

**Tuesday 9 April 2019**

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

## **RECOGNITION OF VISITORS**

**Madam SPEAKER** - Honourable members, I draw the attention of the House to guests from the Lions Club of Glenorchy City. They are hosted by the member for Elwick, the honourable Josh Willie. We welcome you to parliament.

**Members** - Hear, hear.

## **QUESTIONS**

### **Government Finances - Net Debt Position**

[10.08 a.m.]

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

We have heard a lot from you over the past five years about the perils of net debt. On 14 October 2014 you said:

Everyone knows that you cannot build a prosperous future if you continue to spend more than you earn and keep living on credit. Everyone knows that if the state continues to live beyond its means, it will force future generations to pick up the tab for the excesses of today.

You are about to lump future generations with \$343 million of debt. Why are you forcing future generations to pay for your Government's election pork barrelling?

## **ANSWER**

Madam Speaker, I thank the member for her question and her interest in this matter. It surprises me that when that side was in government they had very little interest in net debt. In fact, they were using borrowings and forecasting borrowings to pay for the salaries of public servants, teachers and nurses. Everybody understood those forecasts.

When we came to Government, \$1.1 billion-worth of deficits across the forward Estimates and forecasting \$400 million net debt, not to invest as we are into job-producing infrastructure, not to invest in the roads and the schools and the hospitals that Tasmanians need into the future. They were forecasting going into net debt to pay for their operating deficits to fund teachers and nurses and public servants' wages.

In terms of the budget forecast and the mid-year update it does show that over the four years we moved back into a modest position of net debt. We should welcome that because at the moment we have a growing population and a growing economy and like every other state and territory in this country we are going to invest into long-term intergenerational infrastructure assets.

That side of the House is bereft of ideas and bereft of policy. I remind them that whingeing is not a policy, complaining is not a platform. We will continue to invest in job-producing infrastructure; we will continue to invest into the schools and the hospitals and the roads that Tasmanians need. We will do that by not borrowing to pay for the wages of nurses and teachers and public servants. We will invest into intergenerational assets.

### **Government Finances - Net Debt Position**

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

[10.10 a.m.]

At the Roads Australia event last month you confirmed that your Government was taking Tasmania back into net debt for the first time since Labor bailed out the debt left by Liberal Premiers Robin Gray, Tony Rundle and Ray Groom. The last time the state was in net debt was under a Liberal government. You claimed it was justified because future generations would pay for it. Why have you not told Tasmanians that their children and their children's grandchildren will have to foot the bill for your promises because you have failed to manage the budget?

#### **ANSWER**

Madam Speaker, I thank the Leader for the question. It is a rare opportunity for us to be able to take questions on budget matters and financial management because it is not something that members opposite can claim to have any understanding of or experience in. Their track record was one of deficits and debt, and an unsustainable situation that required us, as a very new Government, to take remedial action to get our budget back on track. As a result of that we have been able to not only deliver on all our election commitments, but also to invest more into our schools, hospitals and essentials services, all of which were cut under Labor and the Greens.

We have been better able to invest in those additional services and supports that Tasmanians depend upon. We have also been able to manage our budget well and ensure that we can address any unanticipated shocks, for example, bushfires, floods and other unexpected events that arise. This Government has been able to manage because we have run surpluses.

As our state's economy grows and performs as one of the best in the country, as our population grows after years of it going backwards as young Tasmanians fled our state seeking opportunities elsewhere, we need to build the infrastructure that our growing state needs. That is why we are investing a record amount: \$2.6 billion is budgeted into infrastructure. It is not just roads. The Greens have an aversion to those who use our road network and its importance to our state. It is also in essential social infrastructure, such as our housing market, hospitals and school buildings that we are improving to give Tasmanians a better learning environment and to allow them to continue their education through to years 11 and 12. That is another reform of this Government that is delivering massive results for Tasmanians.

The investment in this infrastructure, as the Treasurer has said, is multigenerational. It will serve our state for many decades to come. It will deal with the demands and the constraints on our infrastructure now. Members opposite will take every opportunity to complain about congestion on our roads, but what we need to do is invest in our road networks to relieve that congestion. We do need to be bold and visionary and look to future opportunities to relieve that congestion, to make

our roads safer, to make our state more productive and more liveable. That is exactly what we will do.

Against all that we will continue to manage our budget well, as we have always done.

### **Births, Deaths and Marriages Act - Legislative Reform**

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

[10.14 a.m.]

Are you aware of a comprehensive body of evidence pointing to alarmingly high suicide and self-harm rates amongst transgender adolescents as a result of the stigma and discrimination they face? Do you agree the law as it stands in Tasmania discriminates against transgender people, and this is why a majority of members across both houses of this parliament have voted to reform the Births, Deaths and Marriages Act? Have you ensured the amendment bill will be debated this week when it comes back from the other place to prevent further harm? Or can you confirm that extremists in your party room want to string out debate on the Births, Deaths and Marriages Amendment Bill for political purposes, pushing it as close as possible to the Legislative Council and federal elections in order to try to harm your political opponents? From here it looks like you are failing an already marginalised group of Tasmanians and the party you lead is prepared to exploit them for political purposes. How do you justify that?

#### **ANSWER**

Madam Speaker, I thank the member for her question. I categorically reject the assertions and the implications contained within it. I am well aware of the tragic rates of suicide in our community. This Government has proposed and progressed a number of important reforms to ensure that vulnerable Tasmanians, whoever they may be, wherever they may be, are better supported. Our track record demonstrates our commitment.

This is legislation that has had many forms and has not yet even passed the third reading in the upper House so it would be presumptuous for the member who asks the question to presume or assume anything we may or may not do. We are the one party who cares about ensuring that the laws that this place passes are adequate, that they deliver positive outcomes, and that they do not have consequences that might be negative. It was well demonstrated that what was proposed by opposition parties was so off the mark and so risky that the Legislative Council has taken the drastic action they have to change it so significantly. It highlights that this is a complex area of law and there are many potential consequences of passing laws. Opposition members may be carefree about these matters, but it is important for this Government and the parliament to ensure that the laws we pass are positive in their outcome, not rushed, and are able to be scrutinised by experts.

Members opposite will claim to be experts in these areas. We sensibly suggested that the Tasmanian Law Reform Institute enquire into the proposed laws within a relatively short period of time. We want these matters to be properly and independently investigated. We have strong concerns about the impact that these laws will have. They will be debated in due course and I reject any suggestion that this Government is taking the action as described by the Leader of the Greens.

## **Government Finances - Net Debt Position**

### **Mr BACON question to TREASURER, Mr GUTWEIN**

[10.18 a.m.]

On 14 March 2017 you made the following boast -

Last month I released the revised estimates report for 2016-17 which demonstrates the improvement in Tasmania's fiscal position with surpluses in the current year and across the forward Estimates together with an extremely strong net debt position. We now hold more than half a billion dollars in net cash and investments.

The revised Estimates Report reveals that you have trashed the Budget and Tasmania is heading for hundreds of millions of dollars of net debt which you, in your previous answer, called modest, which is unbelievable. Will you apologise to Tasmanians for squandering your self-declared golden age?

### **ANSWER**

Madam Speaker, I welcome that question from the shadow treasurer. I am not sure how many that would be in five years. I hazard a guess I could count them on one hand.

Let me go to the nub of that question and that is, is Tasmania doing well at the moment? The simple answer to that question is, it is going very well. We are leading the nation in terms of international visitation from tourists. Our economy is one of the fastest growing in the country. That growing economy is leading to more Tasmanians having the opportunity of a job. We are seeing houses and commercial development come out of the ground. The economy is going very well, thank you very much, which was the nub of his question.

If I were to cast my mind back to budgets in 2012-13 or 2013-14, I am certain they would be dripping with red ink. They were budgets that the finance minister was involved in, with deficit after deficit and net debt to fund the wages of teachers, police and other public servants. That is what that side of the House delivered.

The member was correct - we do hold significant cash. We are in very strong financial position and we will make no apologies on this side of the House for continuing to invest into the infrastructure Tasmanians need to meet the needs of our growing population and our growing economy.

## **Tasmanian Jobs and Economy**

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

[10.21 a.m.]

Can the Premier please update the House on the recent positive news on Tasmanian jobs and the economy and outline how the Hodgman majority Liberal Government is supporting business to create more jobs?

## ANSWER

Madam Speaker, I thank the member for his question and his strong commitment to the region he serves and his advocacy on behalf of what are Tasmania's great economic strengths, whether it be our energy sector, the tourism industry that injects so much into the east coast, or our resource-based industries such as aquaculture, mining and forestry. This Government will continue to support them.

As I said in my recent state of the state speech, we need to seize every opportunity that comes our way to ensure that Tasmania's economy, which is now one of the strongest performing in the nation, continues to perform at that level. But it will not happen by accident. It needs a deliberate and concerted effort by government working with business and industry, with a plan that we have delivered for the last five years and will continue to do so, that is very much about economic development in this state. It sustains growth and prosperity for Tasmania and also creates more opportunities, whether it be in a job or an apprenticeship, in the training and education of Tasmanians. A strong economy is essential for that to occur and it will remain fundamental to our plan.

I was pleased to see a further indication of the strong growth in our economy with the ABS releasing statistics last week that shows Tasmania exported a record \$3.8 billion in goods and produce in the year to February 2019. Over that period, export growth has increased by 10.8 per cent compared to the previous year. As I have told the House before, this means Tasmania continues to be the nation's strongest export state and that is again supporting Tasmanian businesses and jobs. We will continue through our trade strategy, trade missions and upskilling Tasmanian business to ensure we can get more of our products to the rest of the world. As we often hear, the rest of the world has a great desire to come and see what we have, but they have also a great interest and desire for our products. That includes renewable energy, a product this state has that is desperately required by the rest of our nation, and in a carbon-constrained environment, it is becoming increasingly valuable.

That is why we will pursue with great vigour and energy what are two of the greatest opportunities that lie before our state - the Battery of the Nation project and Project Marinus, which is the second interconnector. This is a combination of pumped hydro and wind farm projects that will create thousands of jobs and billions of dollars in investment in our state over the coming years. It is nation-leading and state-building and will lay the foundations for Tasmania's economic future for generations to come. We are working very closely with the federal government to progress these plans. Indeed, both this Government and the Morrison Government have acted and made significant commitments to progress these plans. Today we welcome the latest investment into this exciting renewable energy reform and what will be needed to deliver it.

The Australian Government has announced a commitment of \$17 million to provide fee-free training in priority skills for Tasmania. It is another welcome commitment. We need a skilled workforce in a number of areas but particularly in those that need the expertise to build and maintain the pumped hydro schemes we are talking about as part of the Battery of the Nation project and the electrical skills that will be needed to build the interconnection with Tasmania and the National Electricity Market. These projects will create massive job opportunities, whether they be in design, engineering, project management, civil construction, trades skills, electrical and mechanical, transport and many in ongoing operations and maintenance.

The Energising Tasmania initiative will make it attractive for Tasmanians to access vocational education and training to meet these skills needs through nationally recognised training. Priorities for training will include project management, civil construction, electrotechnology, resource management, building and construction, water industry operations and engineering. It means more opportunities for Tasmanians. It comes on top of the Morrison Government's earlier \$56 million investment in the next stage of the Project Marinus second interconnector project.

This is about more opportunities for Tasmania and seizing the great opportunities that lie ahead of us. We welcome the Morrison Government's strong commitment to back our plan and to keep Tasmania's economy as one of the strongest performing in the nation.

### **Government Finances - Net Debt Position**

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

[10.32 a.m.]

Just over a year ago you boasted to the Committee for Economic Development of Australia that the state sector was debt-free for the first time ever. Is the state sector still net debt-free?

#### **ANSWER**

Madam Speaker, I thank the member for the question, which has already been answered. Most importantly it highlights the very dramatic change that has occurred under this Government -

**Mr BACON** - Point of order, Madam Speaker. To assist the Premier, this is about his own comments when he said the total state sector was net debt-free. That question has not been asked or answered as yet.

**Madam SPEAKER** - Is that a point of order, Mr Bacon? No.

**Mr HODGMAN** - Thank you, Madam Speaker. Wasn't it a dramatic transformation of the economic basket case that was delivered to my Government when we came into office just five years ago? We had a most unsustainable budget position. It was a fiscally reckless opposition that had spent more than the state could afford, had taken the state right back into debt, had trashed the reputation of our state and its finances, and had dented confidence in Tasmania's economy and business sector like never before.

Back then our unemployment rate went over 8 per cent and the then finance minister, Scott Bacon, said it was pretty disappointing. We had a situation where our state slipped into recession, and they now lecture us about economic management. We had a situation where Tasmania's business confidence levels were the lowest in the country. They are now, and have been for some time, number one in terms of not only support for Government policy and our initiatives -

**Mr O'BYRNE** - Point of order, Madam Speaker. The question was clear: is the state sector still net debt-free?

**Madam SPEAKER** - I do not think that is a point of order on relevance, my favourite one.

**Mr HODGMAN** - The question went to a CEDA speech I made some time ago and all I said was accurate but it highlights how far we have come.

**Opposition members** interjecting.

**Madam SPEAKER** - Order. We are all pushing the buttons now. I know we have all been looking forward to today and we have all been waiting and are geared up with all sorts of things we want to get out. However, we must have sensible, grown-up debate in this place and not this constant jabbering away. I ask for a bit of restraint, please, and that goes to both sides of the House. Please continue, Premier.

**Mr HODGMAN** - Thank you, Madam Speaker. I was highlighting how far we had come since the times that were left to us by a Labor-Greens opposition and the basket case that you had handed us.

Our fiscal record is strong and it will continue to be so; most importantly our fiscal position will be and we will continue to do as we say and that is invest in essential services that Tasmanians need but also the infrastructure that our state needs.

We will not be lectured by an opposition party that left us that mess nor indeed one that is so lazy or incompetent it cannot be bothered producing an alternative budget of its own. It cannot produce any coherent election commitments. In fact, and if, heaven forbid, Labor and their Greens alliance had come back to govern our state, the fiscal position that their election policies would have delivered would have driven Tasmania's finances right down already. We will not allow that to happen. We will do what we say and you will see it all in our budget which will be released in just a month or so.

### **Bushfire Management - Review and Recommendations**

**Dr WOODRUFF question to MINISTER FOR THE ENVIRONMENT, Ms ARCHER**

[10.31 a.m.]

Tasmanians have just endured a frightening and exhausting summer fighting massive bushfires. We have lost 6 per cent of our globally significant world heritage areas. We nearly lost several whole towns and communities. An El Niño is predicted for next summer and it is likely to make the summer of 2020 even hotter and drier than the one we have just endured.

The planet is staggering dangerously close to an uncontrollable climate tipping point. Despite this the minister's federal Liberal colleague, Josh Frydenberg, delivered a budget that denies the reality of climate change and the science that describes it. He talks about droughts and fires like they are an act of God. He has put no extra money at all into bushfire preparation or response to help protect the Tasmanian Wilderness World Heritage Area or Tasmanian communities.

Will you call out your federal colleagues for their failure to recognise the severe threat of climate change and to coordinate a national response to the increasing number of disasters that our volatile climate will bring?

**ANSWER**

Madam Speaker, I thank the member for her question. I was ensuring that I had all the information available because this Government has done a lot in relation to bushfire preparation in

a number of different ways. In the last session of parliament, I believe it was the Premier who addressed the House in question time about all the initiatives we have put into not only bushfire preparation but in relation to the last set of bushfires and the review that occurred and all the recommendations that have been implemented.

**Dr Woodruff** - You have no action on climate change.

**Ms ARCHER** - The member correctly addressed me as the Minister for the Environment - but the member took her time to realise I am the minister responsible for the Office of Climate Change within the Tasmanian Government, which sits in the Department of Premier and Cabinet, so it is my portfolio responsibility. We are doing a lot in relation to climate change -

**Ms O'Connor** - What are you doing? You want to log the high conservation-value forests.

**Ms ARCHER** - If the members would like to hear my response I am quite prepared to say that since late 2018 we know that lightning strikes have ignited a number of bushfires causing damage to the TWWHA. This follows the significant bushfire events that we saw in 2013 and 2016, which also caused extensive damage to the TWWHA. We acknowledge that. That is why the Tasmanian Government is committed to protecting our wilderness world heritage area and we have made substantial investments in developing strategies, systems and tools for managing bushfire risk in that region. Following the fires that threatened the TWWHA in 2016 our Government committed \$250 000 to the TWWHA bushfire and climate change research program.

**Members** interjecting.

**Madam SPEAKER** - Order, please.

**Ms ARCHER** - It was a climate change research program to examine the specific impact of climate change on the TWWHA. Members from the Greens come into this place consistently and tell mistruths about our Government and the fact that we are not doing anything in relation to climate change. If they took the time to read our Climate Action 21, there is a raft of measures in there, something this Government is very proud of. We have attached funding to that. I have run through funding that was attached to the Bushfire and Climate Change Research Project. It was back in the 2017-18 budget that our Government allocated additional funding of \$4 million over four years for bushfire management, specifically in the TWWHA. Of the 2016 Research Project's 18 recommendations, the Government supported 13 in full, five in part, with some already implemented and others are continuing to be progressed due to their longer-term nature. A committee comprising representatives from DPIPWE, from the Tasmanian Fire Service and also the Department of Premier and Cabinet, meets quarterly to monitor the implementation of all of these recommendations.

To suggest that the Government is doing nothing in relation to climate change and the impact it has on the TWWHA is simply not true, particularly when there has been significant funding attached, which I might add, was not done by the previous government. There was a significant bushfire that occurred in 2013 to which I have referred and the previous government did nothing.

One of the key outputs of the work currently being conducted is a comprehensive TWWHA fire management plan that will not only contain clear objectives for fire management in the TWWHA but also clarity regarding circumstances in which priority will be given to protecting the outstanding universal value of the TWWHA over built assets. Clear objectives for management



burning in the TWWHA, including Indigenous burning practices, which have long existed - and members know that - and a framework for monitoring impacts of bushfires and planned burns in the TWWHA.

I am also pleased to report that the Parks and Wildlife Service is reviewing its immediate medium- and long-term fire suppression capabilities. We are also reviewing the research program on fire and natural cultural heritage values. We are enhancing its risk assessment tools, including the bushfire risk assessment model and bushfire operational hazard model. We are also undergoing a revision of mapping alpine vegetation communities and other fire sensitive vegetation communities in the TWWHA and conducting rehabilitation trials in the areas of the TWWHA that were impacted by the 2016 fires.

I hope that gives the House a comprehensive overview of exactly what is being done by this Government, the money that has been attached and the simple mis-truths that keep being told by the Greens in this House, ignoring the science.

### **Federal Budget for 2019-20 - Impact on Tasmania**

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

[10.38 a.m.]

Could the Treasurer please provide the House with an update on the development of the 2019-20 Budget, including the federal Budget and the expectations of state taxation revenue?

#### **ANSWER**

Madam Speaker, I thank the member for her question and her interest in this important matter. The federal Budget last week was a good budget for Tasmania. Around 200 000 Tasmanians will benefit directly from the increased tax breaks. Around 37 000 small businesses will benefit from the increased instant asset write-off. Employers will benefit from the doubling of the apprentice assistance and the more than \$300 million in additional infrastructure spending will build on our already record investment into roads, schools, houses and hospitals.

In reply, Mr Shorten's underwhelming budget response was light on detail and costings, a typical Labor budget spray. Big spending, big taxes and big promises underpinned by zero financial discipline. It sounds familiar with what we used to hear from the other side.

As I indicated last week, the budget numbers also reflect challenges that other states and territories are facing in terms of lower consumer spending due to a lack of consumer confidence, especially in the larger states of Victoria and New South Wales due to the housing price collapse which has led to the growth forecast in the national GST pool being substantially written down. The pool forecast has been significantly written down by nearly \$11 billion on a budget-to-budget basis across the forward Estimates, meaning that the distribution to the states will be lower than originally thought. This will impact Tasmania this financial year and across the forward Estimates.

As I have already indicated, we will receive around \$40 million less this financial year and next year it will be more than \$80 million less than forecast. Compared to our current budget forecasts, Treasury's advice is that the cumulative impact this financial year and across the forward Estimates will be a reduction of around \$280 million.

We always understood that due to our strong performing economy that over time our GST would decline. That is how the system works: the stronger you get the less you get. However the pool forecast is what has impacted on us this time around. Whilst our strongly growing population has provided an offset, the fall in the national pool is severe and will have a significant impact on our revenues.

I was also asked by the member for an update on state tax revenue. As the Revised Estimates Report, which I released in the middle of the year, indicated, most tax lines such as payroll tax and land tax are performing strongly as a result of our strongly growing economy and increased employment levels. However while property sales volumes remain high as a result of a regional shift from the south to the north and north-west of the state, the value of properties being sold is lower, and in the midyear report I outlined that the stamp duties revenue was to be written down by \$170 million over four years.

It is no surprise this trend has continued and Treasury has advised, for the reasons I have outlined, that as a result of dampening investor activity on the mainland as a result of the collapse in the Sydney and Melbourne housing markets, the duties revenue will need to be written down again. Duties this year and over the current forward Estimates period are now expected to be in total, like GST, around \$280 million lower than forecast in last year's budget. In total, therefore, the revenue loss over the Budget and forward Estimates in a cumulative sense from the fall in the GST pool and from lower duties revenue will be around \$560 million this next budget period.

This is a significant and material impact on our revenues and will be a challenge to manage; however the Government will approach this in the same sensible and responsible manner we have in the past. We have been here before. In 2016-17 we faced a GST write-down of around half a billion dollars. We worked through those issues then and we will work through them now.

Our balance sheet and our economy will both remain strong and we will need to ensure that we are as efficient as possible to limit the impacts. I can inform the House today that we will not be pulling back on our record investment into infrastructure, selling government businesses or reducing essential services. It will mean that some hard choices will need to be made in this Budget. We will need to cut our cloth to suit our circumstances.

**Mr Ferguson** - Look at the smiles over there.

**Members** interjecting.

**Madam SPEAKER** - Order.

**Mr GUTWEIN** - Madam Speaker, the Minister for Health has got it in one - the looks on their faces, their smiles.

It goes without saying that as a result of the collapse in revenue, the unions need to stop their politicking and be sensible in terms of their wages demands and, importantly, put our very reasonable offer to their members. Under the circumstances, their demands cannot be met - more than half a billion dollars lost in revenue. If Labor had its way, they would be shovelling another \$280 million into the budget for an additional 1 per cent wage increase. Even Tim Pallas, the Victorian Treasurer, is now revising down wage expectations and talking about 2 per cent wage increases.

