people rely on wood fuel to

meet their primary energy needs. An estimated 4 billion people rely primarily on natural medicines for health care and some 70 per cent of drugs used for cancer are natural or are synthetic products produced by nature. Nature sustains us through the quality of the air, fresh water, and soils on which we all depend. It distributes fresh water, regulates the climate, provides pollination and pest control, and reduces the impact of natural hazards. More than 75 per cent of global food plot types, including fruit and vegetables and some of the most important cash crops around the world, rely on animal pollination. Nature underpins all dimensions of human health and contributes to every aspect of the quality of our life.

Their findings are that most of the globe has now been significantly altered by many human drivers and that the great majority of ecosystems and biodiversity are showing signs of rapid decline. Seventy-five per cent of the land surface is significantly altered; 66 per cent of the ocean area is experiencing increasing cumulative impacts; and 85 per cent of all wetland areas across the globe have been lost.

Approximately half the live coral cover on coral reefs has been lost just over the last century, and there is, as we all know, accelerating losses in very recent times.

The average abundance of native species in most parts of the world's land surface has fallen by at least 20 per cent. This decline has mostly taken place in the last 20 years. An average of around 25 per cent of species are now assessed by the United Nations as being threatened and around one million species face extinction within many decades unless action is taken very quickly to reduce the intensity of the drivers that are creating this biodiversity loss.

Without strong and quick action, there will be a further acceleration in the global rate of the species that become extinct. The extinction rate is already at least tens to hundreds of times higher than it has been over the past 10 million years.

The rate of global change in the past 50 years is unprecedented in human history and the land use change is having a massive impact on nature. They find it is being caused by the over-exploitation of animals, plants and other organisms, mostly because of harvesting, logging, hunting and fishing at unsustainable levels.

The goals they find for conserving and sustainably using nature, and becoming sustainable, will not be met on the current approach. The current trajectories we have, and the goals for 2030 and beyond will only be achieved by a transformative change.

They also note that climate change is expected to become the increasing and major driver of the rapid increasing acceleration of the loss of species.

Even for the global warming of 1.5 to 2 degrees, which seems increasingly difficult to achieve, the majority of terrestrial species, that is species on land, are projected to profoundly shrink.

Nature can be conserved, they find, and it can be restored and used sustainably while we also meet other social goals. That is the point that we must take on board. Although this is an incredibly devastating assessment, an unprecedented global emergency and we really are in the midst of a mass extinction of all species that has been created under our own hands, there is a response and we are capable of turning around this mass extinction.

The conclusion they make is that we need action and we need it now, within the next 18 months at the global level, some really direct action on restoring landscapes, ending the deforestation of



native areas of recovery plans for plants and animals: all the sorts of things that we should expect to be hearing from this government. Funding directed as a form of urgency in this budget towards those things. Landscape restoration, working with farmers to increase soil health, as we have seen in that good news story from the north-west today, with the dairy farmer who has been taking that approach and finding it not only benefits the environment but it massively benefits the output and the productivity for that farmer himself.

People need hope and they will get it when governments take action.

**Time expired.**

### **Volunteers Week**

[6.46 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I pay tribute to the many thousands of volunteers across Tasmania during Volunteers Week. We take the opportunity to acknowledge and respect the work they do and recognise how huge a contribution it is to our community.

I take time to particularly mention a couple of volunteer organisations in my electorate of Lyons and particularly from the Break O'Day community.

I had the pleasure of going to St Helens on Friday and attending the Bowls Club dinner. Jane Pickett, the president hosted a terrific event as she always does. I pay tribute to the work of that volunteer committee for the way they organise and support members, particularly junior members, to participate in the sport of bowls.

We had a great night. There was lots of food and wonderful prizes for those who were fortunate enough to win them. I acknowledge the important role that sporting clubs play in the fabric of our society and how important they are, not only for providing opportunities for physical activity but for the friendship they offer and the good-hearted competition that occurs in our sporting clubs across the state. Most of them are run by volunteers.

I also had the opportunity to take a look at the St Helens History Room and meet with Kim Matthews. I recognise that quite a lot of work curating those exhibits is done by volunteers and they work tirelessly.

I was fortunate to work with Kim to secure a grant from the Premier from his Discretionary Fund to help them purchase some shelving so they can better look after their collection and store other items and make sure they can prepare for a very busy time they have coming up during the long weekend in the middle of winter.

I had the opportunity to meet with some of the sewers from the Break O'Day Community Boomerang Bags who were working very hard at the St Helens Neighbourhood House. This is something I have not come across but I am sure members in this House have, where this group had worked to find recycled fabric that is either donated or repurposed. In some cases, they were sewing curtains, and making them into bags to place in some of the shops in St Helens for visitors or locals alike, to pick up to use and reuse.

The idea behind a 'boomerang bag' is as it sounds, that you borrow and reuse it and that it circulates in the community. They have these terrific badges on their bags that talk about the Break O'Day region. By all accounts, visitors travelling to St Helens look for them, pick them up and take them away as a souvenir and use them as they are going around Australia. That is terrific promotion for the east coast.

I will put in a little plug for them because they are always on the look-out for volunteers. If you are happy to go along and participate, they will welcome anybody, even if you have no experience sewing, cutting or ironing which are the primary tasks involved, and join them at the St Helens Neighbourhood House. They meet there every Friday between 2 p.m. and 4 p.m.

