

Tuesday 19 March 2019

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT

The Council met at 11.00 a.m. pursuant to the proclamation of Her Excellency the Governor.

The Clerk read the proclamation.

OPENING OF PARLIAMENT BY COMMISSIONERS

The Commissioners appointed by the Governor, the Honourable Kate Warner AM, the Honourable Jim Wilkinson, the Honourable Leonie Hiscutt and the Honourable Kerry Finch instructed the Black Rod to attend the House of Assembly and request members to attend in the Legislative Council to hear the Governor's Commission for the opening of Parliament.

Mr PRESIDENT - Honourable members of the Legislative Council, honourable members of the House of Assembly -

Her Excellency the Governor, not thinking fit to be here at this time, has been pleased to cause a Commission under the Seal of State to be prepared for the opening and holding of this Parliament. This will more fully appear by the Letters Patent themselves, which the Clerk of the Council will now read.

The Clerk read the Commission.

Mr PRESIDENT - Honourable members of the Legislative Council, members of the House of Assembly -

We have it in command from Her Excellency the Governor to acquaint you that Her Excellency desires that you take into your earnest consideration such matters as may be submitted to you in this second session of the Forty-Ninth Parliament and I now declare the session open.

The members of the House of Assembly withdrew.

ACKNOWLEDGMENT OF TRADITIONAL PEOPLE

The President, **Mr Wilkinson**, took the Chair at 11.10 a.m., acknowledged the Mouheneener People and read prayers.

[11.11 a.m.]

PARTITION BILL (Pro forma)

First Reading

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

E-PETITION

Tasmanian Wilderness World Heritage Area Listing

Mr Dean presented an e-petition signed by 582 citizens of Tasmania who requested the Legislative Council reject any bill or any proposal to increase the size of the heritage area and instead conduct an inquiry into the validity of calling the current or proposed area 'wilderness' when in 1981 environmental and heritage experts identified only 926 964 hectares of the state as wilderness.

E-petition received.

SENATE VACANCY

Letter from Governor-General

The President informed the Council that Her Excellency the Governor had received a letter from the Governor-General of the Commonwealth of Australia advising that a Senate vacancy had arisen following the resignation of Senator David Bushby on 21 January 2019.

Letter read by the President.

MOTIONS

Joint Sitting - Senate Vacancy

[11.20 a.m.]

Motion by **Mrs Hiscutt** agreed to -

That on Wednesday 20 March 2019 at 9.30 o'clock in the forenoon, the Legislative Council meet with the House of Assembly in the House of Assembly Chamber for the purpose of sitting and voting together to choose a person to hold a place in the Senate of the Parliament of the Commonwealth of Australia, rendered vacant by the resignation of Senator David Bushby.

Motion by **Mrs Hiscutt** agreed to -

That Joint Sitting Rules as distributed to members in the House be adopted as the rules for the joint sitting of both Houses.

Motion by **Mrs Hiscutt** agreed to -

That a message be transmitted to the House of Assembly requesting its concurrence therein and that such message contains the proposed rules for the Joint Sitting.

PRESIDENT'S AUTHORITY

Presence of Advisers on the Floor of Chamber

[11.21 a.m.]

Mr PRESIDENT - Honourable members, by my authority I have determined that advisers to the Honourable Leader of the Government be authorised to go onto the Floor of this House for the duration of the Session in order to advise and support that honourable member.

SESSIONAL COMMITTEES

The following members were appointed to sessional committees -

House Committee

Mr President, Ms Forrest and Mrs Hiscutt.

Joint Library

Mr President, Mr Farrell, Mr Finch, Ms Forrest, Ms Rattray and Mr Valentine.

MOTIONS

Sessional Order - E-Petitions

Motion by **Mrs Hiscutt** agreed to -

That the sessional orders relating to e-petitions which were in place in the first session of the Forty-Ninth Parliament be again approved for this session.