The coming Budget will be a challenge and there will be difficult choices. As I said, we will need to cut our cloth to suit our circumstances, but we will make them without impacting on our strong economy or the services that Tasmanians expect and, importantly, without slowing down our infrastructure investment.

## **Housing Supply**

### **Mr SHELTON question to MINISTER for HOUSING, Mr JAENSCH**

[10.45 a.m.]

Can the minister please update the House on how the Hodgman majority Liberal Government is addressing the supply of houses by making it easier to build more apartment-like homes for Tasmanians?

### **ANSWER**

Madam Speaker, I thank the member for Lyons for his question and his interest in this matter. The Hodgman Liberal Government is tackling the housing challenge facing Tasmania head-on. There is no single simple solution but we know that increasing supply across the entire housing spectrum is the key to meeting rising demand. We have heard this message loud and clear and we are acting on it strongly.

I recently launched stage 2 of our Affordable Housing Action Plan 2019-23, our multifaceted approach to tackle housing stress and homelessness under our 10-year comprehensive Affordable Housing Strategy and the first of its kind for Tasmania. This is the largest state government investment into affordable housing in Tasmania's history. An additional \$125 million will be invested for meeting the immediate demand for social and affordable housing, bringing the total to around \$200 million of state funding in affordable housing and homelessness services.

While this plan is about meeting the immediate demand for social and affordable housing, we also need to look across the whole housing market for solutions that deliver supply to meet demand and take the pressure off costs and affordability. We must also encourage different types of housing for all budgets to address Tasmania's current housing shortage. That is why this Government has introduced a range of incentives to increase supply, including helping first home buyers into the market and freeing up more family-sized homes by encouraging eligible pensioners to downsize. We have also removed red tape to make it easier and quicker to build homes and rezone surplus government-owned land to enable more homes to be built faster.

Measures like this have seen Tasmania continue to lead the nation in annual growth in residential building approvals. Tasmania was the only jurisdiction to experience growth in the total number of building approvals for residential dwellings in January 2019 compared to January 2018, which grew a nation-leading 19.7 per cent in trend terms.

The majority of existing Tasmanian housing consists of single dwellings on large blocks. That is how we have grown up, that is what we like, and our current planning settings make standard dwellings in residential zones like that relatively easy to build.

But we cannot just build homes like they have been in the past, assuming that one size will fit all. Some Tasmanians want to live in a three-bedroom home in Mowbray, some want a two-

bedroom townhouse in Hobart, and some want to build their own homes on a piece of land outside the city. Tasmanians increasingly want to live closer to work and experience the benefits of inner-city living. Young couples, empty nesters and key workers are among the many Tasmanians demanding more choice across the housing spectrum. To address this, the Premier announced in his address that the Government will for the first time develop new planning rules that focus on medium-rise developments and infill projects that provide attractive options for people to live close to work and enjoy more of what city living has to offer.

Today I can provide further detail to this announcement. We are working on a set of standards for our cities and along transit corridors to provide a permitted pathway for apartment-style living. This will not see skyscrapers on the horizons in Hobart but medium-density, sensible infill, four to five-storey apartment developments. This will provide greater choice for Tasmanians looking for an urban lifestyle and living close to work while still retaining a neighbourhood character and protecting the things that Tasmanians value most.

I recall not very long ago the Leader of the Opposition in particular, in the context of talking about transit corridors, called for exactly this type of initiative and I am very glad that we are able to deliver it. Apartment-style living in the city and along transit corridors provides the benefits of efficient use of infrastructure and reduces the effects of urban sprawl in outer urban fringe areas. The approach will activate the Hobart City Deal by enabling medium density residential growth in areas where we want it most close to our urban centres. As with all our planning rules the new infill development standards will be developed in consultation with the public and subject to independent assessment by the Tasmanian Planning Commission.

I am confident that this, together with our other initiatives to boost the number of homes for Tasmanians who want to stay and work in Tasmania, will see the supply catch up with demand and ease the pressures for those in our community currently experiencing housing stress.

### **Health System - Budget Position**

#### **Mr BACON question to TREASURER, Mr GUTWEIN**

[10.50 a.m.]

Health workers struggling to operate within a broken hospital system, patients languishing in the emergency department waiting room, and everyday Tasmanians all understand that the health system needs more funding. In addition to the over \$100 million black hole already in the health budget, can you explain to them why the budget for health and hospitals will decrease by \$15 million next financial year, especially given the context of a \$560 million write down you have just announced?

#### **ANSWER**

Madam Speaker, next financial year's budget will be brought down on 23 May. I suggest the former minister for finance, failed as he is, pays attention to the budget when it is brought down. Next year's health budget will be there for all to see on 23 May.

Because of the former failed finance minister's new-found interest in financial matters I thought I might inform the House of the Bacon budget back in 2013-14, which a number of members of that side of the House were a part of. In that Bacon budget of 2013 -

**Mr Bacon** - You are going to tell us what happened six years ago but not what is going on today?

**Madam SPEAKER** - Order, please.

**Mr GUTWEIN** - Mr Bacon was forecasting a \$425 million deficit and being in net debt. Then in 2013-14, in the last budget that the finance minister brought down, there was \$266 million-worth of operating deficit. That was the budget that he brought down. They held no cash and \$226 million-worth of net debt. Then across the forward Estimates, there were deficits in every single year.

**Members** interjecting.

**Mr GUTWEIN** - The question is, what will be in the health budget? I remind Mr O'Byrne I provided an answer in the first 30 seconds. That is, wait until 23 May and have a look at what is in the budget, which is what most sensible people would do.

The member who asked the question should hang his head in shame at the mess we were left and the mess we had to clean up. Anybody who is prepared to look back at past budget papers will understand that all that is occurring on that side of the House is politicking. When they were on the Treasury benches they delivered deficit after deficit and they were forecasting net debt across the forward Estimates.

### **State Service - Pay Dispute**

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

[10.54 a.m.]

Hardworking teachers, nurses, park rangers, education facility attendants and child protection workers should not have to pay the price for your twisted priorities and budget incompetence. These people deserve a pay rise that keeps up with the cost of living, especially given many, including fire fighters, nurses and teachers, are some of the lowest paid in the country. We know your colleagues are desperate for you to resolve the public sector wages dispute, which has all the hallmarks of your botched war with local government. The entire public service has been plunged into chaos after nine long months of threats and bullying from your Government and you have been unable to resolve it because you are either incompetent or mean or both. Responsibility for this crisis falls at your feet. How, and critically, when, do you plan to end this dispute that is damaging the state and the delivery of essential services?

### **ANSWER**

Madam Speaker, I thank the member for the question and her interest in this matter. I have to ask the question rhetorically, have you been here this morning? I want to explain again very slowly and carefully that we are losing GST, not as a result of any federal government decision but simply because the national economy is slowing, and we will receive \$280 million less in revenue across the forward Estimates. Regarding state taxation, I have explained the housing markets of Melbourne and Sydney have collapsed, and investor activity has dried up. While Tasmania is still seeing growth in its housing market, the level of stamp duty -

**Opposition members** interjecting.

**Madam SPEAKER** - Order. I am trying to listen to this important answer. I humbly request the front bench of the Opposition to tone down its interjections.

**Mr GUTWEIN** - Thank you, Madam Speaker. I can understand why they do not want to hear this because they are interested in the politics. The Victorian Treasurer, Tim Pallas, is talking about 2 per cent wage rises and having to be modest in their expectations of what the future holds. I have explained to the House this morning that we have received around a half-billion-dollar revenue write down over the forward Estimates. We will have to make some hard choices. We will have to cut our cloth to suit our circumstances. We will not become what Labor took us to a few years ago - a state that had red ink all over its budget papers. Nor will we allow ourselves to become Western Australia, which continued to spend with abandon after they realised that GST had changed. We will deal with this sensibly and responsibly.

In terms of the public sector wage negotiations, there is an offer on the table until the end of this week. We have made it clear that after Friday we will withdraw that offer. I urge the teachers' unions and the other unions that their members receive the offer in full this week so they can make a decision on it. It beggars belief that some of our brightest and best, our teachers, have been denied the opportunity to look at the full offer. Not only that, you hear stories of standover tactics occurring in classrooms where teachers were asked to vote yes or no and have their photo taken in the staffroom. That is appalling. That is standover tactics.

I say to our hard-working public sector, we want to provide you with a pay rise. We believe that what is on the table is fair, reasonable and, importantly, affordable. I urge Labor to stop their politicking. I urge the unions to stop their politicking. The unions should put the offer to their members in full and allow them to make up their own minds. What has occurred to date has not been good enough. It is 1990s behaviour. The union should put the offer to their members and allow them to make up their mind. They are best placed to do that and I would urge them to do so.

### **Bushfires - Assistance to Private Timber Growers**

**Mr TUCKER question to MINISTER for RESOURCES, Ms COURTNEY**

[11.00 a.m.]

Can you update the House on measures taken to assist private timber growers who have been impacted by the devastating bushfires of early 2019?

### **ANSWER**

Madam Speaker, I thank the member for his question. The scale and the cost of the damage to our landscape after this summer's bushfires was significant. While we can be thankful that the loss of life and property was not comparable to previous fire events, the bushfires of early 2019 will be characterised by the extent of damage to Tasmania's wilderness and its production forests.

I take this opportunity to thank the many people involved in the results. The efforts were truly appreciated by not only everyone in this room but the entire Tasmanian community.

I am advised that the most recent figures indicate that over 205 000 hectares have been impacted by bushfires this fire season. Of this, around 40 000 hectares is permanent timber production zone land. While the assessment of the impact of the fires on the forest assets has not been completed, satellite imagery indicates that the southern forest region bore the brunt of the impact to the permanent timber production zone lands. Around 12.5 per cent of the PTPZ lands in the forest region were affected by the fires with impacts from the Riveaux Road, Central Plateau and Gell River fires. In addition, the total private forest estate estimated to be within the fire footprint is around 36 000 hectares, affecting around 150 landowners.

The Hodgman Government has worked closely with private forest industry participants, including the board and management of Private Forests Tasmania as it recovers from this fire event. Today I am pleased to announce that Private Forests Tasmania will be making further fee relief available to those private timber growers who have been impacted by the fires. The board of PFT will provide a rebate of the private forest service levy paid by those affected by the fires within the area covered by a certified forest practices plan. The levies paid by private forest holders engaged in forestry operations, based on the area of land within an approved forest practices plan, is currently \$15 per hectare. For those growers who have lost large areas of plantation or native forests in the recent fires, this rebate will provide welcome financial relief. The rebate can be assessed by application to Private Forest Tasmania and will be assessed by the CEO. The amount of the levy rebate will be assessed on the severity of the impact of the fires on the area harvested and will be capped at the total levy collected for that operation. I encourage those who wish to apply for the levy to contact Private Forest Tasmania directly.

I thank the board of Private Forest Tasmania for their role in assisting the industry at this challenging time.

The full assessment of the damage to production forests, both private and public, is yet to be completed but we do know it is extensive. Other forestry infrastructure has been significantly impacted including the Southwood timber hub which houses both Ta Ann and Neville Smith Forest Products and the Tahune Airwalk.

I thank the dedicated management and employees of TasNetworks who all acted swiftly to prioritise the restoration of transmission lines to Southwood and reconnection of the plants to power so that they are in a position to restart.

Neville Smith is planning an anticipated full operation by next month which is very exciting for that region.

I express my appreciation to all of those involved and their enormous efforts to date in working to manage the bushfires, the recovery process and the coordinated effort to assist affected landowners and businesses.

Private forests are important to Tasmania. In 2017-18 Tasmanian production forests totalled 5.771 million cubic metres of wood fibre. This was an 8 per cent increase from 2016-17. The annual direct contribution to the Tasmanian economy is more than \$700 million, rising to more than \$1.2 billion when flow-on effects are included.

Plantation currently accounts for 97 per cent of the total private forest harvest and we know that these are very important to many landowners across Tasmania. It was a delight to visit two of the PFT field days within the last fortnight and to be able to meet landowners across both the

Midlands and the far north-west, to see them and to see a resurgence in enthusiasm for the private forest sector. We know that there have been challenging times for many of these participants and we know why that has occurred as we look around the other side of the Chamber.

It is wonderful to see that there is so much enthusiasm. It is also a delight to see that so many participants are keen to engage and are keen to invest in this important industry into the future.

### **Budget Forward Estimates - Financial Position**

#### **Mr BACON question to TREASURER, Mr GUTWEIN**

[11.05 a.m.]

You have confirmed today that your self-proclaimed 'golden age' is dead. You have said that you are going to cut your cloth and you have confirmed a \$560 million writedown across the forward Estimates. With so many pressures on your budget can you guarantee today that you will deliver a surplus in every year of the forward Estimates?

#### **ANSWER**

Madam Speaker, I thank the member - as I have said a couple of times this morning - for his new-found interest in this matter.

The first thing I want to say is really important: the budget is not the economy and the economy is not the budget. What we need to understand there -

**Mr Bacon** - Why has there been a writedown?

**Madam SPEAKER** - Order. Mr Bacon, this is the last question and it would be a shame to have to ask you to leave the room.

**Mr GUTWEIN** - We will manage the budget sensibly and responsibly. As I have outlined this morning, a half a billion-dollar loss of revenue across the forward Estimates will mean that we will need to cut our cloth to suit our circumstances.

If we did what they want on that side and paid a 9 per cent wage increase, an additional 1 per cent every year, that would put another \$280 million on top of the budget. That would mean nearly an \$800 million turnaround just with the revenue downgrades that we have had and the wages policy that they want.

We will manage the budget sensibly. As I have said, again, we will cut our cloth to suit our circumstances. I will balance the budget across the forward Estimates. We will continue to invest into record levels of infrastructure spend because on this side of the House we understand that that will lead to further investment. Importantly, it will create jobs and it will support our strong and growing economy and we will not sell Government businesses but importantly, on this side of the House, we will do the right thing by Tasmania. We will manage the budget sensibly, we will manage it responsibly but there will be difficult choices to make in this year's budget.

**Time expired.**



## STATEMENT BY SPEAKER

### Division Bells - Malfunction

[11.08 a.m.]

**Madam SPEAKER** - As members are aware the division bells system has malfunctioned. I can assure the House all resources have been directed to address this matter, but until this issue is rectified there is effectively no means of communicating quorum calls or divisions, or to call the House together following suspensions.

I thank members for their cooperation this morning in enabling the House to commence its sitting, albeit a few minutes later than usual.

Until the bell system is restored, in the event a division is called, or a quorum call made, I suggest that having made the call that a division or quorum is required, I would leave the Chair.

Once the Clerk of the House has reported to me that all members are present in the case of a division (excepting any pair arrangements) or that a quorum is present, I would resume the Chair and proceed in the usual way, that is, by locking the doors in the case of a division, and resuming proceedings once the quorum is present.

The only other alternative, which is certainly not my preferred option, is that I suspend the sitting until the bell system is restored. With the cooperation of all parties I believe this solution will enable the House to proceed with its work. It should not be difficult for the Whips to advise members by smartphones in the meantime but it will require the goodwill of all parties.

I invite any submissions from members on this proposal, as the responsibility for calling members to the Chamber would effectively fall upon the parties within five minutes of the division or quorum call being made.

Would you like to say something, Leader of the House?

[11.10 a.m.]

**Mr FERGUSON** (Bass - Leader of Government Business) - Thank you for the invitation, Madam Speaker. On behalf of the Hodgman Liberal Government our members stand ready to cooperate and ensure that we are in attendance respecting quorum calls and divisions. Equally I affirm your suggestion that the Clerk and his parliamentary attendant team will also assist members wherever they are in the building by the old fashioned and traditional method of ensuring that members in those areas are alerted to the need to attend the Chamber. We will certainly attend to your suggestion.

**Madam SPEAKER** - We appreciate that. Thank you.

[11.11 a.m.]

**Mr O'BYRNE** (Franklin) - Madam Speaker, on behalf of our side of the House we can also commit our contribution to the smooth running of the House. A suggestion to the Government is that maybe they deploy the handbells that were given to patients at the Royal Hobart Hospital. That may be of some assistance to members throughout the House.

We will work with your suggestions, Madam Speaker.

[11.11 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, Dr Woodruff or I will be in the Chamber all day, for many reasons. Can I seek some advice from the Clerk about the projected time frame for preparing the bells? Did Barry take them with him? It would be good to know how long this might go on?

**Madam SPEAKER** - We have received advice that they have identified the mischievous piece of equipment, but there is no time frame as to how long it will take for repair. Considering we have a unanimous verdict here, the relevant standing orders will need to be suspended. I expect the Clerk of the House will provide some relevant advice.

## **CONSOLIDATED FUND APPROPRIATION (SUPPLEMENTARY APPROPRIATION 2018-19) BILL (No. 9)**

### **First Reading**

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

## **DISABILITY SERVICES AMENDMENT BILL 2019 (No. 10)**

### **First Reading**

Bill presented by **Mrs Petrusma** and read the first time.

## **SUSPENSION OF STANDING ORDERS**

### **Move Motion Forthwith - Division Bells**

[11.17 a.m.]

**Mr FERGUSON** (Bass - Leader of Government Business) (by leave) - Madam Speaker, I move -

the suspension of standing orders to allow debate on a motion concerning the division bells being debated forthwith.

**Motion agreed to.**

## **MOTION**

### **Division Bells - Temporary Arrangements**

[11.18 a.m.]

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

That so much of standing orders be suspended concerning the ringing of the division bells in relation to divisions, quorum calls and the resumption of

proceedings following a suspension and that until the bells system is restored, the following temporary arrangements be made:

- (a) having made the call that a division or that a quorum is required, the Speaker leave the Chair; and
- (b) once the Clerk of the House has reported to the Speaker that all members are present in the case of a division (excepting any pair arrangements) or that a quorum is present, the Speaker would then resume the Chair and proceed in the usual way, that is, by locking the doors in the case of a division, and resuming proceedings once a quorum is present.

**Motion agreed to.**

## **MATTER OF PUBLIC IMPORTANCE**

### **Housing**

[11.19 a.m.]

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

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

Today I have taken the step of tabling a motion calling for the appointment of a select committee inquiry into affordable housing in Tasmania looking at, amongst other things, the experiences of Tasmanians in housing stress or homelessness, the management of social housing and delivery of new stock by Housing Tasmania and community housing providers, and the impact of a lack of affordable housing on the broader economic and social wellbeing of the Tasmanian community.

Tasmanians deserve to know how we got into this mess in relation to public housing and what ideas are available to fix it. The simple questions are these: how many homes have been constructed by this Government since 1 July 2018?

**Mr JAENSCH** - Madam Speaker, on a point of order, can I ask for advice as to the appropriateness of a debate commencing after the member has just tabled a motion for debate at some point tomorrow? She has now launched into a debate on the same topic. Can we debate a motion that has just been tabled?

**Madam SPEAKER** - Minister, it is in order. It is a high-level debate and not actually relating to the setting up of a committee. It is not setting it up.

**Ms STANDEN** - Thank you, Madam Speaker. I believe the member's question was genuine, however it is interesting to note that on the Order of Business today we have this extraordinary situation of bills being brought forward before the resumption of the response to the Premier's Address. As I understand it in terms of orders of business, it is unusual for matters to be brought forward ahead of the reply to the address, and those matters are supposed to be of considerable urgency. I find it interesting that this minister seems to be determined to avoid scrutiny in the area of housing in this state and I am equally determined to shine a light on a matter that is deteriorating.

The facts of the matter are these. This Government inherited a situation where the public housing waiting list was at a decade-long low. Over the past five years the public housing waiting list has almost tripled to now more than 3200 families looking for a roof over their heads. The average waiting time has almost tripled from 20 weeks to now 56 weeks. We have a Government that promised to deliver some 900 new homes between 2015 and 2019 and yet only 236 have been completed in the three years to December 2018. We are still awaiting the figures for the latest quarter but the fact is that the Government has achieved just 25 per cent of that target. I am doubtful, as every Tasmanian would be, that they will go anywhere close to reaching that remaining target.

How can we possibly believe, as the Premier announced in his state of the state speech, that the second action plan will provide an additional 1500 new affordable homes, increasing the number of new affordable homes to 2400 over eight years? I remind the minister of the definition of a home. A home is the place where one lives permanently, especially as a member of a family or household. Therefore, a home is not emergency accommodation. I have visited a number of those in the last number of weeks and months and have seen first-hand the increase in demand and heard the sad stories being told to me by service providers of people being turned away on a daily basis. A home is not a measure like Streets Ahead, worthy as they are. It is not new supply of housing.

This Government is to be held to account by the people of Tasmania for delivery of 900 new homes, not lots and homes but 900 new homes, which is roofs over people's heads for families that are now facing a cold, dismal, wet winter in Hobart. Constituents are living in sheds, in cars and in tents. I have talked with constituents in the last week who are in desperate situations. There is no longer an option for tents to be housed at the showgrounds in Hobart this year. The Royal Agricultural Society has made a principled position that it is no longer in their best interests to allow for that to happen.

This Government needs to tell the people of Tasmania what they are going to do to escalate measures around emergency accommodation as we approach winter and the longer-term issue around housing itself. A total of \$45.6 million less in funding and 506 fewer houses have been available in the period from 2013 to 2017. Waiting lists have trebled and waiting times are now out to over a year.

Estimates of overall need keep climbing. Some 10 981 additional homes were forecast to be needed by 2036 based on Shelter Tasmania's call for at least 10 per cent of housing to be not-for-profit social housing. A recent AHURI report has projected an estimated 14 000 additional social housing dwellings are required to meet the need. Clearly, this Government is not on track and needs a rethink. Tasmanians deserve to understand how it is that we got into this mess and how it is that we are going to get out of it.

[11.26 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, I am a bit surprised to see that the Minister for Housing is not in a rush to get up and defend his record, but I am very happy to step in. I thank the member for Franklin, Ms Standen, for bringing on this matter of public importance debate because it is one of the most significant issues confronting Tasmania today.

It is particularly galling to sit in question time and listen to the Treasurer crow about his budget management and again allude to these golden times when we know there are people sleeping in tents and cars, or on couches of friends' and family's places because Tasmania is experiencing a housing and homelessness crisis. Not only is there not enough supply of affordable, energy-

efficient and secure housing, but tenants in both the public and the private rental market are being let down by deficiencies in the Residential Tenancy Act that failed to protect them.

They are particularly vulnerable in times of housing crisis when rents are soaring and pressure for private and public rentals is so high that tenants in the private rental system are potentially being squeezed by landlords, threatened with eviction and facing soaring rents. I have spoken to constituents who have seen their rents go up by \$100 and \$150 per week with no warning at all.