I happened upon them by chance, but I was pleased I did and they were incredibly friendly so I have no doubt that anybody who wanted to go along and take part and become a member of the Break O'Day Community Boomerang Bag sewers group would be more than welcome and it is a very worthy cause. As volunteers they do a huge amount of work and that is just one project in the community. There is a number of different projects and a number of very hard-working volunteers who I pay tribute to and thank for the work that they do every single day to make our community a much better place.

### ***The Addams Family - Rosny College***

[6.50 p.m.]

**Ms STANDEN** (Franklin) - Mr Deputy Speaker, I am going to very quick because I know that my colleague, David O'Byrne, has already given a wonderful overview of the Rosny College performing arts production of *The Addams Family* that I had the absolute pleasure of attending last Wednesday night for their gala night. I wanted to add my accolades for the wonderful efforts. Bravo to the superb cast and crew of this wonderful production of the Addams Family. It was such a pleasure to be in the audience that night. Congratulations to the students and to the amazing teachers who have guided them.

I wanted to briefly add my thoughts. I had not realised that *The Addams Family* was a stage production. That is how little I know but that has happened in relatively recent times since 2007. I am old enough to have watched some of the black and white shows from the television series of 1964 to 1966 - it was a joy to revisit - and the movies in 1991 and 1993. The overview from the wonderful director, Darren Sangwell, ends with 'Remember without the darkness you will never see the stars'.

I had to say there were so many stars in this production. From Claire Latham, who is a former hockey playing colleague of mine, who is not only a wonderful production manager for this effort but a former proud member of the Rosny College alumni who went on to graduate with a BA in journalism and marketing management as well as a Bachelor of Teaching honours from UTas. She has a long history in stage productions. To have her selected as an ambassador of public education is just a wonderful achievement and I wanted to congratulate her on that.

Andrew Castles would be well known to many in the arts community as a percussionist and music educator extraordinaire including with a number of schools around the Hobart area. The production crew - Christy Baker, Nicole Ottrey who was the costume co-coordinator. I had the pleasure of having a quick chat with her and the corners that they cut in order to come up with the

wonderful costumes and the major expense was the make up on the night. David has listed the number of others on the production crew.

I wanted to add my thoughts about the show players. In particular, Paul Dellas as Gomez had a faultless accent that never broke all night. Bryce Tollard-Williams' Pugsley had a dark, brooding look about him that was just infectious and a joy. But Uncle Fester played by Jacob Golding, I would have to say, was more brooding still. The fun that they had in the love affair that he developed with the moon was a joy to watch. The leads, Sophie Williams, Alexander Tye, and Elowen Killion-Bradley, playing Morticia on the night, had such strong voices. Together with the entire cast and ensemble it was a thoroughly enjoyable experience. I encourage anybody who can get along to see the production by this Saturday night. I promise that you will not be disappointed.

Congratulations to them all.

### **Miandetta Primary School - Zac Sallese Mural**

[6.54 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Education and Training) - Mr Deputy Speaker, I rise tonight to speak about how I was honoured to have recently visited Miandetta Primary School. I was invited there by the Student Council members, Lyla and Ari, at the school to view a mural that was created in memory of Zac Sallese, a student who passed away last year.

Zac attended the Miandetta Primary School in Devonport from kindergarten until year 5. He suffered from health problems from a very young age but was not diagnosed with brain and spinal tumours until he was nine years old. The principal of Miandetta Primary School, Mandy Beard, said that Zac was a dear member of the school community and the student council and the council wanted to remember and honour Zac in some way. The council decided to do that by creating a farm-themed mural adjacent to the school garden which was an area that Zac loved to visit.

To help fund the mural the student council held socials, a careers day and other functions. Zac loved gardens and he particularly loved farms and farm animals, so it was suggested they do a mural and call it 'Zac's Farm'. The mural was painted by Mrs Fereleth Lee and contains cows, sheep, alpacas, pigs, tractors and farmhouses and was very reflective of Zac and serves as a happy reminder of him that makes us all smile. It was quite a moving experience. If anyone gets to Miandetta Primary School in their travels, and please do, you will be taken there. It was wonderful to experience that and I was very moved by the amount of thought and care Miandetta Primary School staff and students had taken to ensure that young Zac would be remembered as a brave and enduring student who had a wonderful sense of humour.

I particularly make mention - and all members would agree with this - that our schools are a reflection of our community values in many respects. The Miandetta Primary School community is to be congratulated for their care and dedication to their young people. I encourage everyone to visit and pay tribute to Zac and his family and the young leaders and staff of the school community.

I agree with and endorse all the comments made by the member for Franklin, Mr Byrne, and Ms Standen and I am sure Mrs Petrusma would also agree. We were all there on opening night and it was fantastic. I will not repeat everything that has been said but it was just a thoroughly enjoyable and relaxing evening with the very talented people involved in *The Addams Family* - cast and crew. Congratulations to Rosny College for that wonderful event. I particularly mention Darren

Sangwell. I met him a few years ago because he was successful in achieving a Hardie Fellowship and travelled to the US to study. It was only the next day when Ms White and I were down at Tasman District School for the opening of the new development down there when Darren rocked up and took a year 11/12 class as part of the extension program. He is a very busy person who travels quite extensively -

**Mr O'Byrne** - He's also a Blues Brother.

**Mr ROCKLIFF** - Yes, I have read a bit about him since that time. He is a very talented person and a great educator and we should be very proud of him.

**The House adjourned at 6.58 p.m.**