Sessional Order - Standing Orders 29(2) and 138(2) and (4)

Motion by **Mrs Hiscutt** agreed to -

That the following sessional orders apply in lieu of standing orders 29(2) and 138(2) and (4).

29. Adjournment for want of a quorum when notice taken by a member

(2) At any time after the Council has proceeded to business if a member notices that seven members including the President or Deputy President are not present and so states the bells shall be rung as for a Division and if a quorum is not present at declaration of four minutes the President shall adjourn the Council without a question first put, until the next ordinary sitting time.

138. After division called -

How Division taken

- (2) The President will order the division bells to be rung for four minutes.

Locking of Doors

- (4) After the four minutes have expired, or such lesser time at the discretion of the President, he or she will order the doors to be locked and no member will enter or leave the Chamber until after the division.

Sessional Order - Standing Order 200

Motion by **Mrs Hiscutt** agreed to -

That the following sessional order apply in lieu of standing order 200 -

- (1) The evidence taken by any Select Committee of the Council, and documents presented to such Committee, which have not been reported to the Council shall not, unless authorised by the Committee, be referred to in the Council by any Member or published or disclosed by any Member or by any other person.
- (2) Paragraph (1) does not apply to -
 - (a) Any proceedings of the Committee that are open to the public and the news media;
 - (b) Press releases or statements made by a Member of the committee on the authority of the Committee; and
 - (c) Written submissions presented to a Select Committee and authorised to be published by the Committee.

Sessional order - Standing Order 39 - Suspension

Motion by **Mrs Hiscutt** agreed to -

That so much of standing order 39 be suspended for the duration of this session to enable special interest matters to be called on each sitting Tuesday before notices of motion and orders of the day are proceeded with.

Deputy Chairs of Committees

Motion by **Mrs Hiscutt** agreed to -

That the following members be reappointed Deputy Chairs of Committees of the Council -

Ms Rattray, Mr Gaffney and Ms Armitage.

Government Administration Sessional Committees A and B

[11.26 a.m.]

Motion by **Ms Forrest** agreed to -

That Government Administration Sessional Committees A and B be reappointed and that sessional orders 1 to 32 which govern the operation of these two Government Administration Sessional Committees and agreed to in the first session of the Forty-Ninth Parliament continue to have application for this session.

Legislative Council Select Committee on Short Stay Accommodation

Motion by **Ms Armitage** agreed to -

That the Legislative Council Select Committee on Short Stay Accommodation in Tasmania, appointed on 22 May 2018, with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place to inquire into or report upon the short stay accommodation industry in Tasmania, be reappointed; and -

That the membership of the committee and its terms of reference be those agreed to in the First Session of the Forty-Ninth Parliament; and -

That the minutes of proceedings of, and evidence received by, that committee be referred to the committee.

Legislative Council Select Committee on AFL in Tasmania

[11.28 a.m.]

Motion by **Mr Dean** agreed to -

That the Legislative Council Select Committee on AFL in Tasmania, appointed on 20 November 2018, with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place to inquire into and report upon AFL in Tasmania, be reappointed; and -

That the membership of the committee and its terms of reference be those agreed to in the First Session of the Forty-Ninth Parliament; and -

That the minutes of proceedings of that committee be referred to the committee.

RESUMPTION OF PROCEEDINGS

Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons) Bill 2018 (No. 45)

Motion by **Mr Dean** agreed to -

That in accordance with standing order 317(1), the Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons) Bill 2018 (No. 45), which lapsed by reason of prorogation on 26 February 2019, be restored to the Notice Paper and be proceeded with as if its passage had not been interrupted by prorogation.

STATEMENT BY PRESIDENT

Electorate Tours

[11.29 a.m.]

Mr PRESIDENT - Honourable members, before I call on special interest matters, I thank the member for McIntyre, Ms Rattray, along with her staff, for hosting an electorate tour a few weeks ago. That was followed by the member for Murchison, Ms Forrest, and I thank her for organising what I will call an electorate tour in relation to the fishing industry.