We need to ensure that that Residential Tenancy Act has a set of minimum standards in it for a start. It needs to be placed on the record in this place that in 2013 under a Labor-Greens government, we passed amendments to the Residential Tenancy Act that put in place some basic minimum standards and protections for tenants. There was a delay embedded in the legislation and they were due to come into effect in October 2014, but one of the first things the Liberals did in government was to roll over to the property class, to the Real Estate Institute, and abandon the minimum standards.

We do not have a set of minimum standards in the Residential Tenancy Act and there is no protection for tenants from landlords exploiting them. We need to have a capacity to make sure that rent increases, like they are in the ACT, are capped to some extent. In the ACT they are capped at CPI. We have gouging of some of our most disadvantaged people by landlords who are exploiting the housing crisis. We have a government that for more than four years starved the Housing budget of funding. The Greens came in and raised it over and over again under the previous minister. Every time you looked at those budget papers, there was no extra money in there for affordable housing. This is at a time when the federal Coalition government had walked away from the National Rental Affordability Scheme and had bled dry money that should have been going into housing and homelessness action.

When you look at the federal budget papers from last Tuesday night you see that culture of disdain for renters, for people who are in housing stress, because across the forward Estimates, in the federal budget there is a \$1 billion cut in real terms to housing: \$200 million is coming out of the National Affordable Housing Agreement, a cut in real terms, and the national partnership agreement on affordable housing sees an \$800 million cut in real terms over the forward Estimates.

When Mr Jaensch gets up shortly and talks about a record state spend, which so far has delivered far too few homes, in part, they are squeezed into this because their federal colleagues could not care less about increasing the supply of affordable housing. It is structurally imbedded in our economy that we shaft the poor, that we favour the property class, through negative gearing and capital gains. What does that say to our young people who are already dealing with climate stress? It says the government in Canberra does not care about them. It favours the wealthy over them and their future.

It was laced through the entire federal Budget. Young people today can only dream of owning their own home; it is becoming increasingly impossible for them to find one to rent. That is the situation we are in. The Treasurer and the Premier should find some humility instead of coming in here and talking about the money, talking about the economy, talking about the roads, lying about the golden age. We are sick of it.

We come into direct contact with people who are so stressed - single people, young people, older women facing rent increases that soak up some three quarters of their income. Often that is a Commonwealth support payment. We know from the national Rental Affordability Index that came

out late last year that Hobart is the least affordable capital city in the country. While we are not seeing people sleeping on the lawns of parliament, it does not mean they are not homeless. The showground is no longer available to people who need temporary emergency accommodation. We have not heard anything yet from this minister about what he and his department will do to provide that emergency response, let alone increasing supply.

I will end on a more affirming note. I believe that Mr Jaensch wants to get this right. I believe Mr Jaensch is more capable of driving an increase in the supply of affordable housing than his predecessor was. In part, that is because there has been four years of underfunding and the Government knows Mr Jaensch needs to be given a break because it is as a direct result of the policies of state and federal Liberal Governments that we are facing a housing and homelessness crisis in Tasmania.

[11.33 a.m.]

**Mr JAENSCH** (Braddon - Minister for Housing) - Madam Speaker, I thank members who have spoken. I thank the member who spoke last for the sort of sideways compliment. I am happy to talk about housing in Tasmania, the challenge that we have and the work that is underway to address it.

In response to comments by Ms Standen, who has tabled a motion today for debate regarding having an inquiry, I am happy for there to be an inquiry, but I think we do not need one. What Tasmania needs, and what we have been discussing this morning, is more houses and more services for people who need housing. What people want is action. A talkfest is fine, but we have had them. We had a process in 2014-15 leading up to the development of Tasmania's first 10-year affordable housing strategy that resulted in a four-year action plan, which we are nearing the end of now. We are on track to meeting our targets. I will speak on that in a second.

Last year in March we had an emergency housing summit because there was a peaking of demand and an affordability peak that we could not ignore. We had to get everyone around the table. Thirty-eight organisations sat there, including the political parties represented here. We set out a program of actions that have been followed through and enacted, including brand new legislation which we hope to debate later today to address the need to use robust data for planning and policy purposes when it comes to short stay accommodation. They are lengths we have gone to in discussing and identifying an issue and acting on it.

In the last three months of last year we consulted on our second four-year affordable housing action plan. There were more than 100 participants in those processes. They informed the development of the action plan we have now launched and which will commence operation in July.

**Ms Standen** - There is nothing much wrong with the action plans but you need to deliver.

**Mr JAENSCH** - I understand what you are saying but I doubt you have read the action plans. You talk about the lack of new ideas and the need for more capacity in our shelters, but you do not reference our homeless accommodation for women in the south of the state with Catholic Care, the expansion of Magnolia House, the Wirksworth Integrated Aged Care facility. You have criticised shiny brochures associated with AHAP 2. On those is written lists of the things we have committed to and provided funding for. These are communicating the plan that 100 people through our consultation, including your own party, told us what was needed - more homeless accommodation for older men and a new Bethlehem House, a new men's shelter in the north-west, the new Burnie youth foyer, a Hobart youth foyer, expansions to Thyne House, a new Youth at Risk centre in

Launceston, a new youth shelter in Burnie. We are taking action in all parts of the state for all parts of the demand we have.

It is not just about social housing, although Ms Standen referred to public housing when she opened her contribution earlier on. Public housing and community housing together are social housing and we are working across that spectrum. I am happy to reiterate that the target for lots and homes for our first Affordable Housing Action Plan was 941. Imbedded in that was 372 social housing dwellings. Of those, at the end of December, 236 new social housing dwellings have been constructed. That is six months out from the end of our first Affordable Housing Action Plan. I am happy to update the House that there are over 250 dwellings under construction right now in various stages of completion.

When you go on a house building program, when you even build your own house, there are many stages in it. It is quite a complex process and you only get the house right at the end. When you are going to build houses for the whole state -

**Ms Standen** - You promised 900 new homes.

**Mr JAENSCH** - These homes are on track to being delivered. They are not just one type of home. I referred to this in an answer to a question this morning. What is a home for one person, a stand-alone three-bedroom house for a family with a yard, is not necessarily a home for a young person who has nowhere to live and needs supported accommodation and services. It is not the same as a home for someone who is leaving the correction system and needs -

**Ms Standen** - A block of land is not a home and your dodgy figures do not add up.

**Madam SPEAKER** - Order, Ms Standen. A little bit of courtesy for the minister, please.

**Mr JAENSCH** - Much is being said about the definition of a home and whether lots and homes are equivalent. In this current market many people in this place, the people who have been commenting in the media, have talked about the new stresses on our housing system affecting people with jobs who are in the market who are finding that their rent is harder to afford and that their ability to save for a new home is beyond them now. These are people who are at risk of joining the social housing register, which I confirm is stabilising through this period of high demand. We have housed over 1000 people from the social housing register in the past 12 months. We are moving people through the social housing register. It is not climbing exponentially.

For those families who are finding their rent is becoming less affordable, that their ability to save for a home is now unavailable or less available to them, the provision of affordable lots of land serviced in good locations alongside programs like Home Share, which can assist them with a third of the value of their mortgage on top of a program like the First Home Owner's grant \$20 000, can put them \$100 000 closer to home ownership.

For many of the people who are in housing affordability stress now in the market, that is a solution and that is a home and they are building them. They are right across Tasmania. These programs are being taken up and they are working. They are contributing to supply and they are keeping people in the market who can be in the market and they are stopping those people from competing with lower income Tasmanians for limited social housing supply.

[11.40 a.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, I rise to speak on this very important issue of housing, in particular, about social housing and the experiences I have had over the last 10 to

12 years working in electorate offices and being a member for Lyons and the impact that poor policy, poor management, poor communication and an overall culture which we have in our social housing sector in Tasmania.

I recently had a look at the latest dashboard figures and I could not believe that we still have 3232 applicants on the register for social housing. There was a note as well that with many of the people registering for social housing now, their cases for priority are reviewed every six months. It is a new system. Many people drop off that system and the fact that we still have 3233 people waiting on that list is pretty indicative.

The average time that people are waiting for social housing in Tasmania is 56 weeks, over 12 months. These are priority cases as well. People who are not designated or classified as priority can wait up to five years. Many people choose not to register on social housing because it is an unrealistic ambition for them to ever be housed through social housing.

There are 150 000 Tasmanians who are currently living in housing stress. I am not going to focus on those people today. I am certainly aware that we have a working poor emerging in Tasmania. A large percentage of our population is spending more than 50 per cent of their income on rent and that causes huge stress on their family.

The cost of living is increasing annually. The increase is quite significant and we are finding that many Tasmanian families simply cannot keep up with that cost, let alone shedding half of their annual income on putting a roof above their heads.

In the last quarter, only 60 applicants were removed from the housing register because appropriate housing was found. That is not good enough when you consider that there are still 3233 applicants.

I want to talk about the history that I have had with the culture of Housing Tasmania. I am speaking generally here and there are very good people who work within that sector that do everything they can to assist families and vulnerable people. In Tasmania, we have a culture in our social housing sector of blaming the vulnerable person for the position they are in, with the onus on putting the responsibility back onto the vulnerable person.

Maintenance of some of the existing Housing properties needs to be talked about. I know Madam Speaker did some work recently in Glenorchy in relation to some existing housing dwellings and the poor maintenance level of those houses. That was a very good example. I have seen that for at least 10 years since I have been working with more vulnerable people in our community. Rising damp is a massive issue. Dampness has always been put back onto the tenant as their issue. You have black mould growing in children's bedrooms, underneath their beds, and going up walls. The response that comes from Housing is, 'That is your job. Mould is your responsibility. That is not our responsibility. That is because you are not clean enough or you are not parenting well enough. Let us call in the services because really that is you, that is not us'.

**Mr Jaensch** - Really? Is that the quote?

**Ms BUTLER** - That was the outcome of the tenant trying to get help for a long time to remove mould. Sorry, I digress.



When you have Housing suggesting to tenants that it is their issue - it is not their issue. You have an inferior property built 40 years ago which has been flooded numerous times, where the cement of the actual foundations is damp and that is rising every time there is a cold snap, so for six months over winter, and you have a system which will not replace carpet. You have a system that will not go in and clean off this rising damp mould. You have properties that really should be condemned. You have tenants living in these houses, trying to raise their families in these houses. Their children's health is being compromised: kids with asthma, kids who develop health complaints because they are living in these properties and there is nowhere else for them to go.

This is the reality. It is lovely to hear about other creating more affordable housing for working families and, yes, we do have a problem with people working full-time jobs, working part-time jobs and they still cannot balance the system. They cannot balance their budgets but what we have a really big problem with is vulnerable people in our community stuck in inferior housing where they are blamed for the situation and the house that they are living in is being inappropriately maintained.

We know that is a massive issue and we need to tackle that. I have many examples from over the years. One example is where the toddler could not crawl around on the carpet because the carpet was in such bad repair yet Housing refused to replace it. It was 20 years old. When that carpet was purchased it was probably a Z grade carpet because the budget would have been really scrimping and saving to even probably put in the kind of flooring that these families needed. When people are not able to let their babies crawl on the carpet, we really need to make sure we look at our housing maintenance and have this resolved.

[11.48 a.m.]

**Mr SHELTON** (Lyons) - Madam Speaker, this debate is a very important debate when it comes to housing, first home buyers and social housing. I commend the minister for the work he has done over the short time he has been there.

My Lyons colleague, who has just resumed her seat, was talking about houses that were 40 years old and carpet that was 20 years old. I remind the member that this Government has been here now for five years but prior to that there was 16 years of Labor and then Labor-Greens governments. It is certainly an issue but it is one that has typically been there for a long time.

The minister, to his credit, has grabbed the bull by the horns and is working very hard. The Hodgman Liberal Government is also working hard to meet the unprecedented demand for housing across the state. Our state is growing, our economy is growing. The ABS figures recently released confirm Tasmania continues to lead the nation in annual growth in residential building approvals and is the only state or territory to register positive annual growth. There are more houses being built. Tasmania's dwelling unit approvals over the year to February 2019 grew by 19.1 per cent in trend terms, while the national building approvals declined, 21.7 per cent over the same period of time.

The confidence to build more homes clearly demonstrates that the Hodgman Liberal Government is working hard to support the housing market and the building and construction industry to increase Tasmania's housing supply. It is a supply issue, as we know, and this supply issue continues. As an adjunct to that, in the four years prior to us coming to government, the Labor-Greens government had a declining economy and declining private investment in these areas.

The notional value of residential building approvals has also continued to increase strongly, up by 20.1 per cent in the year to February 2019, in stark contrast to a decline of 5.4 per cent experienced nationally. The development of more affordable housing properties will continue to

stimulate our construction industry and provide even more jobs for Tasmanians. Under the Hodgman Liberal Government, our building and construction industry has grown more than 5000 jobs. Our additional investment in housing will further boost the sector, creating 900 new jobs including apprenticeships for young Tasmanians, and further add to our growing economy.

In 2015 the Tasmanian Liberal Government released Tasmania's most comprehensive affordable housing strategy to address the full spectrum of housing for Tasmanians' needs. It covers homelessness services, social and community housing and private rentals, as well as encouraging more Tasmanians into home ownership. Our first Affordable Housing Plan 2015-19 is on track to assist 1600 households and includes new supply of 941 affordable lots and homes to help more low-income households into home ownership and build more social housing and dwellings.

At 30 June 2019 we will have reached our target of 372 social housing homes as part of the 941 affordable lots and homes and assistance to 1600 Tasmanian households in need. The Government has just launched its second action plan, as the minister has indicated, which will deliver more homes and bring the Government's investment to almost \$200 million over eight years. It is the largest state Government investment into affordable housing in Tasmania's history.

The second plan is about meeting the immediate demands for social and affordable housing. Over the next four years the plan will deliver more land, including supplying around 380 new lots for new affordable homes; more social housing of at least 607 new homes in areas of high demand; more homelessness accommodation, with 88 more units for those in crisis; more people in home ownership, with around 270 low-income households helped to buy their own home; and more support for the vulnerable, with 418 people and families helped into supported accommodation.

We are confident that our strategy, supported by the two action plans combined with the \$30 million housing investment under the City Deal and nation-leading building approvals in the private sector and new tourism hotel constructions and student accommodation, will ease the pressure for Tasmanians currently experiencing housing stress.

**Time expired.**

**Matter noted.**

## **RECOGNITION OF VISITORS**

**Madam SPEAKER** - Honourable members, I draw your attention to our guests in the Gallery. We have the Hobart Probus Men's Club hosted by the President of the Legislative Council, the Honourable Jim Wilkinson MLC. Welcome to Parliament, gentlemen.

**Members** - Hear, hear.

## **WORKERS REHABILITATION AND COMPENSATION AMENDMENT (PRESUMPTION AS TO CAUSE OF DISEASE) BILL 2019 (No. 7)**

### **Second Reading**

[11.55 p.m.]

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

That the bill be now read the second time.

The purpose of this bill is to amend the Workers Rehabilitation and Compensation Act 1988 to include a rebuttable presumption that post-traumatic stress disorder suffered by public sector workers and volunteer first responders is work-related for the purpose of workers compensation.

The insertion of presumption will shift the onus of proof from the worker to the employer. Where presumption applies, it will be assumed in the first instance that the injury is work-related, unless there is evidence presented by the employer to establish that the cause of the injury was not related to work. The bill also removes the requirement for the ministerial review of workers compensation provisions relating to post-traumatic stress disorder because that review has been completed in accordance with section 162A of the act.

The report of the statutory ministerial review was tabled in both Houses on 25 September last year when my colleague, Minister Barnett, announced that after careful consideration of the report, the Government would be progressing reform to the Workers Rehabilitation and Compensation Act to include presumption for public sector workers and volunteer first responders suffering from PTSD.

I am very proud to table this bill today, which will make Tasmania the first jurisdiction in Australia to introduce presumption for PTSD suffered by public sector workers and volunteer first responders. It demonstrates that the Government acknowledges the risk that public sector workers, particularly frontline workers, experience in the course of their duties across the state, and is a strong commitment that we will support people when they are injured and encourage them to seek the assistance they need to recover as quickly as possible.

In legislating for the presumption today, the Hodgman Liberal Government is recognising that PTSD is an occupational injury that should be treated the same as any other injury. We are working to reduce the stigma that is often associated with mental health conditions and may stop workers from disclosing their injury and, importantly, seeking the treatment they need.

Claiming workers compensation can be a daunting process, especially if the workplace injury relates to mental health. There is substantial evidence demonstrating that the process to make a claim for compensation when workers are required to re-live their traumatic experiences, sometimes on multiple occasions, can exacerbate workers' psychological injuries.

PTSD may occur as the result of cumulative traumatic experiences over decades of service, which can be experienced by our first responders. Additionally, PTSD is a particularly complex condition to diagnose, especially where it is a result of cumulative exposure to incidents. As such, it may be difficult for workers to navigate the workers compensation process to have PTSD claims approved. This can be a huge burden at a time when the person is suffering a psychological injury, which is why the presumption aims to remove this burden on injured workers.

Reversing the burden of proof will not introduce new entitlement. Instead, it will allow affected workers easier and more timely access to necessary assistance and compensation, while leaving the opportunity for evidence-based rebuttal open to the employer to dispute claims.

The Government has decided to bring this bill forward after carefully considering the report of the ministerial review relating to establishing entitlements under the Workers Rehabilitation and

Compensation Act for workers suffering PTSD. I acknowledge today that the statutory review recommended that presumption was not necessary due to the low rate of refusal of compensation claims for PTSD; however the Government has decided to legislate presumption for public sector workers and first responders affected by PTSD. We are proposing this amendment to create an accessible pathway to workplace support, early intervention and effective treatment.

In making this decision, the Government considered all of the review's findings, especially the social value that could arise from presumptive legislation. The presumption will reduce the stigma surrounding mental health and perceived impact on career prospects and judgments from others.

A broad range of public sector roles are noted in the report as being at a high risk of PTSD. These include our first responders, frontline medical staff, medical and health care professionals, train drivers, disability and youth support workers, teachers, prison officers, child care workers and child protection workers, and Parks and Wildlife officers. This is why the presumption will apply to all public sector workers.

Accordingly, the bill defines 'relevant worker' as being a worker who is employed by:

- the Crown or appointed under an act of the state;
- a government business enterprise; or
- a state-owned company.

The amendment will also apply to volunteer first responders. Under the act, volunteers engaged in firefighting operations or fire prevention operations, volunteers engaged in ambulance services and volunteers performing police operations are taken to be workers employed by the Crown.

Additionally, section 56 of the Emergency Management Act specifies that, for the purposes of the Workers Rehabilitation and Compensation Act, a volunteer emergency management worker who participates in emergency management or a rescue and retrieval operation is taken to be a worker employed by the Crown while engaging in that emergency management or rescue and retrieval operation.

This means that volunteer firefighters, volunteer ambulance officers, police volunteers and volunteer emergency management workers, as described above, will be classed as relevant workers to which PTSD presumption will apply.

The changes do not apply retrospectively. The presumption will, however, apply to all undecided cases and to new claims if the injury occurred before commencement. The presumption will not apply if the worker is not eligible for compensation in accordance with section 25(1A) of the act. This includes, but is not limited to, situations where mental health injuries arise from reasonable action taken in a reasonable manner by an employer to transfer, demote, discipline or counsel a worker, or to bring about cessation of a worker's employment.

The presumption will also not apply if under section 25(2) of the principal act compensation is not payable as a result of an injury which is attributable to the serious and wilful misconduct of the worker (unless the injury results in the death or serious impairment) or an intentional self-inflicted injury.

Madam Speaker, this Government is committed to supporting all Tasmanian workers in relation to PTSD and mental health more broadly, and this amendment is a big step in the right

direction. I have also asked the WorkCover Tasmania board to explore whether presumption should be applied to broader occupational groups and I look forward to their advice on how we can strive to ensure the benefits of this amendment can be experienced by more Tasmanian workers.

Today we are delivering on our commitment to introduce presumptive legislation relating to PTSD for public sector workers and first responder volunteers. I am proud the Hodgman Liberal Government has brought this nation-leading reform into the Parliament. By raising awareness and normalising these issues we aim to change the attitudes of all Tasmanians to seek help when they need it and for all employers to treat psychological injuries with the same significance as physical injuries.

The Government takes the health and safety of its workforce with the utmost seriousness. Ensuring Tasmanians are kept safe, healthy and productive is not only good for workers and their families, it is good for our economy and, most importantly, it is the right thing to do. This is why the Hodgman Liberal Government is committed to seeing that first responders - along with all Tasmanian workers - are provided with a fair and sustainable workers compensation system.

I commend the bill to the House.

[12.04 p.m.]

**Ms O'BYRNE** (Bass) - Madam Speaker, I thank the minister for bringing this bill before the House today and will say at the outset that we will be supporting this kind of protection and support for workers. However, I imagine we will probably have to go into Committee because there is much in the second reading speech that is not spelt out directly in the bill. We will need to clarify our understanding of those, so I warn the advisers that we anticipate we will probably do that.

I welcome the bill and note the length of the second reading speech as the minister has attempted to put as much onto the record as possible, and I appreciate that. As we know, if there is a concern about the intent of the Government when a bill is tested, it is the second reading speech that provides that clarification, so I appreciate the work that has gone into that.

I do not want to sound churlish because it is wonderful that we have come to this point, but I also note that we did an odd thing when we had the workers rehabilitation legislation in 2017 - I think it was number 64 - before the House, where we legislated to have a review and then had the review and we are now in this position. We possibly could have gone to the review and saved some time and maybe this would already be in place, which would make a difference for some workers who will not be retrospectively be picked up by this. Having said that, we are here now and I thank those many people who have campaigned for some time, particularly in those areas that are clearly identified as requiring a presumptive clause.

I note that the first presumptive clause for acceptance of workers compensation was introduced by my colleague, the member for Franklin, David O'Byrne, with the firefighters. That is where this discussion changed in Tasmania in recognising there can be a presumption that precludes people from going through what are, for those of us who have worked in industrial relations, a pretty torturous process with workers compensation. The process of proving an injury can be soul-destroying for workers. There are those cases that are obvious and accepted reasonably quickly and there are those, particularly soft tissue or mental health ones, that are contested for a long time. We have workers who are followed by private security investigators. We have people consistently being sent to specialist after specialist after specialist. These can be torturous processes and if you are suffering from PTSD then that is an even more difficult process. The minister mentioned the

review indicated there was not a large number of claims in the space. I imagine it is because it is very difficult to go through. We will probably ask questions regarding what costings have been done to understand the numbers, and I believe we will see an increase in people coming forward.

When we first debated this kind of clause, when the legislation for the review was put in place, we raised at that time the need to extend it. One of the arguments firmly put was that would place an unrealistic cost burden. We will be looking at our consideration in detail to identify, unless the minister can do it in her summing up, what kind of cost implication the Government has anticipated. That does have an implication on the review that the minister has identified that the WorkCover board will be undertaking because that will impact on the range of things that are provided to workers through workers compensation. We will need to understand what kind of implications we will be looking at.

I want to talk a little about one of the concerns we were not able to address in the issue of firefighters when we first looked at presumptive clauses before. That was the behaviour of the insurance company that is used to represent the Government in matters to deal with our firefighters. That is not the way most of our workers compensation matters are dealt with. As a self-insurer, we do not have the same kind of attitudes as in other areas. The behaviour that we picked up in this debate previously was the fact that despite there being a capacity to send people to be picked up by the full extent of what was in section 27, which was the presumptive cause of cancer in firefighters, the insurance companies were progressing the matter under a different section. They are referring them to section 81A. Therefore, they would have to prove they did not have to prove it so that they could then get to section 27. That was a hideous bit of behaviour.

The minister undertook to try to find a resolution to this in the upper House, but I cannot find in the bill that we ever resolved this matter. It was outside the intent of the bill and outside of the intent of the parliament. At that time we looked at whether we would need to bring in a provision that provided a level of safety, that made it clear that section 81 was not to be used as a way - and it is not section 81A now, it has been shuffled a little in terms of the numbers of the bill, because I am looking at the puzzled faces of the department people there - but that is the process by which a normal workers compensation claim could be assessed.

We looked at an amendment to clause 27 that would say that you could not use the other clause as a way of avoiding this clause. If there was a claim to be made, it would go to the area of respecting presumption, because it was not the intent of government then and it was not the intent of the Government last year. The concern was that one day there might be a government that was quite happy for it to be the case. Given that the Government has made a decision to re-sign with Allianz, the company that made that decision, we have a level of concern given their attitude towards presumptive cases in the past. The minister may want to touch on that because we need clarification to ensure that people will be dealt with fairly.

As the bill indicates, there are areas by which you will not be entitled to pursue this if you have another workers compensation claim or there may be an ongoing workplace issue. I raise the ongoing workplace issue because, as the minister said, there can be cumulative impacts of PTSD and the first time that you might notice it within a workplace might be where there becomes a workplace issue that requires counselling or management. If that is the case, and that is the first time that the PTSD has presented itself in a work environment, it may be hard to define whether you are dealing with a workplace matter or whether you are dealing with PTSD. That sort of clarification around how people will be able to access it probably does need to be spelt out quite clearly in this debate so that we can be sure that its true intent is picked up.

It is not that we do not trust the minister bringing this before us; I believe the minister has very good intentions in bringing this before the House today and we applaud those intentions, but we have been caught out before by the way games are played by others outside of this place. We need to ensure that no worker who is being disciplined for an issue is precluded from accessing where that disciplinary nature stems from the experiences and engagement that has caused significant stress.

I have questions that I will probably take in consideration in detail. Given that the bill itself is quite small we will be seeking to have all of those questions answered within that one clause effectively. I seek the House's acceptance of that, otherwise this second reading speech might take a very long time and the minister will be writing handwritten notes and having to respond very quickly. We want to have a proper engaged discussion regarding this because it is important legislation.

When we did the legislation to have a review, we talked about some of the work that is already in place. There was a position by WorkSafe Australia that was a very conservative environment at the time to say that there was not enough evidence for PTSD and I believe the review picked up on that. However, there was very clear evidence around PTSD for our first responders. That was a very clear outcome and that work is both within our own jurisdiction and in other jurisdictions. The Canadian examples for instance provided some very moving stories. There was the very famous case of the Canadian first responder, a firefighter, Brad Symes, whose suicide was linked to PTSD. He was only 38 and he had a couple of young children.

What I put on the record then, and I will do it again, was that Stan Symes, retired assistant fire chief in Edmonton after 35 years on the job, while he worked as a first responder he found it helpful to confide in his wife. Brad Symes often called his parents to talk about his job and the things he had witnessed. Many times he would just call and say, 'Mum, this is what happened today'. He had two little children and it is hard for any parent. You think of your own kids and you want to hug them more and love them more. Stan Symes remembers one phone call in particular because his son, Brad, had been called out to the O'Leary Pool where a little fellow had drowned and he was unable to distinguish that child from his own children. As parents we know that you do not only feel sympathy when these things happen, you actually have a point of empathy because you do imagine yourself in that space. He was never officially diagnosed with PTSD. That is where one of the challenges comes in this legislation around getting that official diagnosis. It was not until 2012 that legislation was passed there where you did not have to prove that the illness was job related in order to get compensation. They passed legislation in 2012. Between then and 2014 they had 36 claims filed - 17 by paramedics, 11 by firefighters, eight by police officers - and of those 32 were accepted.

There are a number of challenges about recognising PTSD and having diagnosis. They have set up a PTSD Awareness Day in Alberta now where Brad lived to raise the issue and the effects of PTSD. The rates of PTSD in the general population is around 3 per cent. The rate in first responders is 10 per cent which is really quite frightening.

There is a lot of evidence around the level of mental distress in PTSD. There is international evidence. A number of jurisdictions internationally have recognised PTSD. That is why we were hoping that we could have moved straight to the review. There were a number of people who made submissions to the review and I thank them because it is a very brave thing to do to tell your story. A number of our public sector workers spoke out and shared their own stories with PTSD and

particularly there were some ambulance paramedics. HACSU compiled a submission that I will make reference to. I commend everyone at HACSU for the campaign they have run over quite some time to get PTSD recognised. There have been many people who have worked in this space that has brought us to the fruition today of the Government's legislation.

There were also submissions made by CPSU, United Voice, United Firefighters and the Police Association. The report they provided detailed what they wanted to see, which clearly has been adopted by the Government in their legislation today.

Some of the stories that were bravely shared include that of Steve Hickey, who said:

People outside this work environment think that the trauma we're exposed to is blood and guts. Blood and guts is normal to us, that's what we're trained for - we work with that all the time. The trauma for us is when you go to someone who has lost their loved one of 50 years or something unexpected happened. A 35-year-old with stage 4 melanoma, his wife is there and his two little kids are running around. You look at him and he's actually seizing, not moving, but an absent seizure, and I know he's going to start a tonic-clonic seizure and I know I'm not going to be able to stop it and I know he's going to die. There are kids, their two little kids, and you have to tell his wife, 'It doesn't look good. I'll do everything I can'.

Other evidence talked about the process when you go to a sick circumstance and the child involved looks like your own child - you can't distinguish that child from your own child - and the absolute distress that causes.

On the workers compensation claim, Steve said:

They asked me, 'What was it?', and I said it was that job with the little girl, but it wasn't. My psychologist thinks the single incident on my workers comp claim probably has very little to do with the actual pathology of my disease. That job was just the one straw that broke the camel's back.

Emergency services workers and anyone who is going to be captured by this bill can have a number of circumstances that lead to the point where they break. That is why we want to clarify a couple of things in the second reading speech that talk about whether or not you would get picked up in certain circumstances. We can all reasonably see a circumstance where someone has gone through trauma after trauma and then something happens in the workplace that they are counselled for. That might be the first time we identify what trauma has been going on in their past, so we need some clarification around that.

The other issue we want to clarify is that you are not entitled if you are picked up by another area of workers compensation, so if you have another active claim we know that PTSD might actually be current with another active claim. We want to know how that distinction might be made. Do you have to go through proving it in one space and not proving it in another in order to get to the point of having the presumptive application applied? How do you get to that point? If you have another consistent workers compensation issue at the same time, do you have to go through and then have it proven that you can then access the presumptive provision? The legislation does not spell that out and I am concerned it might be open to interpretation by insurance companies at any given point.



I know that is not the minister's intent. I am not suggesting that is a desire the minister has, but when we did this for cancer treatment and had presumptive clauses in place for those people with cancer, we had people referred to other parts of the bill before they could get to section 27. That kind of behaviour needs to be really stepped out.

I want to talk about Peter James. Everyone has either seen Peter James on television or heard him speak at public events. He is an ambulance paramedic and has been extraordinary in his service to the people of Tasmania. He has been very brave in talking about his own PTSD and sharing those stories, which is an important part of unpicking the stigma the minister referred to. Peter was at Port Arthur and he talked about some of the experiences that he witnessed as a paramedic and what it meant for his own mental health. He said:

I have been diagnosed with chronic PTSD. It's a creeping, insipid disease. It becomes part of the fabric of who you are. You don't see it in yourself but others do. I have become mistrustful of my co-workers and Ambulance management, I don't participate in any social functions. I feel isolated and distrustful of others and I feel very uncomfortable in public places - I feel isolated in a crowded room. I've still had to prove that I've got it after 41 years of doing this job. It's as obvious as dog's balls that after that time you've got to be carrying some baggage, but I'd do it all again tomorrow.

I think Peter indicates that his actual work relationships and the way he conducts his business in Ambulance Tasmania has been impacted by his PTSD. It is not inconceivable that somebody might have PTSD and behaves in the workplace in a way that requires them to receive counselling or disciplinary behaviour and yet will not be eligible for this presumption unless they prove through other means that they have PTSD, because they then will not have immediate eligibility for section 27 and will have to go through the proving point, which is exactly what this bill is attempting to avoid. My expectation is that the intent of that part of the second reading speech is to ensure that we are absolutely dealing with people with PTSD. One of the concerns when we try to be quite prescriptive is that we inadvertently draw in genuine people who should have access to that level of compensation.

I do not want to take a huge amount of the House's time today because we would like at some stage to get through this bill, the next bill that is listed and the response to the Premier's Address. We note that we will not get private members' time again this week because the Government has chosen legislation last week and this week which means that we do not get private members' time tomorrow.

I remind members, while I am on my feet - and it might not be utterly related to the bill but indicates why I am being shorter in my contribution today - that the standing orders are written to ensure that the Premier's Address takes precedence, and that was decided in 2003. There has always been an understanding that very important legislation could be brought on if the response to the Premier's Address was going to take a long time so that the business of the Houses would not be impacted upon. The fact that the Government has chosen to do lots of legislation last week and lots of legislation again today before we resume the response to the Premier's Address indicates to me that this is an attempt to avoid our private members' time tomorrow. We feel that is quite a significant impact, given that the Government also chose to knock off a week of sitting earlier this year. We are now looking like not getting private members' time in this House until the May session. That is quite extraordinary of this Government to implement and I do not believe that is

accidental. I do not believe that is how this Leader of Government Business behaves. I believe most of his moves are calculated.

I will end my contribution there but indicate that we want to go into Committee to address quite a lot of content of the second reading speech to make sure there is an understanding of the intentions of the minister and the Government in those spaces. I encourage the Government to consider, given that this is an important bill that we support and we want to have debated, that perhaps they could consider extending the sitting so that we get this bill and the next bill done and the response to the Premier's Address done so that the intent of this parliament in giving private members' time to members of the Opposition and other parties is upheld without this kind of game-playing.

[12.23 p.m.]

**Dr WOODRUFF** - Madam Speaker, I rise on behalf of the Greens to strongly support this very important amendment to the Workers Rehabilitation and Compensation Act. This is a great step for Tasmania and a great step for all people who have suffered trauma and are going through the process of healing or learning to live with post-traumatic stress.

There are a number of comments I want to make about this bill. I understand we are going into Committee and there are a couple of questions I have in relation to exactly who will be included under the definition of 'worker' and 'volunteer', so I will ask those questions then. The Greens argued the case very strongly when the post-traumatic stress disorder legislation came before us previously to include firefighters. We are pleased the Government has undertaken the review and has, as we hoped, included a presumption that post-traumatic stress can be suffered by public sector workers. It shifts the onus of proof from the worker to the employer. In doing so, it continues our strong attempts as a community to destigmatise post-traumatic stress. We know so much more about post-traumatic stress and its impact on brain physiology than we did 70 years ago. Certainly, we know much more than after the end of the First World War in which people suffered extreme exposure to horrific experiences in that terribly brutal war. We called them a range of things when they returned. We had no way of understanding the impact on their brain physiology, on their emotions, on their responses, their volatility, their emotional reclusiveness, their anger and sometimes violence towards the people they loved the most. They were suffering from seeing things they could not comprehend and their brain could not leave behind.

We know a lot more about what healing involves and we know that some people do recover from post-traumatic stress. Other people have to learn how they can accommodate those experiences which, often unbidden, come into their life. Experiences they have had come back and overwhelm them and they have to do deal with their physical and emotional responses.

We strongly welcome this because for people not to have to argue that post-traumatic stress is something they could suffer from in the workplace is a very important shift.

I would like to spend some time talking about language. We have talked about wanting to remove stigma. That is a large part of honouring the reality of people with post-traumatic stress and their right to workers compensation if that stress was caused by a workplace event. It is also about understanding how we talk about that post-traumatic stress. We have moved from talking about post-traumatic stress as a disease and a disorder to a growing awareness that neither of those words are the way that people with post-traumatic stress want to be talked about, or consider themselves. The word 'injury' is being increasingly used. In the bill we talk about a worker suffering an injury that consists of a post-traumatic stress disorder. The title of the bill refers to parts of the underlying act, the Workers Rehabilitation and Compensation Act. We are muddling

together three different terms. Do we need to have a more considered discussion with people in the medical and psychiatric communities, people in the first responders communities, people in the post-traumatic stress communities and mental health areas about what terms we use and whether we need to go through state legislation to achieve harmony in these terms?

Post-traumatic stress disorder was created in 1980 as a diagnosis by the American Psychiatric Association under the DSM. It followed a movement after the Vietnam War, the women's family violence movement, genocide survivors and the research that was done on natural disasters at the time. That is the genesis of the concept of post-traumatic stress disorder.

No-one then realised how deeply and widely this term would be used. It is a diagnosis which has helped millions of people around the world by giving name to something that was confusing, frightening and disabling. It allowed us to research causes and remedies. It allowed insurance coverage and disability payments where none existed previously. It meant fostered self-help for people with the condition and collaboration among people who wanted to study and treat post-traumatic stress disorder. At the time it was a good change and was brought about by people who care about trauma and its consequences.

Since then the term 'post-traumatic stress disorder' has also become a source of stigma. The term, indeed the disorder, has been reported as discouraging some people, particularly people from a military experience, from seeking help because they feel that there is a sense of honour from having a war injury. A disorder implies that there is some underlying inadequacy in the person, some weakness. They do not receive the same honour and status as a person who has had their arm blown off by a mine.

This has been pointed out to the American Psychiatric Association. In 2012 there was a move to make a shift in the Diagnostic and Statistical Manual to use the term 'post-traumatic stress injury'. Many people now believe that is the correct term from a physiological point of view as well as from a public perception point of view. People have made the case very strongly that 'disorder' is stigmatising where 'injury' is not.

A number of feminists have been very outspoken about this for many decades. Women who work in the family violence area have made the point that the term 'disorder' stigmatises psychological injuries and prevents people healing. Survivors from rape and domestic violence have many reasons to resent being stigmatised with the idea that they are disordered when their post-trauma reactions are consistent with injury and a normal response to the extreme violence they have had done to them.

I want to mention a few comments that were made by two American psychiatrists, Frank Ochberg and Jonathan Shea in relation to changing this term from 'disorder' to 'injury', because they make some very good points from the medical point of view. They said that from the earliest conversations about creating a new diagnosis of PTSD back in the 1970s, they thought a concept would capture the experience with both survivors of catastrophic events such as war, fires, floods, killing and rape. They did not want the new syndrome only to apply to people with pre-existing conditions. They knew that in mass disasters, some people emerge with flashbacks and years of disabling symptoms while others emerge sadder and affected but not with the pattern of what we now call PTSD.

Some traumas are more traumatic than others. What we have come to understand through research, for example, is that surviving forcible rape, on average, has more intense and prolonged

symptoms than surviving a car crash. They say, 'We also knew that one could have a clean bill of health prior to the trauma and then afterwards there was a profound difference'. That difference was not only about being nervous or inhibited. It featured an altered form of memory, a traumatic memory.

This is a core component of the term PTS, post-traumatic stress. It is more than about remembering something terrible. It is about a change in the brain's pattern of memory where people have episodes that are sometimes triggered, sometimes spontaneous; they can be triggered by smells or sensations, they can be garbled or clear pieces of information that come back, and it happens in different states of being awake or asleep. It is not an autobiographical memory or a dreadful event. It is a hot and traumatic memory.

For some survivors, but not all, exposure to a very extreme high signal of traumatic stress causes an actual change in brain physiology. The stimulus is so much that the capacity of an organ - and in the case of post-traumatic stress, the capacity of parts of the brain - to be able to take on that stimulus and to remain resilient as an organ exceeds the capability of the brain.

Post-traumatic stress clearly is not a weakness. It is definitely not, in its origin and manifestation, a disease. It has come from something that has happened, such as a traumatic amputation. No military surgeon would diagnose a soldier who has lost their foot in a mine incident as suffering from 'missing foot disorder'. That helps us to understand how for many people talking about post traumatic distress order feels wrong. We also would not understand a GP or psychiatrist referring to a woman who has survived a rape or family violence as suffering from 'rape disorder' or 'family violence disorder'. It is the experience of those events or cumulative events which means that a person has post-traumatic stress.

The point is that it is not a disorder. The brain is injured, has been damaged and does not work the way it used to. There is a process of healing that needs to be undertaken. What we need to do as a community is consider whether we ought to be persisting with this term which was introduced to the DSM, the American Psychiatry Association which is responsible for bringing that change in. Should we consider changing that?

I am not standing here today proposing that there is a right way around this area but I encourage the minister, as part of the continuing work in this reform, to take up the opportunity to have formal conversations across the mental health, psychiatric and other medical areas, and especially with first responders to people with PTSI or PTSD - their own terms - and consider how we need to change this term. Should we shift to PTSI, which sounds as though is what is happening more broadly across Australia and around the world, and how do we make an adjustment to the legislation we have across all the different parts of government, such as emergency services, legislation and so on which this amendment bill refers?

I thank the Government for the work that has been done in this area. On behalf of all the people I have spoken to who are living with post-traumatic stress, I support this move. There is more we can do but it is a great start along this pathway.

[12.41 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Education and Training) - Madam Speaker, I commend the minister, Ms Courtney, for introducing this legislation to the parliament, and her predecessor, Mr Barnett. Our Government and the parliament can be proud of this legislation.

The Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Bill 2019 will ensure that the cause of post-traumatic stress disorder is automatically presumed to be work-related when it comes to public sector workers compensation claims. As to the terminology, I found Dr Woodruff's contribution very enlightening in terms of the use of the term 'injury' in this context.

The changes we are making will reverse the onus of proof so it will be presumed that where presumption applies the injury is work-related unless evidence is presented otherwise. We are doing this because it is the right thing to do. We know from listening to first responders that they are regularly confronted by horrifying scenes that cannot be forgotten at the end of a shift and that PTSD is different from other injuries. It can be difficult to diagnose, which can make it more difficult and stressful to prove.

The amendment legislation we are introducing today is not just for our emergency services but will be applied to all public sector employees, employees of government business enterprises and state-owned companies, as well as volunteers currently entitled to receive workers compensation entitlements under the Workers Rehabilitation and Compensation Act. We want our public sector employees who face highly traumatic situations in the course of serving the public to know we have their backs too and post-traumatic stress is certainly nothing to be ashamed of.

While in Tasmania our workers compensation system already a high acceptance rate for PTSD-related claims, this reversal of the onus of proof will remove any barriers for public servants suffering from PTSD to make and have a claim accepted. It will also remove a potential source of stress for those who are suffering with PTSD and highlight the importance of helping people return to meaningful work.

I pay tribute to those who contributed to the review. The Deputy Leader of the Opposition named a number of organisations and people who contributed, including HACSU and other organisations and unions, and I thank them too. I pay tribute to and thank Dean Yates. Some of you may have met Dean during this discussion; a very interesting, compassionate and empathic person. Dean is known to our family. Dean's wife is very good friends with my wife, Sandra. Dean has experienced PTSD as a result of seeing two of his co-workers killed in Baghdad in around 2007. Dean's experience is very well documented both on social media and online. Dean holds a very important position with Reuters, which is the head of the Journalist Mental Health and Wellbeing Strategy. It is the only role of its type among the global media organisations, which is something that Dean can be very proud of.

Dean came to our farm at Sassafra in around March 2017 and spoke to me about his experience and the need to introduce such legislation as this. Dean introduced me to Peter, who I believe is the same person that Ms O'Byrne referred to, a first responder paramedic. Listening to Peter, you cannot help but to want to introduce legislation of this type. I also pay tribute to the work Dean has done in getting us to this point. He has met with all sides of politics to advocate for such an important and necessary change in this area.

Our Government has led the way in many respects in changing the way we respond to PTSD claims. The amendments we are making are part of the Government's response to the independent review in relation to presumption in respect of PTSD affecting certain employees. During the review Mr Stephen Carey and Dr Jacqui Triffitt consulted very widely. I thank them very much for their work. The Government also conducted targeted consultations on the draft amendment bill

with heads of agencies, the WorkCover Tasmania board, insurers operating within the Tasmanian Workers Compensation Scheme and our relevant unions.

It is fair to say that this has wide support. I am very proud of the work that our Government has done in protecting our employees, particularly our first responders from the hazards that can be associated with their duties. We have supported firefighters through the amendments to the Workers Rehabilitation and Compensation Act to remove barriers to volunteer firefighters in accessing compensation for certain cancers. We have commenced a \$6 million wellness program initiated by the Department of Police, Fire and Emergency Management. In the Education portfolio our major focus this year is wellbeing and the mental health of both students and teaching staff. Four or five weeks ago we launched the principal health and wellbeing strategy.

This legislation is an example of very appropriate actions that a Government can take as a result of listening to the concerns of the community and listening and responding to their advocacy. In making these amendments I thank all those involved. I thank Ms Courtney for bringing it to this House. It has been a lot of work since the review was instigated as a result of previous legislation. This legislation is something the parliament can be very proud of and justifiably so because this legislation has been a long time coming but very much needed. It will do an enormous amount of good.

[12.19 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries) - Madam Speaker, it is a privilege to speak in support of this bill. I thank my colleague Sarah Courtney, for bringing this forward as a reform which is nation leading. I was pleased to be the state minister then responsible for workers compensation and agreed to legislate a presumptive provision for workers' compensation claims arising from diagnosed post-traumatic stress disorder. If passed, it would make Tasmania the first jurisdiction in Australia to legislate for the presumptive provision for workers suffering from PTSD.

It means that when the Tasmanian government workers make a claim, following a diagnosis of work-related trauma, PTSD under the Workers Rehabilitation and Compensation Act 1988, the default presumption is that the claim is work-related.

On 25 September last year, Michael Ferguson, the Minister for Police, Fire and Emergency Management and I jointly announced this. We met with first responders, fire, ambulance and State Emergency Services. It was a very special day, one of those special events in terms of a nation leading initiative. On that and the following day we received a lot of support from various third parties. I put on record the support received by Darren Hine from Tasmania Police. He was delighted when we spoke with him on the day. He noted that it will help emergency service workers who continue to put their lives at risk to assist the community.

Likewise, the Police Association of Tasmania acting secretary Gavin Cashion strongly supported our reforms, saying police officers see the very worst of humanity and the cumulative effect this can have on individuals is significant.

Various unions, Unions Tasmania chief Jessica Munday, United Voice secretary Janette Armstrong, Health and Community Services Union's Tim Jacobson gave broad support for this nation-leading reform. I put on record my sincere thanks for that support.

I acknowledge and thank specifically, those who undertook the review at the request of the Government. Mr Stephen Carey and Dr Jacqui Triffitt have been referred to earlier.

I acknowledge the WorkCover Board and the work they have done and WorkCover Tasmania officers in the Chamber today who helped assist implement the Government's agenda and policy. I acknowledge the work of those in the department who helped make this become a reality.

Our emergency first responders are among those that Tasmanians turn to in times of traumatic events, tragedy or need and they can often witness confronting and serious incidents which have long-lasting impacts on their mental health. That is why the Hodgman Liberal Government has committed to seeing first responders provided with fair and reasonable access to workers compensation for work-related PTSD. That is a reversal of the traditional onus of proof. It is the right thing to do. The amendments will apply to public service workers and in due course employees of government business enterprises and state-owned companies. That is very encouraging.

I conclude with heartfelt support for this legislation and say that this is landmark legislation. It is nation-leading. The presumption will not change the process of making a claim to impact the ability of workers to secure a diagnosis in order to make a claim. That is still required. The Government I know has been in contact with the Tasmanian Chamber of Commerce and Industry and others in relation to the reform and implementation of it. The WorkCover Tasmania Board is giving consideration to how it may be applicable to other types of businesses and private sector workers and employees. The presumption will not remove the ability for an employer to dispute the claim if there is sufficient reason to believe that the injury or disease is not work related.

We have to try to get the balance right and I believe we have got the balance right. I am proud to be part of a Hodgman Liberal Government that is paving the way to proper recognition of the debilitating mental condition known as PTS or PTSD. It disproportionately impacts those workers on the front line who we all depend on. In the Veterans' Affairs space that is a very important matter as well. As Minister for Veterans' Affairs I acknowledge that issue. That is relevant in particular to the Commonwealth, but it is relevant to all of us here in Tasmania. We note that and acknowledge it, and pay respect and honour to those in particular on the front line.

[12.56 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, I welcome the changes to the Workers Rehabilitation and Compensation Amendment Bill 2019. The amendments are triggered by a policy change that Labor took to the last election. It is great to see the Government working in this area, improving the rights of workers. I will always support that, especially in areas such as post-traumatic stress disorder. It is great to have extra protections and this is very much a good start. I am really pleased to see the Government showing some signs of having greater empathy for workers.

My concerns, and there are a few concerns, is basically around my previous experience working as a workers compensation and rehabilitation manager for a large manufacturer. The group I worked for was, in large, very committed to looking after their workers. However, I, like many people, understand the difficulty with the onus of proof of workers compensation claims, especially stress claims, so I welcome the presumption within this legislation.

I have questions around the actual rollout of these changes through the agencies and I very much support those changes - please do not get me wrong - but I am looking at a Government that is not paying workers correctly, especially public sector workers. I do not really understand why we are not paying people appropriately. We are putting a huge stress on many of our public sector

workers yet we are introducing post-traumatic stress presumption, which is fabulous and I completely support you doing so.

We must make sure the practice from this important change is supported by all agencies and departments. We have to ensure the changes are also adequately resourced through the agencies and that there is appropriate training and resources for people with post-traumatic stress disorder and their return to work. We have to ensure there is proper rehabilitation plans in place for those people returning to work. We have to make sure that this is more than words. We have to make sure our culture in our agencies supports people with post-traumatic stress disorder and that the stigma is not carried along, as it usually has been in the past, for people who do suffer from post-traumatic stress disorders.

We have to make sure that the spirit of the presumption is also granted to people who are applying to be recognised as having post-traumatic stress disorders. We have to look at the services. We also have to make sure that there are proper mental health plans for people and also make sure that mental health in Tasmania is appropriately funded. It is also important to ensure that this change to the Workers Rehabilitation and Compensation Amendment Bill is reflected in what we are delivering to our health services, making sure that the actual way in which we rollout this policy is appropriate.

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

## **WORKERS REHABILITATION AND COMPENSATION AMENDMENT (PRESUMPTION AS TO CAUSE OF DISEASE) BILL 2019 (No. 7)**

### **Second Reading**

**Resumed from above.**

[2.30 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, I welcome changes to the Workers Rehabilitation and Compensation Amendment Bill 2019 and the presumption of post-traumatic stress disorder.

Stress-related injuries were always difficult to manage from a workplace point of view. I might seek the indulgence of the House by going back a little bit in my own work history when I used to manage the workers rehabilitation compensation for a large Tasmanian organisation. We were a self-insured organisation so making sure you managed claims in a way that was most beneficial to the worker while also really trying to keep costs down as much as you could, trying to find that lovely balance as you have to when you work in the private sector, was very important.

The stress claims - not that we had many; there were more physical injuries because of the nature of the organisation that I was working in - were always a self-insurer's hardest claims to manage. There is not an X-ray that will give you evidence that a person is stressed. It is very much reliant upon how the worker or the individual reports on how they are feeling at that time. There may be physical attributes that go along with that case but, by and large, it is very difficult to manage from a worker's compensation point of view.



There is some pathology with post-traumatic stress disorders but it is certainly not a one-size-fits-all disorder. It is completely different for every single case and every single person. The reasons behind the stress differ. Some people handle stress in a completely different way from other people. What we do know is that post-traumatic stress disorder is a devastating condition to the employee and also the people around them, their family, partners and friends. It can be very difficult for people to ever return to work after a post-traumatic stress incident. Other times people may be able to return to work very quickly. Their coping mechanisms can be varied and it could be someone who saw exactly the same incident or was subject to exactly the same condition and the effect on those people and their ability to ever return to work can be completely different. It is also their ability to be able to provide for their families.

We hear this a lot with first responders and emergency workers where you will have five people in a team where they have almost been in a back-draught situation. They have almost been left for dead. Everybody presumes that there is no way they would be able to survive a certain incident and then, luckily, they do survive the incident. One of the people will never work again because of the trauma and the stress of that incident, while the person lying next to them who also thought, 'well this is it, that is the end', will be fine and they will go back to work the next day. However, they may have problems two years down the track or 10 years down the track. That is the issue with post-traumatic stress disorder and it is good to see the Government appreciating and acknowledging the seriousness of the condition.

Traditionally the onus has very much been based on the employee providing evidence to state that their injury was related to a workplace incident. When I used to manage workplace compensation matters we used various medical opinions. We knew there were certain specialists who would be quite rough on the employees. We knew other specialists who would be more therapeutic based. There would be other specialists who would get into the depths of the psychological impact of injuries. That gives a range of opinions. When you have something like post-traumatic stress disorder, you can have opinions from one specialist who says, 'This is definitely a post-traumatic stress disorder', then another specialist who says, 'I do not believe this is'. I am concerned how employees are protected through that system, especially if there is a presumption and how that would work if there were different perspectives on what was reasonable. It may come up later on.

I have attended quite a few workers compensation rehabilitation claims tribunals in previous years. Those tribunals can be onerous for the employees attending and having to recall events. I am concerned about how the presumption fits and whether when what is considered reasonable is debated, it will pass through those mechanisms and, regardless of the presumption, what seemed reasonable will be properly mitigated.

I support the presumption of post-traumatic stress disorder and support this bill. I want to state for the record that there needs to be proper resourcing of agencies. There needs to be proper training for people who will be managing these cases and claims, from co-workers right up to the deputy secretary level. We need to make sure the implementation of this bill is bigger than just the words. We need to make sure we have a proper cultural fit in our government agencies that matches the spirit of this bill. The spirit is right. The intent is good. The actual practice of that is another thing.

I am concerned about what happens when a post-traumatic stress injury is challenged through the clause of what is reasonable. Could things such as background health history, previous experiences in situations attributing to post-traumatic stress disorder, a pre-existing injury be challenged, like they are at the moment? I am aware it is a legal responsibility but post-traumatic

stress disorder already means that somebody is undergoing a stressful situation. The spirit of this bill is to not to create more stress for the person. However, because of the legal system we will probably find that those people may still have to jump through the hoops.

I asked earlier how conflicting advice from specialists relating to the source of a worker's post-traumatic stress disorder will be dealt with other than arbitration, if there is a presumption that the post-traumatic stress disorder is work-related.

Will the onus of the worker having to prove their own illness and reliving the events around the incident further compound the condition, which is what the amendments are meant to alleviate?

There must be proper procedures with the presumption of trust and respect for the worker. It is important that the bill provides assurance to workers that if they ever find themselves in a work situation which gives them post-traumatic stress disorder then they will be properly looked after. Also, that their families will be looked after and they do not need to worry how they are going to pay the mortgage, or how are they going to put food on the table for their family, which would add to an already stressful situation.

There must be properly allocated resources to support the implementation of a presumption of post-traumatic stress disorder. With post-traumatic stress, the pathology is often difficult to diagnose and prove. We need to make sure we have agency heads and decision makers properly trained. We need the HR department, the people who do the administration, the insurance part of the compensation wing of our government departments properly trained in how to manage, recognise and look after people effectively.

I am concerned that some employers may victimise and isolate workers with post-traumatic stress disorder who are returning to the workplace. That is a matter of having effective plans. Workers rehabilitation and compensation return-to-work programs are important. I used to write them and they have to be individually tailored. It is all about working with people on an individual level. Post-traumatic stress disorder is so individual.

We must make sure that the practice from the amended bill is supported in all the agencies and departments. That is going to be hard to manage. I would like to think it will roll out perfectly but there is always going to be problems. There will always be people who do not understand the spirit of the bill, that it is meant to protect people from being more stressed in a workplace and for people to be rehabilitated and eventually return to work and continue their lives in a meaningful capacity.

Post-traumatic stress disorder can be difficult to diagnose immediately. It can become apparent sometime after an incident. I support that this bill reflects the nature of post-traumatic stress disorder and how the condition is different for all people. We need to make sure we remember that in the implementation of this bill.

Without appropriate training of workers compensation claims managers, a further strain can be added to the condition. It is something we must implement. We have to make sure our agencies understand how important it is to train, support and properly resource the agencies. It is important to make sure that we do not just say, 'We will look after this', but that it is resourced effectively.

They take a long time to recover and each case is completely different. It is good that we are moving in that direction.

Under section 25(1A) of the principle act, the worker is not eligible for compensation where mental health injuries arise from reasonable action taken in a reasonable manner by an employee. This section could well become a focus for rejection of an employee's claim.

What is reasonable or not reasonable is always questionable in a court of law. As this is an Australian first, I am interested how this clause is exercised. I hope it is not used as a 'get out of jail' card down the line for individualised personal rejections of claims. I know this is not being rolled out to the private sector. At the moment the scope is public sector and our firefighters and first responders and emergency service workers, et cetera, but we need to make sure that that clause is not grasped by people who have no respect for the integrity and the actual spirit of this bill.

Unfortunately, there will always be people who do not have respect for workers compensation claims and probably would question why somebody may have a post-traumatic stress disorder. They may be trying to hurry that person back to work instead of dealing with them on an individual level, especially if the claim looks like it could end up being expensive and that becomes a priority instead of the actual fundamental belief behind this bill.

I support this legislation and support that it recognises that post-traumatic stress disorder is an occupational injury that should be treated the same as any other injury. However, I am concerned about the spirit of the legislation and how this will play out in a broader sense across agencies and I will keep reaffirming that. Workers may not be forthcoming with their injury because they may not want to disclose that they have been stressed from an incident; they do not want to have that stigma, so it is important for agencies to foster a community support for all workers.

A workplace culture of acceptance, understanding and support is required with a government that will not consider paying workers appropriately. Threatening to stand them down if they protest or speak out or to dock their pay because they have protested makes me question whether this Government actually has the capacity, ethics and community interest to properly implement these changes.

This bill is about protecting workers' rights; it is an ethical bill and I am pleased with that side of things. However, we have seen in the last fortnight workers' names being taken down and their pay being docked when all they were doing was protesting, which they have the right to do and making sure they are standing up for their rights. Some of them are the lowest paid in Australia for what they do. We need to make sure that the spirit of this bill is properly respected and I completely support the bill.

[2.19 p.m.]

**Mrs RYLAH** (Braddon) - Madam Speaker, I commend the Hodgman Liberal Government and the minister, Sarah Courtney, for bringing this very important and nation-leading legislation to the House today. I also recognise that there has been a substantial body of work by many people and contributors, led firstly by Mr Hidding, then Mr Barnett and now it has come to fruition under Ms Courtney and her team. Well done to all involved and my sincere thanks.

This legislation is nation-leading because it will ensure that the cause of PTSD, post-traumatic stress disorder, is automatically presumed to be work-related when it comes to public sector workers compensation claims. I wish this presumption had applied to military service, specifically Vietnam veterans, because I know this disease. PTSD is a stalking injury. It stalks its victims because there is a change in the brain and, like the Grim Reaper appearing out of the mist, it lurks and stalks its victims. This stalking injury ambushes people apparently out of nowhere and it confounds them,

frightens them and diminishes their belief in themselves. I recognise the contribution by Dr Woodruff this morning to this bill. Well said and thank you.

I quote from Dr Norman Doidge, a medical doctor and a psychiatrist affiliated with the University of Toronto and Columbia University. He says:

PTSD is a neuroplastic disorder par excellence because when a person with a functioning nervous system experiences an event - the meaning of which is extremely overwhelming to the mind - the brain is completely rewired by it.

He goes on:

The event so overwhelmed the brain when it first occurred that it overwhelmed the circuitry that allows the victim to turn the event from a perception into a memory, something our brain normally does the moment an event is over.

And that's the cause of flashbacks.

Each time people have 'flashbacks', they are experiencing unfired perceptions of the horrible event - not memories.

And since the brain thinks that the event is still happening, this triggers the threat system in the brain. Neurons that fire together wire together, so each time the flashback occurs, it more deeply connects the images involved in the flashback with the threat system. Soon the threat system is on when it shouldn't be.

As a community we depend on those who put themselves on the line for others and as a government we are working to ensure that they are looked after in return. In Tasmania we are making a difference with this legislation. This is how it should be. Paramedics, police, firefighters, prison guards and other emergency service workers keep our community safe in often stressful and traumatic situations. It is our first responders who first put themselves forward, experiencing what most of us rarely see, or even in fact want to see or experience. We now know these experiences can injure their brain again and again. This can be a cumulative injury or from a single event. We also know from talking with our first responders that they are regularly confronted by tragedies and horrifying scenes and that those events are not forgotten when they return home at the end of their shifts and, further, we now know it may not be processed at all, but buried deep in the brain to return at some unpredictable time.

It is recognised that PTSD can be difficult to diagnose and may be secondary to an initial injury, but that has not stopped this Government from creating this nation-leading change. While Tasmania's workers compensation system already has a very high acceptance rate for PTSD-related claims, this reversal of the onus of proof will make it easier and remove any barriers for public servants suffering from PTSD to make and have a claim accepted.

I have talked with veterans who have been forced through a brutal, excruciatingly painful claims experience. This has to end and this bill is the first step to stopping it. It is the Hodgman Liberal Government that will stop Tasmanian public servant claimants from having to go through reliving those unfired, unprocessed experiences again and again, retraumatising them and making their injury worse.

I am a very strong supporter of this bill. This is the right thing to do. We must support our first responders and other public service workers suffering from PTSD. I commend the bill to the House.

[2.55 p.m.]

**Dr BROAD** (Braddon) - Madam Speaker, I also commend this bill to the House. It is a significant step for the state and it will provide a pathway for other states to adopt similar legislation. I also note this builds on the good work of a previous Labor government with the presumptive cancer legislation and the idea that there are some things where we should put the presumption in favour of the employee rather than the insurer or the employer. This is a good extension of that. We have already heard emotional discussions today about the effects of PTSD and no doubt it is insidious. This can have a massive impact on people's lives and the lives of their families and friends and other loved ones.

If we can put in place anything that makes the journey of the sufferers of PTSD easier then it is commendable for any government to take forward and I commend this Government for putting this in place. I am more than happy to support it.

The signs of post-traumatic stress can be grouped into three distinct areas. They can be all about re-experiencing symptoms - flashbacks, reliving a trauma over and over including the physical symptoms of that trauma like a racing heart or sweating, bad dreams and frightening thoughts; or the avoidance symptoms - staying away from places, events or objects that are reminders of the experience. They can be feeling emotionally numb, feeling strong guilt, depression or worry, losing interest in activities that were enjoyable in the past, having trouble remembering a dangerous event or, thirdly, hyper-arousal symptoms such as being easily startled, feeling tense or on edge, having difficulty sleeping or having angry outbursts. Not all those who have experienced a traumatic event will develop a stress disorder. Some intense responses to trauma can subside within a few weeks while others can be ongoing and take longer than a few weeks before they become evident.

Going through this list, it strikes me that PTSD is quite hard to diagnose at times and what we have is a relatively low incidence of PTSD, according to the ministerial review relating to establishing entitlements under the Workers Rehabilitation and Compensation Act 1988 for workers suffering from post-traumatic stress disorder. That could partly be because of stigma associated with PTSD. It also plays into our growing awareness of the effects of mental illness in general. If somebody falls over and breaks a leg, or is in a car accident and they have an open wound, it is very easy to diagnose: you have a broken leg, or you have a cut that needs to be sewn. The treatment of that is straightforward. However, the lingering effects of the post-traumatic impact of an injury can take a long time to become evident.

Reading through this list I remembered something that happened to my brother. I am thinking that when he was younger perhaps he was suffering a form of post-traumatic stress. When he was about 14 years old, my brother was riding a bike to town from our place - we are about three kilometres out of town. He was riding his bike and some of the local lads decided it would be funny to drive the car up close to the bike and slam the brakes on, swerve and scare the life out of him. This went on for five to 10 minutes; it was witnessed by someone else who drove along and saw their behaviour and he put my brother in his car, along with the bike, and took him home. He was shaken by this. I remember for months afterwards he would not ride his bike on the road. Quite often we would ride our bikes to town to visit friends and have that little bit of freedom. We would be riding along and all of a sudden, he would stop and I could not understand why. In his mind, he

was reliving that incident. Over time, the periods between getting that flashback increased. I recognise now that they were symptoms of post-traumatic stress as listed in what I am saying. There was no diagnosis but it illustrates how the behaviour of others can have a massive impact on somebody and those impacts can be delayed and have lasting impacts. At the time they probably thought it was really funny but it certainly had a big impact on my brother.

This highlights as well that sometimes there may not be one critical incident such as a violent incident or a period of time where the victim of PTSD felt under threat. It can be cumulative and it can be the result of bullying and harassment. That is why it is complex.

One of the other aspects we need to address is not only the presumptive side of it but what happens, how people are treated after the injury by their insurer. This was brought into focus by the treatment of a firefighter, Rob Boost, who in the course of his duties, was struck by a tree. The behaviour of the insurer toward him in holding up his medication got to the stage where it was so bad his family, friends and colleagues had to use fund-raising through GoFundMe to get enough money to control his pain. This is outrageous. As a result, the firefighters have sent a letter to the Chief Fire Officer expressing their disappointment in Allianz being rolled over for another 12 months as the preferred insurer. In the ministerial review relating to the establishment of the Workers Rehabilitation Compensation Act, it highlights that firefighters are the only first responders or government employees who are covered by a private insurer rather than Tasmanian Risk Management Fund. That is something we need to change.

I have not heard any comments relating to that from the Police minister, Mr Ferguson, as to whether that situation with Allianz is going to be rectified any time soon. The United Firefighters Union of Australia Tasmania Branch take it so seriously that they have written a letter expressing a vote of 'no confidence' in the fire officer for this. That is about as serious as it gets.

**Ms O'Byrne** - What was that? A vote of no confidence?

**Dr BROAD** - Yes. The UFUA and its members, I will read part of the letter:

The UFUA and its members view your recent actions in supporting the re-contracting of the same insurer as the TFS Workers Compensation insurer as a direct insult to us and all Tasmanian firefighters.

The UFUA has strongly expressed to you on numerous occasions since early 2016, in writing, that the need for the State Fire Commission to source an alternative insurer, who can provide services that are appropriate to the needs of firefighters when they are injured in the workplace. In a letter from your office to UFUA on 24 June 2016 you stated:

'The issues that you have now raised in relation to workers compensation are not quick fixes and have not been fully fleshed out or investigated to consider appropriate action to address them. I am keen to continue working with our firefighters and the UFUA on a review of the systems and mechanisms for making improvements. This work needs to take place in a collaborative fashion to be effective.'

The letter goes on to say:

The timeframe between this correspondence and now is approaching three years. The UFUA considers this more than ample time to have 'fully fleshed out and investigated' all the issues related to workers compensation insurance that have been raised with you. Further to this, the UFUA has no evidence that supports your notion of '... working with our firefighters and the UFUA ...' in a 'collaborative fashion to be effective'. We consider these statements by you to be disingenuous.

As you are well aware, the issue of an appropriate insurer was formally raised during a matter on 18 October 2017 in the Tasmanian Industrial Commission, where the view of the UFUA was clearly expressed. It is our view that, in the intervening 15 months, you have done nothing of substance to support the welfare and needs of firefighters affected by workplace injuries.

Union has a range of concerns about your response to a range of matters.

- You failed to satisfy us that you adequately informed the State Fire Commission of the urgency and importance of this matter.
- You have not effectively advocated for the needs of injured firefighters.
- You did not make it clear to the DPFEM of their responsibility in reporting on the viability of other insurers as required by the Tasmanian Industrial Commission and the need to move insurer prior to the expiry of the policy on March 2019.
- You did not advise the UFUA of the imminent expiry of the Allianz workers compensation insurance policy nor your decision to renew the policy due to your inaction regarding point three or appropriately advise the State Fire Commission of the sensitivity and urgency of this matter.

Given that you have again supported the current insurer against the express wishes of the UFUA and the career firefighters it represents, the UFUA and its members wish to formally advise you that we no longer have any confidence in your capacity or ability to effectively lead the Tasmania Fire Service.

That is obviously an expression of no confidence. It continues:

It is the view of the UFUA and its members that you have not shown the leadership required of the position of Chief Officer on this and the matters that affect all career and volunteer firefighters under your command. We are left with no choice but to demand that you immediately step down and resign from your position as Chief Fire Officer for the Tasmania Fire Service.

UFUA members have resolved to commence activities in relation to this matter commencing on Thursday 21 March 2019.

You will note that this is open correspondence and we intend relying on the content herein, in Industrial proceedings that may ensue ...

Yours sincerely

John Holloway  
Secretary, United Firefighters Union Tasmania

And it comes under the file name of 'Ineffective Leadership'.

Obviously the firefighters are taking the issue of insurance very seriously. They are very concerned about what happens to their firefighters when they are injured. As I have previously said publicly, the last thing we want firefighters thinking when they are running towards a burning building or battling a bushfire is how are they going to be treated by their insurer should anything go wrong. That is sort of encapsulated in this letter from the United Firefighters Union Australia (Tasmania Branch) to the Chief Fire Officer. We have issues here that are unresolved and I am not sure if the minister, Mr Ferguson, will be making any comments. I certainly have not seen any public comments relating to that.

We may have a presumption in place but we also need to have an insurer in place that is not one who retraumatises people. It was highlighted by the returning member for Braddon, Mrs Rylah, that you can have an insurance system where the insurer retraumatises people so they are injured twice. The first time the injury may be PTSD or a broken leg or, in Mr Boost's case, being hit by a branch, and then they can be retraumatised by an insurer that goes to extreme lengths to try to almost wear people down in a way to try to get them to give up and accept a smaller settlement perhaps or in some instances just give up completely because the trauma of the behaviour of the insurer.

**Ms O'Byrne** - They're also the same ones who were sending the presumptive cancer cases to section 81, not section 27, so they've got form.

**Dr BROAD** - Yes, that is the other thing. Even though we have presumptive legislation we have to have somebody acting in good faith when it comes to judging these matters.

This legislation can do some good things but the Allianz issue is ongoing and needs to be dealt with forthwith. Part of the reasoning behind rolling over the Allianz contract for another 12 months was that it was all part of the current enterprise bargaining that is going on. However, this does not reflect the truth because Allianz is also covering the volunteer firefighters who have nothing to do with the EBA. They are not part of the enterprise bargaining agreement so why would they being covered by an appropriate insurer be part of any enterprise bargaining?

We have to have an insurer that pays, and even if this legislation's presumptive aspects are complete, we still do not want an insurer that retraumatises people by taking everything to the absolute nth degree and putting up straw man arguments that they may have received that post-traumatic injury outside of the workplace. While they may accept that there is post-traumatic stress, we could have an insurer who goes down the road of trying to prove that all aspects of their life may have contributed to a post-traumatic stress disorder diagnosis and that is the last thing we want. There is no doubt we have to have a robust test of people's evidence but we do not want the other end of it where we have an insurer going to the nth degree to try to disprove claims to save some money. That is the last thing we want, especially with our first responders like firefighters and volunteer firefighters, and everyone else is covered by the Tasmanian scheme which I think is unfair.



Going to the report and getting into some of the detail about the diagnosis, nature and course of PTSD, clinicians advise that PTSD can be an evolving diagnosis, so it may not be identified as such and be able to be diagnosed during the initial stages of a workers compensation claim. Sometimes it can be blatantly obvious, no doubt, where there is a traumatic event, something akin to a violent act or something at the extreme end, which we have seen unfortunately in Tasmania. For example, there is no doubt that Port Arthur was an extreme event that impacted many people's lives.

It could also be something that accumulates over time. Ambulance officers go to a number of traumatic events and it may not be any particular event that is the trigger but the series of events that build up and up and create post-traumatic stress. It is an evolving diagnosis which is why it can be difficult in a workers compensation claim because it may not be immediately obvious that that is the significant factor.

What we have seen is an evolution of the understanding of post-traumatic stress. If we wind our clocks back to World War I, post-traumatic stress disorder sufferers were shot at dawn and they called it shell shock. Soldiers who were undergoing extremely traumatic experiences day after day would go into complete meltdown. The way the British Army dealt with that was by calling them cowards and then executing them. There is no doubt that we have come a long way since then, and there has been a lot of work about post-traumatic stress in our armed forces, but extending that to the rest of the workplace, as this report outlines, is how the whole sphere of post-traumatic stress has evolved, along with our understanding in general of the impacts of mental illness.

Once these were things that were best not talked about; you were told to suck it up or toughen up. We understand now that post-traumatic stress can result in really aggravating symptoms and impact not only the sufferer but also family and friends. We have seen that post-traumatic stress disorder was previously classified in editions of the *Diagnostic and Statistical Manual of Mental Disorders* as an anxiety disorder, but in later revisions it is now classed as a new diagnostic category of trauma and stress-related disorders. Even the academics or the psychologists and psychiatrists behind the *Diagnostic and Statistical Manual of Mental Disorders*, which they go to to aid their diagnosis, has evolved over time and that was certainly the change in 2013. A diagnosis of PTSD is commonly made using the DSM 5 diagnostic criteria, which requires an exposure to actual threat of death, serious injury, sexual violence experienced in one or more ways, including directly experiencing or witnessing a traumatic event has occurred to others, learning that a traumatic event occurred to a close family member or close friend, or experiencing repeated or extreme exposure to aversive details of traumatic events.

Symptom presentations can vary, however, and it needs to meet the criteria for the presence of intrusion symptoms. Intrusion symptoms include persistent avoidance of trauma or negative alterations in cognition and mood and marked alterations in arousal and reactivity, causing significant clinical distress and impairment of function, as I have highlighted before in these signs and symptoms of post-traumatic stress.

We also have to recognise there is comorbidity between PTSD and other mental disorders. That is one thing that I hope that we do not have the insurers saying, should this legislation pass, as I imagine it will now because there is some comorbidity, 'Look it is not PTSD that is giving you all the trouble, it is an associated mental disorder that is not covered by the presumptive forms of this act'. I hope we would not have to come back and tighten up the legislation to make sure that we do not have insurers pursuing loopholes as the member for Bass, Ms O'Byrne, suggested via interjection that may have been happening with the cancer presumption. We do not want insurers

behaving like that. We want the true intent of this legislation to be enacted so we do not have to come back into this place and toughen it up.

There is a lot of discussion in this about the first responders and the impact on them. Part of it is about, and this is one thing that hopefully this piece of legislation may improve, the fact that the research on firefighters identified a gap with the probable rate of PTSD in firefighters and those seeking treatment. For those who do not seek treatment, perceived stigma or perceived barriers of accessibility or treatment were influencing factors. It was found that even though firefighters with higher PTSD severity and functional impairment sought treatment, these severity features were also associated with increased concerns about personal stigma. They noted that cultural and social circumstances may influence the generalisation of these findings.

In other words, we have a group of first responders, a section of the workforce that has a higher probable rate of PTSD, and we have whole bunch of them who do not seek treatment when they are suffering from it. Hopefully, now that we are recognising that PTSD is in the workplace and we are putting legislation in place that presumes that, on the balance of probabilities, there is PTSD if someone says so, hopefully we will increase the levels of workers seeking treatment and, in doing so, seeking workers compensation to deal with that. The last thing we want is people's performance impaired in critical incidents because of an undiagnosed or untreated PTSD issue.

These people and their families and friends and everyone around them would be far better off being appropriately treated for PTSD rather than being concerned about stigma and not seeking the appropriate treatment. This legislation is one way that we can improve that so we can encourage people to seek treatment when they do have an issue. They will know that instead of being stigmatised and having every aspect of their life pulled apart to try to dispute that there is a post-traumatic stress disorder involved, the presumption is reversed so that stigma and the challenge and the threat of having your life pulled apart by an insurer may be diminished.

We see in Table 1 in the document I am referring to, the number of claims - I cannot remember over which time period it was - but it was 195. By far the highest number was for violence and verbal assault. Again, that is recognising that continued verbal assaults can have an impact on people. It is not just about a violent physical assault. A verbal assault can have an impact and, over time, can lead to a post-traumatic stress disorder incident. These are the things we have to recognise. The occupational groups that we see for PTSD claim data was that ambulance officers and paramedics were very high. Having a family member who was previously in the ambulance service, I know that quite often there are incidents where they go to an event where there is trauma, because of what they physically see in going to the worst aspects of events when things go wrong, ambulance officers and paramedics are the ones who are there to start cleaning it up. It is not only what you see but it is what happens around you when family members get very threatening. They are obviously stressed at this moment but can quite often be violent and make people's jobs worse. It is no surprise that ambulance officers and paramedics are high on the list, along with prison officers. They are seeing people in prison who probably have a higher propensity to commit a violent act. Prison officers are certainly subject to numerous assaults and then we have police.

Coming in at number four - and it may surprise people - are sales assistants. Sales assistants can quite often bear the brunt of people's frustrations and anxieties if things are not quite going their way. That can have a definite impact on people. There is a lesson in that. There is no point in taking it out on sales staff. More often than not, it is not their fault that you cannot get what you want, or the form is not available, or whatever it is. Venting on that sales assistant can have an impact. We see that from the claim data.

Along with sales assistants come primary school teachers. My wife is a primary school teacher and some children can get quite funny. We also have the impact of parents, with assaults on principals increasing in the workplace. That is something that is very concerning. Once upon a time, if your child was in trouble, the child would get in trouble again when they went home. Nowadays we have the opposite where the child gets in trouble and the parent comes to defend the child and gets aggressive with the teacher. That can have an impact.

The other claim data occupational groups were special care workers, bar attendants and baristas, welfare support work, registered nurses and other miscellaneous labourers. It is across the spectrum.

This can have significant impact in terms of total days lost. Some people may be able to relieve the symptoms faster but for others it can take a very long time, especially if they are not receiving appropriate treatment. PTS claim data highlights that occupational groups need to be flagged and monitored, particularly sales assistants, special care workers, bar attendants and baristas, given that violence and verbal assault is recorded as the primary cause of PTSD claims. Our sales assistants, bar attendants and baristas can be subject to violence and verbal assault. As a society we need to address this whole idea that you should be treating people as you want to be treated and not taking your frustrations out on them.

This legislation certainly makes some good steps towards resolving some of these issues. Publicising and recognising that PTSD is a factor and is not only necessarily the people who you would expect, like the first responders, the people who see and deal with violence such as police officers and so on, the people who see the worst of the worst all the time. It is not only those people getting PTSD. It can also be people who may be in a more benign type of occupation, such as a sales assistant.

It does not have to be about a threat to life or perceived life or menacing behaviour with a weapon or assumed weapon. It can be a cumulative impact of multiple events and exposure to sub-acute events over time that may make people crack. These are the things we need to deal with. We need to get these people treatment and not tell them to 'suck it up' and 'that's the way it is'. Those are the days of the past. Thankfully we have moved a long way from shooting soldiers at dawn.

It is important to note that the bulk of employment types identified in research literature on this topic are police, ambulance officers, firefighters and correctional staff. They are covered by the Tasmanian state government Treasury Risk Management Fund.

The Tasmanian Fire Service is privately indemnified with Allianz, which is inappropriate. They should have the same treatment as the other staff.

**Time expired.**

[3.25 p.m.]

**Mr FERGUSON** (Bass - Minister for Health) - Madam Speaker, this is an important bill and I thank the Minister for Building and Construction for bringing it forward. It is an important delivery by the Hodgman Liberal government on commitments we have made in the past. I have heard a bit of politicking in this debate and I will not add to that. This not the bill for it. This is a bill that should be bringing everybody together. It is solid legislation that has been supported by

the Labor Party and the Greens, it is strongly supported by our Government, and it has a lineage that every party in this parliament has contributed to.

We are very proud that our Government has followed through and gone beyond what some people would have expected, taking legislation into our House to introduce a presumptive principal for PTSD suffering workers but not just for emergency service personnel, which is where this conversation generated a lot more momentum in the last two or three years. We as a government has responded and have always been very keen to listen to our emergency first responders because we deeply care about them, respect the work they do and greatly value it.

We also fully appreciate and understand that police personnel, fire personnel, both career and volunteer, together with ambulance personnel, both career paramedics and volunteers ambos, together with our wonderful SES personnel, unfortunately because of the nature of their work they do more or less by definition have more contact with traumatic situations. It could be a tragic death on a road due to a crash, it could be due to a traumatic insult against a person as a serious assault resulting in someone being seriously injured or even killed, or it could be a situation after a deadly fire scene - the list goes on. I have been very moved on occasions; a paramedic once shared with me what it was like to go into a home late at night and attend to an eight-year-old girl who had died on the bathroom floor after getting up at night to get a drink and her parents had discovered her.

We do not try to assert that in all of these cases our personnel, either career or volunteer, are necessarily going to be traumatised; indeed, we want to always build resilience and strength in teamwork, the debriefing and critical incident support that can happen afterwards, but the reality I have learned from listening to them is that over a career it can be that one incident can be enough to cause a serious psychological illness of PTSD, or indeed the aggregation of a career of incidents. You can be doing okay but then one incident might bring back something that happened many years earlier and you may then realise you need help. You might have needed it all the way through, but you might have thought you were going okay.

I am not a person who has experienced PTSD but I think everyone in this Chamber is very sensitive to the reality that some of our people do. Whether it is apparent that a particular incident might have caused that in your life, a particular traumatic event or a series of traumatic events might have caused that, this legislation we are bringing forward attempts to be a significant contributor to helping you on your pathway to recovery. That is what this has got to be about, helping people to continue with their lives not having to worry about keeping the household budget going but protecting their ability to be economically protected while allowing the person to recover. That has to be an abiding message that I hope maybe as Health minister I may be able to leave in this debate, reminding both employers and workers that we have to always remain focused on recovery to help people be their personal best.

I want to point out that we are not just doing this initiative in terms of supporting people with PTSD in our employ and our volunteers. We want to destigmatise mental illness in our public service. We know there is a lot that has been achieved. When this decision was announced last year by the Government I think it surprised a lot of people that it was more than just emergency service workers. The reason for that after the Government considered the advice was that we realised it was not just, for example, a police officer or a paramedic who might be attending the scene of a serious crime. There might be other people, for example medical people or non-sworn personnel who might have to clean a situation and forensically examine it. We wanted to recognise that it would be difficult to draw a hard line on the career groups that should be in our new expanded recognition and those who should not be. Hence we have gone for the whole of our service model.

It is still rebuttable of course. I think people in this Chamber would agree that needs to be a prudent measure that is still available to ensure the robustness of our scheme is protected.

We are also doing more to prevent the need for people to go off work in the first place. One way we are doing that is by additional advertising, particularly in the last few years, to send a clear message to Tasmanians to 'Keep your hands off our ambos'. We have provided more training in particularly not self-defence - I would not want people to think that - but in de-escalation of escalated situations to help our personnel who are walking into potentially dangerous situations to think about their personal welfare, about their sight lines and about not entering a situation that places them personally at unacceptable risk. We remain committed to stronger sentencing for people who do the wrong thing and assault our frontline emergency service workers and health workers.

I do not want to draw this out but I want to make an important point around the Government's current efforts in the Department of Police, Fire and Emergency Management for a more proactive and preventative health and wellbeing program. We funded that in the last budget at \$1.5 million a year. It is a big step up in effort and resource so that we can look after our team, career and volunteer. Significant work has been undertaken. In February the request for tender was advertised nationally calling for tenders for the supply of health and wellbeing services to be delivered to emergency service personnel. The program will provide a mix of proactive and preventative measures to detect and respond early to health and wellbeing risks, to support the promotion of wellbeing across our agencies, and to educate and empower our workforce to maintain and improve their wellbeing.

We hope and expect that the service will be up and running this year once a tender has been awarded and we expect the service to complement current services which I want to mention in passing. There is critical incident stress management, clinical psychological services, welfare support officers, mental health wellbeing checks, mental health first aid training and welfare, our employee assistance program, our injury management and advisory services and the peer support program. Recruitment is also underway for two additional wellbeing support officers, which is about establishing four dedicated officers statewide. Recruitment of these additional roles allows the client base to be extended beyond DPFEM to also include Ambulance Tasmania employees. I think everybody here would welcome that.

The Government has the state's largest ever increase in investment in mental health underway at the moment as well with our \$104 million mental health package which is progressively being rolled out. I will mention that about 10 days ago I enjoyed a really positive visit to the new mental health hospital-in-the-home team here in southern Tasmania. They are a wonderful vibrant group of people committed to delivering a service to take more of the strain the hospital has been experiencing and take some of the pressure off our emergency department. My advice at this early stage is that it has been enthusiastically embraced by clinicians and, most importantly, by consumers. I mention and welcome that.

In closing, I will finish with this point. When this announcement was made by the Government last year before we then set about drafting the actual legislation we are now considering, we were joined by the Police Association acting secretary at the time, Gavin Cashion, who is a strong supporter of this reform, and he said that police officers see the very worst of humanity and the cumulative effect this can have on individuals is significant. Those words were echoed by the Police Commissioner, by TasFire Service Chief Officer and by Ambulance Tasmania CEO. It demonstrates clearly that it is not just the Government that is committed to supporting people and

helping them through these challenging times but also the senior leaders of our emergency services and members of this House.

With those words I commend the bill.

[3.35 p.m.]

**Mr O'BYRNE** (Franklin) - Madam Speaker, I rise to support the bill. There will be a couple of questions I will ask of the minister towards the end of my contribution.

You cannot help but reflect on issues of trauma and mental health impacting on various members of our community, be they employees of the state or any member of our community that is on the receiving end of discrimination. It is important that the Government, in arguing the case for this reform, should be reminded that arguments move beyond employing people. How both houses, the upper and lower House, treats all members of our community, be they first responders or others in trauma, knows no bounds when members of our community are subject to incidents of significant impact on their mental health. It should be acknowledged. This parliament should do all it can to alleviate the stress of people and those circumstances which give rise to traumatic events or discrimination.

Presumptive-style workers compensation legislation is something I am familiar with. I was the minister for emergency services between 2011 and 2014. During that time the firefighters union presented a case for change to Tasmania's workers compensation laws to introduce a presumption on the basis of an occupational exposure or an occupational experience. The presumptive cancer legislation which was passed by both houses of parliament in 2013 was, in my understanding, the first example of an occupational-based presumption for workers compensation. It became clear to me in talking to our first responders, particularly in the case of firefighters, that they were subjecting themselves to the most dangerous of environments. The medical evidence was overwhelming in favour of a change to the legislation, which acknowledged they were contracting a range of cancers, much higher than the community average. An individual firefighter having to prove to workers compensation tribunals the point of contraction or during which incident they contracted the cancer, linking it to a single event, was such a difficult case to mount that firefighters were not being covered because the workers compensation legislation did not allow for a reversal of the presumption. The presumptive cancer legislation sought to change that.

It is incumbent on all governments, where we ask people to go into dangerous circumstances for the benefit of the entire community, to have an obligation to ensure that they are looked after if they are diagnosed with an injury or an illness directly related to that incident or a series of incidents or that occupation. I was the minister who brought that first presumptive legislation in to the state. We were the first state jurisdiction to bring that legislation in off the back of the federal legislation for Commonwealth firefighters at airports and on the back of the work of firefighters campaigning for a change in presumption in Canada and some US states. Later on I will touch on the issue of PTSD, as a number of the first responders, a number of people who are impacted by post-traumatic stress, prefer to have it known as.

Other members have raised the issue of stigma in their contributions. There is a stigma surrounding making a claim for workers compensation for this kind of injury or illness, that the disorder reflects on the individual: that they are pre-disposed to a trauma-related injury and therefore has nothing to do with work. That it is actually the individual who has been impacted by that event, whereas we know that it is the environment within which we send first responders and emergency services workers. It needs to be classed as a workplace injury.

They are suffering from PTSI because of the work they are doing and because of the incident they have experienced. These things have an evolution. The change from a disorder to an injury. In this context and the context of workers compensation legislation and laws it is a workplace injury.

I was fortunate in early 2017 to attend an international conference in Hobart hosted by the United Firefighters Union, which brought together a range of experts and individuals involved with first responding and the relation to post traumatic stress injuries. Over those two days I heard story after story of the impact of these kinds of injuries to workers, to first responders, the profound impact that it has, not only on an individual but on their friends, on their workmates, their families and the community within which they live.

For many years, this has been the hidden injury. Most people, when they see you are on workers compensation, look for a bandage or a physical demonstration of the injury. With post-traumatic stress injury there is rarely a physical manifestation of that injury. It is a psychological illness and therefore it is not understood. The stigma involved with making a claim of workplace stress or a post-traumatic stress injury is significant. Sometimes we get caught in the medical and industry jargon of these issues. It was explained to me in a very simple statement: when the helpers need help. A very powerful few words. This legislation is much broader than the first responders. It goes across the public sector. However, the first responding occupations have triggered this debate.

We ask these people to go to a range of incidents and situations where they confront danger, chaos, tragedy and horrific scenes. They do not do this on a one-off basis. They do it on a daily basis in many cases. When we ask those people to help others, when we ask those people to go into circumstances or enter environments where these things are occurring, it is not plausible to form the view that there will not be some sort of impact on these people.

It will impact differently on different people. It may be one incident or it may be many incidents. It may be cumulative or it may manifest itself months and years after the event. No-one can plausibly stand up and say that when you are confronted with these kinds of circumstances and horrific scenes, that people are not impacted.

The fact that we are in 2019 the first parliament dealing with this legislation, hopefully will send a message. It is frustrating because unions have been campaigning now for five or six years around this specific issue, particularly the United Firefighters Union, the Police Associations, both state and federal, across the country, the health unions, the ambulance and paramedics unions and correctional officers. Workers in these kinds of environments have been campaigning for a number of years.

The fact that we are the first parliament attempting to deal with this kind of support to help the helpers should be a strong message to the rest of the country and around the globe because this is a movement forward in workers' rights. They are movements forward in supporting first responders and those workers who confront these kinds of circumstances and are clearly traumatised and impacted by them. The message should be sent that action must be taken and we are but one jurisdiction that hopefully can take that step.

The impact does take a toll and it manifests itself in different ways; there are flashbacks, nightmares and emotional numbness. For the families and friends of those people who are suffering in many cases undiagnosed PTSD, it is significant and profound. When you are a loved one trying

to care for someone impacted by this it is very difficult and heart-wrenching. I know a number of members have shared stories and there are so many stories in this jurisdiction and others of workers who have been impacted by that.

There are feelings of extreme and intense worry, guilt, anger, hopelessness and, in some people, there is an avoidance of either people they have worked with around that incident or the place or things that are reminiscent or triggering of that trauma. A number of people have sleep issues and that compounds other forms and other symptoms that are attached to PTSI. Some people seek refuge in obsessive behaviours around alcohol or drugs or some forms of behaviour which is not normal to their personality, but it is a way for them to try to cope and deal with it.

We know in a range of occupations that historically and culturally those first responders are the ones people look to to be the ones in control, the ones with the armour to be able to protect people. For police, 'I am there protecting a person'; for a firefighter, 'I am protecting you, I am saving the building, I am saving your life'; for paramedics, 'I am going to save your life'; and a whole range of professions in those first responders where people look to them to be the ones in control. There is a culture at times of, 'You'll be right, just toughen up, this is our role, this is what we have to expect because these are environments that we go into'. We know that trauma is a very normal human response to an abnormal situation and it should not have a stigma but we know it does in many cases.

The evidence is overwhelming in terms of emergency service workers that they are having increased exposure to events and they are an at-risk group. An international review of studies found that rescue workers had a PTSI prevalence of around 10 per cent compared to 1 per cent to 3 per cent in the general population. That is an Australian-based study. In the United States the emerging trends around PTSI is that 34 per cent of first responders have been diagnosed with clinical depression or PTSI and the best guess is that at least 20 per cent to 37 per cent of first responders are likely to be diagnosed with PTSI at some point. A total of 24 states in the United States now permit the use of medicinal marijuana to treat first responder PTSI, which is interesting given the House has dealt with that in the previous parliament. There is a whole range of challenges in getting access to that kind of level of support.

There was a report that ambulance workers had a higher rate of PTSI than firefighters or police officers. A study of 210 Department of Fire and Emergency Service career firefighters in Western Australia in 2013 found that they were exposed to trauma at significantly higher rates than the general population and reported elevated rates of post-traumatic stress disorder or injury symptomology. We know that across Australia and the globe the evidence is overwhelming that people who due to their workplace are exposed to incidents have a trauma-based response and need support.

There is one question I have. This campaign has been running for a number of years, and back in 2017 the then minister, Mr Hidding, in response sought to defer to the Safe Work Australia report at the time which was for the ministerial council meeting of workplace or industrial relations ministers. That report basically said that it should not be included as a deemed disease or a presumption on the basis that it should be dealt with on a case-by-case basis. I know that a number of other state governments relied on that report not to take action, but in 2017 it was the position of the minister to rely on that. My understanding is Safe Work Australia has not changed their advice, so perhaps the minister could advise on the thought processes around that within quite a short period of time. In 2017 the then minister was relying on that Safe Work Australia report saying there should not be a presumption until further investigation and work has been done. My understanding



is they have not updated their advice; I will seek the advice of the minister on that. I know there is always more than one road to Damascus and I am glad you have taken that road but it would be interesting to understand the difference between the position from the then minister and 12 months later from the current Government. We are happy you made it, but I would seek to understand why that was the case not very long ago.

In terms of the international experience, in that conference I referred to back in 2017, as it was in 2012 when I met with representatives from the Edmonton Fire Department talking about the presumption of cancer legislation, they see post-traumatic stress injuries as a presumption and an extension to cancer-related and mental health-related, trauma-related illnesses. I know that across North America a number of states and provinces have introduced PTSI legislation. In Colorado they have had two bills. One first recognises PTSI as compensable under workers compensation and it also allows for the treatment of medical marijuana, which is interesting that they have linked those two pieces of legislation. In South Carolina they created a half a million-dollar fund to help first responders with out-of-pocket medical costs related to treatment. In Texas they have eased the evidentiary burden for first responders filing PTSD claims. New York State has included PTSI references in their 2018 budget allowing first responder claims for mental injury based on extraordinary work-related stress. Vermont and Maine have created a true occupational presumption. Sadly, a number of states are yet to pass legislation. They have relied on Republican government vetoes at the time - Florida, Connecticut, Minnesota, New Mexico and Ohio.

The work we are doing here in considering these matters is of global significance and it is important that we acknowledge that.

I heard at least one of the members of Government refer to the fact that it is not just about when an incident happens or when a diagnosis or a claim is made. There is a whole range of workplace cultural issues that should be addressed. I know that at the same time as knocking back the presumptive legislation, then minister, Mr Hidding, announced a \$1.5 million wellness program in the police department. Across jurisdictions in Australia, whilst not dealing with the legislation in and of itself and reversing the onus of proof and therefore reducing the stress on those people who are already stressed, the act of making a claim against your employer for an illness, particularly one as misunderstood as post-traumatic stress, is significant. There was a whole range of people who would never make that claim, despite it being in their best interest and it being acknowledged that the work they are doing has caused this profound impact on their lives, their workmates lives, their family's lives and their communities' lives.

The very act of those people not making that claim goes to the point of cultural change in workplaces and ensuring there are programs designed to not only destigmatise the issue of trauma but destigmatise the issue of mental illness in general. Western Australia, South Australia, Victoria, New South Wales and Queensland, whilst not moving on the presumptive legislation, have all moved to invest in wellness programs for staff and programs which destigmatise the issue of trauma. That is crucially important, if all we are doing is enabling those people who feel they can make a claim and seek out a diagnosis and take a step to have their illness recognised and compensated. These issues inside workplaces are crucially important to support. This is a normal human response to an abnormal situation and we ask these people to go into abnormal situations on a daily basis confronting these issues.

Other states have sought to change culture. I know there is \$1.5 million in the state Budget but I argue that is not enough and I seek some response from the minister on whether they think \$1.5 million for a wellness program for emergency services in Tasmania is enough. I know it is not

your ministerial responsibility but it would be good to get an update for the House. The tender was released by DPFEM recently seeking an organisation to deliver that wellness program having an understanding of what that looks like. Awareness and destigmatising the issue of trauma and post-traumatic stress injury is important because hopefully if enough money is spent at the right point you can minimise the impact on people with a greater level of support, because many workers do not want to make a workers compensation claim. I would say in my 20-odd years of working in the Labor movement, I have not known one worker who wanted to make a workers comp claim. They made it on the basis that they were injured at work and they needed medical assistance and compensation.

Across the states there is very much a focus on wellness programs and cultural change and supporting workers who are at risk. There is a whole range of measures that can be taken, including post-incident debriefs, individual and group, confidential access to social worker and psychologists, people with the ability to talk through these issues and to identify symptoms. There is training inside the workplace for supervisors to ensure that their actions, behaviour and the language that they use is appropriate to the environment. There is so much anecdotal evidence of so many workers who are suffering from post-traumatic stress injury not being aware that they are. Having people working around them who recognise the symptoms and the changes in behaviour, albeit subtle, and who have strong relationships with family and friends who are also crucial in diagnosis and understanding the needs of those workers. That kind of stuff is important for this to work. If the words from the Government are to be held up, you cannot say we have changed the legislation, our work here is done. It is not done. There is so much more work that needs to be done.

In Manitoba, their post-traumatic stress injury legislation is not limited to occupation, recognising that PTSD-triggering events can happen in any workplace. I know this legislation covers the public sector and public sector employees, but what happens if there is an event in a workplace where there is a private contractor coming into the workplace and an incident occurs? You have a public and a private sector worker suffering a similar injury or a response to a similar incident. One worker will get covered. One worker will be looked after by the legislation, yet another worker will not. I understand the scope here is for public sector workers but we know there is a whole range of private sector workers who work in public sector environments doing work. For example, potentially an agency nurse - that is a question we can work through. You have workers employed, one public and one private, suffering a like illness or injury from a similar incident, yet one worker will be looked after, with the presumption that the other worker will not. I would like to hear from the minister on that.

One of the things that was most important to the unions representing those workers and the community at large in the presumptive cancer legislation was that we had a section in the bill which allowed for a 12-month review because medical evidence was coming forward and there were a number of current and relevant studies that identified the number of cancers that they could prove were connected to workplace exposure. There were at that time a number of other studies that claimed there were a far greater number of cancers that could have been included in that legislation and so at the time we made the point that we would go with the existing recognised medical evidence but we also recognised that medical evidence can change from year to year based on more research and medical investigation. We also wanted to assess the impact of the legislation so we introduced a 12-month review. My question to the minister would be, is there a review mechanism in this legislation to ensure that relevant information, be it medical or other, or experience from the workplace, that can be taken into account and if so, subsequent amendments could be recommended by that annual review?

Sometimes in this House we underestimate the impact of what we do. We should not underestimate the impact of what we do and that is probably the reason why I made the decision to run for parliament again. It was in 2016 and I was in Salamanca. It was twilight and I was catching up with a couple of mates for a beer. I parked my car, got out and a car came up next to me and a bloke got out and said, 'David O'Byrne, you don't know me and we've never met.' I have thought, 'Oh, here it comes, and said, 'G'day mate, how are you? What have I done wrong or right?' He said, 'Mate, I just want to thank you because you saved my life'. I said, 'What do you mean I saved your life?', and he said, 'I'm a firefighter'. I knew exactly what he meant. He told me that six months after the legislation we brought in around the presumption he contracted cancer. If he had not had that presumptive element and had not known his medical bills and his wages were covered, he did not think he could have focused on his recovery.

It was not me alone. I was the minister at the time working with others, but legislation such as this will save lives and make people's lives better. We will see a reduction in suicide and a reduction in workplace and community trauma because of legislation like this.

**Sitting suspended from 4.06 p.m. to 5.35 p.m.**

[5.35 p.m.]

**Ms HADDAD** (Clark) - Madam Speaker, I am pleased to be able to add my contribution to the Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Bill 2019.

Many members have spoken very eloquently on the content of this bill and the importance of presumptive post-traumatic stress disorder legislation being brought into this parliament and the fact that it is indeed quite historic. Many have spoken very personally about their experiences, either in their own lives, through their work, their community activities or their families, dealing with mental illness and, in particular, the effects of post-traumatic stress disorder. It is important that the Chamber acknowledges and appreciates the very real damage mental illness of all kinds, and particularly post-traumatic stress disorder, can do to so many people in our community. In some ways it can lie dormant for many years, if not decades, before the true damage can show itself.

People can experience post-traumatic stress and develop the disorder through a range of experiences and, as this bill goes to the heart of it, it can indeed be caused by experiences in the workplace. It is important to recognise that this legislation builds on legislation that was achieved in the previous period of Labor's administration when David O'Byrne was the relevant minister and introduced legislation about presumptive cancer legislation for firefighters.

As we have heard the minister and others say, this bill will recognise that post-traumatic stress disorder can be suffered and there will be a presumption for that by all public sector workers, not just first responders, but it will apply to first responders including volunteer first responders. Presumption is also being extended to all public sector workers who work for a government business enterprise. I note that the minister in her second reading contribution also spoke about the potential to further investigate the possibility of extending this to other workplaces in the future, possibly the private sector.

Workers compensation law is dear to the hearts of all members of the Labor movement - Labor Party members, Labor politicians and members of our affiliated unions and unions across the board.

It is something that goes to the heart of Labor values of protecting workers and people who are by the nature of their work exposed to traumatic events and who can therefore suffer vulnerabilities.

The previous minister, Mr Barnett, conducted the review the minister has spoken about in her second reading contribution that was released in July 2018 by Stephen Carey and Dr Jacqui Triffitt. Several unions made contributions to that review and to briefly look at what those unions said in their contributions, they were overwhelmingly in favour of a deeming provision such as this to support uniformed members, ambulance officers and firefighters respectively. These submissions from HACSU and the United Firefighters Union, the UFU, raised issues about the difficulty of having to bring workers compensation claims for post-traumatic stress disorder and how the system can really put at a disadvantage workers who are required to make workers compensation claims for things other than physical injuries.

I have spoken to United Voice, the union that represents a range of workers including security officers, cleaners, nurses, disability workers, early childhood education workers and others. When I spoke to them about working with correctional officers, they spoke at length about the very nature of that work being traumatic and it could be made less traumatic if the right supports, debriefing and culture was present in that workplace so that the instances of post-traumatic stress could ideally be reduced, notwithstanding that it is recognised that working as a correctional officer is, by its very nature, a dangerous occupation that can lead to stressful and traumatic situations.

Many previous speakers have touched on the fact that so much of implementing the change embodied in this legislation is going to be about encouraging and ensuring that there is a culture change within workplaces in public sector agencies and within individual workplaces to recognise the inherent stigma in all mental health conditions and to try to combat that stigma. We need to make sure that when there are instances of traumatic events that can lead to post-traumatic stress disorders for first responders, public sector workers working in prisons, hospitals, police settings, firefighters and so on, that those workers are treated with respect and in the way that they would expect to be treated when suffering a physical injury at work.

That stigma is not exclusive to government workers. There is a stigma around mental health throughout our community, which is a real shame. Parliament leading in introducing legislation like this is one piece in the puzzle of ensuring that that stigma about mental illness and particularly post-traumatic stress disorder suffered in the workplace is broken down.

One story I heard about a group of correctional officers was quite harrowing. It happened this year. I will not name the people involved but there are people who have suffered post-traumatic stress as a result of this event who are undergoing workers compensation cases at the moment. There was a traumatic incident that occurred in the prison and correctional officers performed CPR on an inmate for quite some time. I am told that during the process of providing CPR to that inmate, they were covered in the inmate's blood and the inmate eventually passed away, so it became a death in custody. It was a night shift and those workers were unable to be given any opportunity to change their clothes, to go home, to wash or deal with that very traumatic incident in a way that you might expect in another workplace. They had to stay on until 6 a.m. when that night shift ended. It is an important illustration of the fact that workplace culture needs to change around post-traumatic stress disorder and mental health conditions acquired at work.

Several other unions made submissions to the inquiry that went on around this draft legislation. Many of those unions have campaigned long and hard for presumptive post-traumatic stress disorder legislation to be introduced. As a long-time ALP member, I have heard unions make these

very persuasive arguments for such legislation to be introduced year on year. It is important to recognise that this legislation comes on the heels of a very passionate campaign for it for many years.

One of the unions that made a submission was the Health and Community Services Union, or HACSU. I will share one of the case studies that they included in their submission. It comes from Lauren, who is a paramedic. She said:

It was a stormy day and I was working out of HQ with my partner. We were sent lights and sirens to a case outside of town, and on the way there it was so windy I couldn't keep traction on the road. The vehicle was alarming at me, we were doing 40 up Macquarie Street and I was slipping on the road.

We got to the accident, where a tree had fallen onto a car. He had been driving along, minding his own business. He had basically popped open, his head had burst and there was blood and brain tissue on the ground. There was a whole row of trees that one had fallen from, and I can remember the roar of the wind through those trees, any one of them might have fallen down next. I have honestly never been more scared of anything in my life than at that point in time. My colleague was out walking around, and I remember yelling at him over the wind telling him to get out of there, it wasn't safe. Every time it gets windy, I get a flash back of that scene and I can hear the roar of the wind through those trees. If it's too windy I'm on edge all day, and I can't sleep at night.

I thought twice about reading that gory detail into the *Hansard*. The reason I did is because it is an example of a really traumatic experience at work that none of us would want anyone in Tasmania to go through. The memories of that incident have stayed with that worker and, indeed, have compounded over time.

She went on to say:

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

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

I agree, it is not right. That is why this presumptive legislation will make such a difference in the lives of workers in Tasmania, not just first responders but workers across the public sector, which is a very good thing.

Last year the Australian Senate conducted an inquiry which, amongst other things, dealt with post-traumatic stress disorder suffered by first responders, specifically emergency service workers and volunteers. The name of the inquiry was *The role of Commonwealth, state and territory governments in addressing the high rates of mental health conditions experienced by first*

*responders, emergency service workers and volunteers.* I will explain to the House some of the points made in the submissions to that inquiry. One submission by a representative group of psychologists told the committee that presumptive PTSD legislation would streamline the existing chaotic system. They said that we have different WorkCover systems across the eastern seaboard and it is impossible to encapsulate them into one.

It gave some examples of the different levels of cover and the different processes for workers to claim workers compensation for PTSD across the country. It encouraged the committee to look at streamlining those systems.

Another submission to that inquiry was made by a paramedic with 35 years' experience in Western Australia, I believe. He told the committee that legislation for first responders with PTSD would encourage those who need workers compensation to seek it. He pointed out that governments need to accept that cumulative exposure to traumatic events is a known reason for PTSD for workers and this should be presumptive in workers compensation legislation. That is precisely what this legislation does.

One of the final parts dealt with in that Senate report is that people often do not seek workers compensation for post-traumatic stress disorder. As we heard in the case study highlighted in the HACSU submission it is seen as all too hard. When you are dealing with a mental health condition it is too difficult to simultaneously navigate the workers compensation system. I hope that this change will encourage more workers who should be seeking workers compensation as a result of post-traumatic stress suffered in the workplace to do so.

The Senate review noted the work being done in Tasmania at the time the committee was being held. They outlined some of the concerns that the authors of the report made. I ask the minister her views on the limitations that the authors of the report made and that were recorded in the Senate committee report. They said that a limitation of the review was the current state of data held in the Tasmanian workers compensation system, particularly factors influencing its accuracy. This in turn does not permit meaningful assessment or analysis of particular aspects of the scheme or for conclusions to be drawn.

Of particular relevance, the reviewers were unable to determine with certainty the total number of claims for compensation that involved a diagnosis of PTSD. The reason for that is that often if a physical injury was concurrent with the PTSD diagnosis or suspicion, it was seen as easier for those workers to pursue the workers compensation claim for the physical injury. This probably is the case for a number of workers who experience mental health conditions aggravated by their workplace. If there is also a physical injury present that is work-related then those workers might prefer to pursue a workers compensation for physical injury.

The point the authors were trying to make is that some of the data about PTSD cases at work might show lower likely cases of PTSD as a result of those workers making claims for physical injury compensation when in fact there is also an underlying mental health condition, usually PTSD. That is something that affects correctional officers working in the Tasmanian prison system.

It is important that parliament has very thoroughly looked at this legislation. There is enormous stigma in mental health conditions in our community, particularly work-related mental health injuries. A long-run campaign by many people in the community, including passionate union advocates, have fought hard for presumptive PTSD legislation. As many Labor speakers have outlined, it is one that the Opposition will be supporting.

[5.52 p.m.]

**Ms COURTNEY** (Bass - Minister for Building and Construction) - Madam Speaker, I thank members for their thoughtful contributions. Many people spoke from deep personal experience but also of the experiences of others. I was pleased that we had so many thoughtful contributions.

There is an opportunity for us all to play a leadership role both in this place through legislation but also within the broader community. We know that we need to destigmatise mental health injuries and illnesses. We want people to be able to seek help, whether through legislation such as this and through workers compensation and the work we are doing here today, but more broadly through the community. As members of parliament we have roles from a legislative perspective but we also have strong roles in our community to talk about these things and to ensure that the parts of our community that do not have such conversations do have them.

I will try to work through a lot of the questions that have been raised. There has been request to go into Committee so we will see how we go. I will see whether we get there.

Ms O'Byrne, one of your first questions was about costings and numbers. My advice is that there will be no immediate financial impact. The Tasmanian Risk Management Fund advises that presumption may lead to increased claims cost for agencies with respect to workers compensation and therefore increase contributions payable, but there is no data or actuarial advice to estimate this at this time. As outlined on page 20 of the review report, 195 claims have been made in the 10 years to 2018. This equated to 30 692 days lost and a total cost of \$5.2 million. There is recognition that there may well be a modest uplift but we also know that the refusal of claims has been very low as well. I take on board Ms Haddad's comments with regard to the fact that there may be evidence that people are perhaps not pursuing this pathway. We also recognise this is a pathway we want to have available to people, which is why we have brought this legislation in.

With regard to the question about using legislation to stop, as Ms O'Byrne said, participants having to prove that they do not need to provide proof -

**Ms O'Byrne** - The issue of how you get to the point of onus of proof.

**Ms COURTNEY** - Yes. The whole point of the debate in this legislation is to ensure that is where we have the presumption within the legislation that it is attributable to work for PTSD. In the event that an injured worker disputes the findings, they have the right to refer the matter to the Workers Rehabilitation Compensation Tribunal for determination. This protection has not been changed with the introduction of presumption so any decision can be disputed through that mechanism.

**Ms O'Byrne** - The key was how they came to that point because what we had with the firies was Allianz dealing with them under a different section of the act. Despite the fact they were putting in a presumptive cancer claim, the company itself decided to deal with it elsewhere and refer it elsewhere so then they had to prove it in order to get back into that space so it changed the intent. That was the concern.

**Ms COURTNEY** - With regards to the intent of this bill, the intent is clear that the presumption is that the PTSD is work-related. That is rebuttable. If a decision is made that either the worker is unhappy with or, indeed, the employer is unhappy with, as with other areas, there is that avenue. This is the intent of the bill.

With regards to cumulative impact, and particularly the question and the comments you had around the fact that this could show up during disciplinary action by an employer, disciplinary action may be a trigger but that does not remove the presumption that the PTSD is work-related. We know that a diagnosis requires trauma and the person is still eligible for presumptive compensation because the presumption is that the trauma is work-related. If the disciplinary action is a trigger, it does not remove the presumption that the PTSD is still work-related.

**Ms O'Byrne** - Except that it says that if it is related to disciplinary proceedings that it is not eligible to be referred to section 28.

**Ms COURTNEY** - That is what I am trying to clarify now for you.

**Ms O'Byrne** - It becomes a bit of a circle, doesn't it?

**Ms COURTNEY** - There is a range of things that have been discussed around the Chamber that can provide a trigger, but in terms of the disciplinary action that a person may be undergoing, which may or may not be related to the PTSD itself, if that is a trigger and it becomes apparent during that disciplinary process, it does not remove the presumption that the PTSD is work-related.

**Ms O'Byrne** - If I am in the middle of my disciplinary proceedings, because I behaved a bit badly and it becomes clear that I feel that that is because of trauma of other events, the disciplinary proceedings no longer apply.

**Debate adjourned.**

## **ADJOURNMENT**

**Leanne Topfer - Appointment as Magistrate**

**Sandra Taglieri SC - President of the Tasmanian Bar**

**Yvette Cehel - CEO, Women's Legal Service Tasmania**

[6.00 p.m.]

**Ms ARCHER** (Clark - Attorney-General) - Madam Speaker, I rise tonight on the adjournment to talk about the role of women in the law because we have some important appointments that we have had in recent times. I wanted to point out a subject of some study and interest within the profession and I am sure that members of the House would also be interested in how we are tracking in terms of women in the law.

The last major study was done by the Law Council of Australia in 2014 which found that though the number of women graduating law had risen to 61.4 per cent with 46 per cent of practising lawyers in Australia being women, women do remain under-represented in the upper ranks of the profession. Women are more likely than men to be working as an employed lawyer with men being twice as likely to be partners and it is also apparent that the struggle continues to be not attracting women to the profession but keeping them in it. The Law Council's 2014 research found that though women continue to enter the profession in record numbers many do not remain. That has remained quite static ever since I was practising as well.

It is against this background that I acknowledge a number of important and significant appointments that have recently occurred within the legal profession. As members may be aware



Ms Leanne Topfer has recently been appointed as a magistrate to be based out of Devonport. Ms Topfer is to be sworn in tomorrow, hence the reason I mention it tonight on the adjournment because I cannot be there and as Attorney-General I would always be there to appear. In my absence the Secretary of the Department of Justice will be there. Ms Topfer is a highly-regarded member of the legal profession in Tasmania and the appointment is well deserved.

I will refer to her now as Magistrate Topfer because it is about to be formalised. Magistrate Topfer first began practising law in 1982 and has been working in Tasmania's north-west since 1986. Until her appointment as a magistrate on 8 April 2019, Ms Topfer was a partner with McLean, McKenzie and Topfer in Burnie, a very well-respected firm. To date, Ms Topfer has held positions within the legal profession that speak to the high regard in which she is held by her peers.

Magistrate Topfer has served as President of the Law Society of Tasmania as well as a member of the executive of the Law Council of Australia. Also of note is the commitment that Magistrate Topfer has shown to the north-west of Tasmania and the development of the legal profession there. In the past, Ms Topfer has been a member of Law Council Committee for Rural, Regional and Remote lawyers as well as serving as a member the UTAS north west advisory board. From being a member of school councils to the Cancer Council board of Tasmania, Ms Topfer has served in a number of voluntary roles that also show her commitment to serving the state of Tasmania and its people. I also know that she has held many other positions of appointment as well, too long to list here today.

I have no doubt that Magistrate Topfer will be an asset to the magistracy in Tasmania and in particular the north-west.

I also want to note the recent election of Sandra Taglieri SC as President of the Tasmanian Bar. She will be well known to many of us, and certainly to me. This election follows Ms Taglieri's appointment last year, together with Linda Mason, our Deputy Director of Public Prosecutions and who went through law school with me, as Senior Counsel, the only two SCs appointed at the time and both happen to be female. Again, these wonderful positions of merit are going to women.

Ms Taglieri is a barrister chambered at Derwent Chambers and is one of Tasmania's leading practitioners in workers compensation and personal injuries law. Her skill as an advocate and her commitment to the legal profession was acknowledged by her being presented the Law Society of Tasmania's President's award recently at the opening of the legal year awards earlier this year. Ms Taglieri has lectured at UTAS Centre for Legal Studies in industrial law and has held a range of important roles on a number of boards. This includes as a part-time member of the Administrative Appeals Tribunal, part-time member of the Guardianship and Administration Board and a member of the Supreme Court Rules Committee.

The Government has always had a constructive relationship with the Tasmanian Bar and I look forward to continuing to work with Ms Taglieri in the future. I have met with her on a number of occasions on a number of different issues particularly facing women in the legal profession and I am sure our discussions will continue in that regard.

At this point it is appropriate that I depart briefly from the theme of women in the law to acknowledge the outgoing president of the Tasmanian Bar, Chris Gunson SC. Mr Gunson has been a tireless advocate for the Bar in Tasmania and our presence nationally. With the passing of the president's mantle, I hope he will now be able to enjoy a little more spare time in his busy schedule, not only for work but his young family as well.

The last appointment I will touch on is the appointment of Yvette Cehtel as CEO of the Women's Legal Service Tasmania. Ms Cehtel has held roles at the Tasmanian Aboriginal Centre as well as being a commissioner of the Legal Aid Commission of Tasmania. She has a breadth of experience in the legal assistance and community support sectors in both Tasmania and New Zealand that I know will serve her well in this important role.

These are just some of the passionate and committed women lawyers we have here in Tasmania. It is well recognised and supported by research internationally that gender diversity is clearly and consistently linked to better financial and organisational performance. In light of this, increasing the number of women in the upper ranks of the profession is important. These appointments represent an important step in this process.

### **Workers Memorial Day**

[6.07 p.m.]

**Ms O'BYRNE** (Bass) - Madam Speaker, given that we have spent much of the day talking about workers compensation and the rights of workers in that space, it is fitting that I have this subject matter this evening. No worker should fail to come home from work at the end of the day.

This month will see the marking of Workers Memorial Day on 28 April, when we pause to remember those who have died in the course of their employment. It is also a time for us in this House to reflect upon what we as legislators can do to ensure that our work environments are as safe as possible.

Ministers nationally will later on this year be considering the recommendations of the Boland Report. It made a number of recommendations and commentary around issues of model laws. It addressed some responsibilities of employers to provide safe work places and also addressed the need for industrial manslaughter legislation. To quote, it said:

... a new offence of industrial manslaughter should be included in the model WHS laws. ... where there is a gross deviation from a reasonable standard of care ...

Members would be aware that both the ACT and Queensland have already done this and therefore it is a reasonable debate to assume that will be picked up by other jurisdictions.

There are a number of people who have campaigned heavily in this space and one of them has asked me to table some petitions in parliament today. I thank the Leader of Government Business and the Leader of the Greens for being amenable to being able to do that. Unfortunately, while the two petitions have been signed by a total of 4339 people, they are not in accordance with the standing orders of the parliament as they do not contain a prayer and one of them does not contain a direction for the parliament to answer. I will talk a little about these before I table them.

I cannot imagine a parent's grief at losing a child. I cannot imagine your child not coming home from work at the end of the day. Of the two petitions before us, one is a change.org petition with 1416 petitioners who have signed it. The recipient of that is the Premier of Tasmania and the letter said, 'Greetings, Help save the lives of Australian Workers'. The second petition which I seek leave to table is about justice for workplace deaths, which is signed by 2923 people. I will read in the letter around that petition. It says:

To the Premier of Tasmania -

The Tasmanian Government MUST ensure that ALL workers are covered by the Workers Compensation Act. Currently, some workers are being deliberately and unfairly excluded.

The Tasmanian Government MUST introduce Industrial Manslaughter Laws for employers who have failed in their duty of care, resulting in a fatality.

**Why is this important?**

At the age of 24, my wonderful son David was killed in a workplace accident in Tasmania, an accident that should never have happened.

I feel distressed just thinking about the early morning phone call from one of David's friends advising us that the boat he was working on had not come in at the expected time. We waited for news hoping for a good outcome.

The next phone call destroyed our world.

When the boat that David was working on sank he swam for over five hours before dying of hypothermia.

I can't put into words how horrendous something like this is. We will never recover from the sudden and unbearable shock of losing a much-loved family member. David was young, healthy and a hard worker. He had his whole life in front of him. He should not have been killed at work. Workplace deaths break the hearts of those left behind.

This tragedy opened my eyes to the unjust, discriminatory and dangerous 1988 Workers Compensation Act. Some workers have been deliberately excluded.

They are disrespected when they are killed at work. They are denied any funeral/death compensation.

Basically they are disposable workers. This is unacceptable. ALL workers MUST be included in the workers compensation act.

Employers should be accountable if they have contributed to the death of a worker by failing in their duty of care.

Workers continue to lose their lives in Tasmania. Families continue to be shattered and forever heartbroken.

The Tasmanian Government have ignored these issues for far too long. They MUST take action and implement the legislative changes needed to protect workers.

Madam Speaker, I cannot imagine the grief that Robyn Coulson feels every day as she has campaigned so strongly to have this matter raised. There have been a number of members of parliament who would have had representations from Ms Coulson over the years as she has

campaigned to have this matter dealt with, both her concerns around the coverage of the workers compensation act and the issue of industrial manslaughter.

Whilst the petition in its current form does not compel the Government to respond because it is not a formal petition, I plead with the Government to give Ms Coulson, who is clearly a grieving mother, clearly very passionate and who has clearly worked very hard to get this matter raised in the parliament, the courtesy of a response to this. I understand she has made representations to the Premier and has not had a response to those. None of us could understand the pain Ms Coulson is going through or the pain of those families who send someone to work who does not come home again.

I seek leave to table the petitions and thank the Government very much for its indication that they will grant that leave and ask that we can respond to Ms Coulson, because no worker should ever go to work and not come home at the end of the day. Thank you.

**Leave granted.**

### **Oatlands - Bus Services**

[6.13 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, last week I met with residents of Oatlands who, due to bus changes from Project 2018, have had their already deficient bus service cut further. There is no early morning service from Oatlands to Hobart, with the first available bus leaving at 11.30 a.m. and arriving in Hobart around 1 p.m. The Liberal Government's Project 2018 strategy delivered a cut of two of the 5.30 p.m. weekday services back to Oatlands, leaving the return service limited to 3.30 p.m.

It is impossible for residents of Oatlands to commute to Hobart unless they have a car, a driver's licence and can afford petrol. The current bus service makes it almost impossible for job seekers to hunt for positions, attend training, and be able to even attend meetings in, say, Glenorchy or Brighton. They really cannot go anywhere until 11.30 in the morning. The service leaves a very narrow window for appointments with doctors, specialists and other services that people rely on, and the lack of bus services is leading to worse health and job outcomes for the residents of Oatlands and the surrounding areas.

With the support of the people of Oatlands I have formed a petition that will be tabled in this House in the May sitting. The petition reads that:

Current bus services provided by the state Government to Oatlands and the surrounding townships are inadequate and inappropriate to the needs of the community. Your petitioners therefore request that the House improves access and availability of bus services to Oatlands and surrounding townships.

The 1000-odd residents of Oatlands and its surrounding townships require a morning bus service to access essential services, medical appointments and employment opportunities. The community of Oatlands was not appropriately consulted as part of the Project 2018 public transport strategy. Losing the 5.30 p.m. bus service puts further strain on the existing services. The people of Oatlands, especially the older people of Oatlands, would like to stay in their community. A lot of people may be three to four generations Oatlands people. Although they may have lost their

licence because they are a little older, they are not ready to leave their home. However, they are having to consider age care because there are no bus services, or the bus services are inadequate.

There is a community car, but there are not enough volunteers to drive it, there are not enough cars and the community car needs to be booked a long way in advance. It is also difficult to get health services or help appointments that line up with the availability of the community car so it is a big issue. We will be tabling that petition. For the people of Oatlands there is a petition at the Oatlands IGA, a petition at the Oatlands Bargain Centre and a petition with Josie at the Oatlands post office.

### **Arthur Pieman Wilderness Exhibition**

### **Zeehan Bushfire Thank You Event**

### **Somerset Surf Life Saving Club**

[6.16 p.m.]

**Mrs RYLAH** (Braddon) - Mr Deputy Speaker, I rise tonight to recall a number of events that I have been to recently. My electorate of Braddon is no shrinking violet when it comes to artists and creative endeavours. I am referring to the recent Arthur Pieman wilderness exhibition held at Marrawah on Tasmania's rugged west coast. This photographic, art, books and artefacts exhibition has featured the work of the 'Wise Women of the West', also known as Jocelyn Flint, Sue Popowski and Eunice Atkins, as well as many others.

It was over the long weekend and received a much stronger response than the three ladies expected. They were stunned at the number of artefacts, stories and pictures that were brought along and shared. It was a great event. Art speaks to us in so many ways and delivers different messages to all of us. Overwhelmingly, the message expressed at this wonderful exhibition was one of the lifelong connections that these three talented women had with the Arthur Pieman Conservation Area. Their message is about inclusion for all to enjoy this conservation area.

Jocelyn, Sue and Eunice, in the true style of the wise women, are gathering all these stories and sharing the images. These wonderful photographs tell of a generational connection and the respect for the area and its connection to the community. My congratulation goes to the wise women of the west, Eunice Atkins, Jocelyn Flint and Sue Popowski.

On Saturday, last weekend, I attended the Zeehan bushfire thank you barbecue along with the Premier, the Deputy Premier and Mr Ferguson. Hundreds attended from throughout the regions. The community really came together. There was free food, activities, there were kids and there were older people. It was a diverse and really a surprising spread of people. We had the TFS personnel, brigades from all over who returned to the region, the SES, Ambulance Tasmania, the volunteers, we had Rapid Relief Team, HIPPY, ABC radio, we had the school represented, we had councillors, mayors and the general manager. It was a fantastic community event.

The community brought up with me that the fire in Zeehan halted at the previously burnt vegetation. These regular burns are so important to these communities. There was a wind change but this fire stopped right on the boundary of the previous burn. I commend TFS personnel, the brigades from all over, SES, Ambulance Tasmania, the volunteers especially, the Rapid Relief Team, HIPPY, ABC radio, school counsellors, mayors and the general manager.

The final event that I would like to mention tonight was the 50th anniversary of the Somerset Surf Life Saving Club. I attended this on 23 March along with my colleague, Ms Dow, at the Somerset clubhouse. About 80 people attended. They had a weekend of events to recognise the club's anniversary, as well as 50 years of the Ladies Committee. I had the honour to meet and talk with Lois Arnold, a foundation member of that Ladies Committee and a life member of the Somerset Surf Life Saving Club.

They did an outstanding fundraising job. The Ladies Committee built what is now a very large double-storey clubhouse. They supported the club and all the events that they held for surf life saving. Lois kept telling me about the weddings, the parties and the cake stalls. It was an amazing commitment over a long period to achieve what they have done in Somerset. Now that there is a lift in the building, a new improvement, Lois was absolutely delighted because she could enjoy the event, which was on the top floor looking over the beach.

Eric Smith, a 47-year member of the club, recounted hilarious stories from events, including taking kids all over Australia as well as stories about him as a young man. It was a wonderful contribution to the club. He continues his amazing service to children in surf life saving right along the coast.

I recognise David Stubbs and the three generations of his family who were there that night. I also recognise that there are now 50 children involved in Nippers at Somerset. I commend president Leigh Glover, Dave Greisbach, all the committee, all the life members who have supported the Somerset Surf Life Saving Club, and all of the members who attended their 50th anniversary.

### **Triabunna - Pop-up Book Stall**

[6.22 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I rise tonight to congratulate the work of the volunteers of the pop-up book stall in Triabunna. The pop-up book stall in Triabunna began in October 2015. Volunteers launched it during Seniors Week. I particularly pay tribute to the three founding members Richard Wylie, Jane Pollard and Judy Mollineaux.

The pop-up book stall started as lovers of books in the community, those volunteers decided to raise money for the community organisations that operate up and down the coast by selling books. They decided that to do that they would pop-up at local places during public holidays and at other community functions. Since they began in 2015 they have raised a remarkable \$36 000 for the community of Triabunna.

I wanted to pay tribute to them and their efforts as volunteers for the work they have done to support their community. I had the pleasure to visit where they are now operating from, which is the former council chambers in Triabunna. I encourage any community members, who might be in the area, to pop in. They are open four days a week from 10 a.m. to 2 p.m. each day, plus public holidays and weekends. They have raised \$2837 since they began operating out of that site on 1 February this year.

I have been informed that they have a committee of six and a core group of 12 volunteers that they can call on, but up to 50 or more community members have made themselves available to assist if necessary.

It is a really lovely example of community coming together and supporting one another. They share a love of books and a love of different organisations on the east coast that support the community there. I want to acknowledge them in this place because I am sure that other members, like I do, come across these community groups and volunteers in their own electorates from time to time and feel so inspired by the way they give back.

The different organisations that the pop-up book stall has provided donations to over the years it has been operating is extensive but I wanted to mention each of them. They have donated \$400 to the Anglican Church breakfast program and food parcels; \$600 to the Buckland Fire Brigade; over \$5000 to Cuppa for Cancer; over \$1000 to the Friends of Triabunna Reserves; \$600 to the Glenmorgan Spring Bay SES; \$2500 to the Glenmorgan Spring Bay Seniors; nearly \$4000 to the Glenmorgan Spring Bay youth; \$700 to Neighbourhood Watch; and over \$200 to the Orford Community Group.

**Mr Barnett** - That's fantastic.

**Ms WHITE** - They have done an enormous amount of work. The Orford Primary School has received a donation of \$2500. I am going to keep going because what this demonstrates is not only the amount of money that they have raised in the community, Mr Deputy Speaker, but also the breadth of different organisations that have benefited from their hard work. Probus has received over \$900, Spring Bay Maritime and Discovery Centre has received over \$1000, the Spring Bay Suicide Prevention Network has received over \$4000, the Spring Bay Volunteer Ambulance Group has received over \$3000, the Triabunna District School has received over \$2000 and the Triabunna Volunteer Fire Brigade \$2700.

Mr Deputy Speaker, as I said on the outset, they have raised over \$36 000 since they started operating in October 2016. In the future they have ambitions to raise more money for particular causes, especially Cuppa for Cancer, the RSL, local schools and the Buckland Fire Brigade. I recognise also that all of their books are donated and put the call out that if you have books you are no longer using, please donate them. They welcome them very readily and I am sure we could have a collection here and I would be pleased to take them and donate them on behalf of the parliament to the pop-up book stall at Triabunna. It is wonderful and the more we can do to encourage a love of reading in our community the better, and a love of the adventure reading can offer people to become immersed in those fantasy lands and places that reading can take you and the creativity it inspires in people. That would be much better for our community and particularly for our young people.

### **Deloraine - Availability of Banking Services**

#### **2019 AgriFutures Rural Women's Award Winners**

[6.28 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, tonight I want to raise some serious concerns about the future of banking services in Deloraine and the Meander Valley. Unfortunately last week I was advised at very short notice and the community was likewise advised that the ANZ Bank's Deloraine branch will close on 24 April, just a few weeks away. I was advised in writing by the bank and state manager and subsequently called the state manager directly to seek further justification for that decision in addition to what was in the letter advising the community of their decision.

I want to make it very clear that I expressed these concerns to the state manager and the decision will not just affect Deloraine but the broader community, particularly people and small businesses throughout the Meander Valley who rely on this important service. Many people will be affected by the closure of the face-to-face service at such short notice with Easter in between and indeed Anzac Day as well, in fact the day after the closure. Older Tasmanians, people living with a disability, small business retailers and the like will all be particularly affected.

During my conversation with the state manager I offered to intervene and speak to the owner of the building because one of the key reasons provided was that they could not come to a mutually agreeable arrangement with the landlord of the building in which the ANZ branch is located, in the main street just a few metres down from my office in Emu Bay Road. I will come back to that.

Last Friday I started circulating a petition calling on the bank to reconsider its decision and outlining the concerns. These have been distributed and circulated throughout Deloraine and elsewhere and the feedback has been very positive with respect to that petition expressing serious concern about the decision by the ANZ Bank. Those who are interested can collect a petition from my office or on my Facebook page and download it and then get it back to my office as soon as convenient.

A further development has occurred today. I have been in touch with the local real estate agent and in light of the fact that the bank has not been able to come to a mutually agreeable arrangement with the landlord, the real estate agent and I have had further discussions and the agent has been in touch with a possible investor who would be willing to purchase the bank building on mutually agreeable terms from the existing or current owner and would be more than happy to keep the ANZ Bank as a tenant, subject to mutually agreeable terms. The real estate agent will be making contact forthwith with the current owner and will no doubt report back directly to me and others. This is a development and I do not know exactly how this will flow, but I would like to think this may assist ANZ in its thinking.

Of course we have had a royal commission and there is the importance of rural and regional Australia and the importance of agriculture. Things are going well in the Meander Valley in terms of agriculture, tourism, retail and manufacturing, all the industries in and around the Meander Valley and Deloraine. Certainly there are ups and downs along the way but it has been very positive. Notwithstanding that, we have one of the major four banks planning to close its branch. It is very disturbing and disappointing and I have asked the bank to reconsider their decision.

I take this opportunity on the adjournment to congratulate the 2019 AgriFutures Rural Women's Award winners. It was a great day. Many members of parliament were there supporting this wonderful event and I want to pass on specific congratulations to Anh Nguyen, who has today been named the Tasmanian winner of the 2019 AgriFutures Rural Women's Award.

Anh is an engineer, scientist and business owner who currently manages a small-scale vineyard at Tea Tree and a tourism business as well. She is an advocate of smart biodynamic farming techniques with a focus on the use of advanced science and technology to reduce labour intensity, and this award will provide Anh with the opportunity to roll out her smart farming system that will maximise crop quantity and quality while optimising farm resources, including water use. Anh's prize includes a \$10 000 bursary and the opportunity to attend the Australian Institute of Company Directors course in Canberra. She will also represent Tasmania in the national Australian AgriFutures Rural Women's Award in September this year and we wish her well with that.



The Hodgman Liberal Government recognises the vital contribution women make to rural industries and communities and is very proud to support this award in partnership with Westpac and ABC radio. Anh has taken the honours in an outstanding and diverse field of entrants and this is a testament to the strength and vibrancy of Tasmania's rural women.

The 2019 Tasmanian Women in Agriculture Encouragement Award winner was Anita Long and congratulations to her. Sponsored by Tasmanian Women in Agriculture, the encouragement award provides a \$1000 training bursary and recognises Anita's passion for educating children on the importance of bees.

The 2019 Tasmanian Women in Agriculture Development Award winner is Sarah Cole. Sarah is using her skills to further understand the challenges facing a growing pasture seed industry in Tasmania, with the aim to increase the state's productivity and she is based at the back of Cressy. Congratulations once again to all the winners and all the entrants and the finalist who was there today as well, Ashleigh Reynolds. Wonderful stories were told about their particular projects. Particular thanks to Fiona Breen for and on behalf of ABC radio, who has been an MC, compere and supporter of this event for many years, and recognition to Belinda Hazell from Tasmanian Women in Agriculture. Belinda is president and showing outstanding leadership, as is the organisation TWiA which builds the capacity of women in and around our rural and regional areas and do a fantastic job.

I also pay recognition to the 2018 AgriFutures award winner, Allison Clark, who shared a little about her last 12 months in the role and where she is likely to go in the future. I am looking forward to touching base in a one-to-one with Allison to learn a little more about her experiences and learnings over the last 12 months and where that might take us.

I acknowledge as well Dallas Pearce from AgriFutures Business Australia and Agribusiness Tasmania in my own department for their terrific support.

Finally, I want to recognise Collegiate School students who were there represented today. They have an interest in agriculture. There is so much prospect and prosperity in agriculture and opportunities galore. It is so good seeing young Tasmanians expressing that interest from the Collegiate School and other schools. I am an old Hagley Farm School boy and I know about the importance of agricultural education and the Tasmanian Agricultural Education Network does a great job. There is always more to do, but we can be very proud of these contributions. I thank the House for this opportunity.

**The House adjourned at 6.37 p.m.**