Ms Forrest - Not only in my electorate.

Mr PRESIDENT - I know it was not only in your electorate, but it was well received by everybody here and I thank you both for doing that. I notice that this Friday the member for Huon is taking us down to the Channel to see Tassal and its workings.

SPECIAL INTEREST MATTERS

Australian Tourism Awards

[11.29 a.m.]

Mr FINCH (Rosevears) - Mr President, if there were any doubts about the strength of the Tasmanian tourism industry, they were firmly dispelled in a marquee pitched over one of the biggest swimming pools in my electorate of Rosevears.

The occasion was the Australian National Tourism Awards announcements earlier this month. The venue was the swimming pool at the Cataract Gorge First Basin, and the marquee over the drained swimming pool an inspired idea. The gorge was a fitting venue for the tourism awards as it is probably Launceston's biggest tourism drawcard.

The member for Launceston during her time at the Launceston City Council was chair of the Cataract Gorge Reserve Advisory Committee. As Launcestonians we accept how important the attraction is particularly for tourism, but also for the locals. It is increasingly popular with visitors. It is crowded on any sunny weekday, particularly at the moment because our famed peacocks have a lot of chicks, which is creating much interest especially among our Asian visitors for their photography.

The new play area for children is an attraction well worth taking the kids to when you visit Launceston or if you are a local. Eight tourism awards went to Tasmanian businesses in front of 840 of the most influential tourism operators in Australia. Port Arthur Historic Site won two gold medals, partly because of its new visitor centre.

Tasmania came third in the overall national medal tally. Tourism Tasmania Chief Executive Officer John Fitzgerald said if there had been another award, it would have been to the City of Launceston to honour its role in helping to organise the award ceremony. It was a beautiful Friday evening - the member for Launceston was there - and it was a glorious day to highlight Launceston and Tasmania to those special guests from around Australia. The gorge looked absolutely spectacular.

At some stage, we have all have had difficulty juggling a plate of canapes and a glass of wine, but there was no problem at the awards due to an inspired idea of wooden platters for each guest. The platters had a slot at one end to hold the wine and room for the canapes and hors d'oeuvres. The City of Launceston's community economic development manager, Tracey Mallett recognised the problem of eating canapes, balancing a drink, holding your mobile phone and trying to shake hands with other people you have not met for a while when outside on the lawns at the First Basin. The idea for the canape boards came up and two local men's sheds went to work. The canape boards are rectangular, crafted from Tasmanian oak meticulously stained with a high-grade sealer donated by a local company that became aware of the project.

The 2018 Australian Tourism Awards event director Rick Marton saluted that terrific idea, but also says on a budget designed for a conference venue, they actually build the awards site literally from the ground up. He said Tasmanian companies worked together to deliver this spectacular production. They were essentially having an opening night for a new restaurant, but instead of 30 or 40 guests, there were 840. The challenge was to take on all the negative parameters that might surround an issue like this. They did not even have a kitchen on site and a separate marquee was put up alongside. Imagine that for the chefs and the caterers.

It was one of those times where if things are going to go wrong, they will, but I tell you it went like clockwork and the most important thing was the Tasmanian spirit shone through the whole event. How proud we were to be in that venue and to see everything work like clockwork. Rick said if anyone thought they played a small part in the event, they were actually a critical part. He dealt directly with over 400 people. Of course, those people then had to deal with other people, so it was a real solid community event for Launceston, northern Tasmania, and Tasmania.

The night at the National Tourism Awards demonstrated ingenuity, entrepreneurship and, above all, the very special Tasmanian cooperation. With whose skills our tourism industry certainly cannot fail.

Trauma Awareness Network Australia

[11.35 a.m.]

Mr GAFFNEY (Mersey) - Mr President, I rise today to speak about an organisation I am tremendously excited about - Trauma Awareness Network Australia, which is sometimes referred to as TANA.

To be fair, we often hear that as an introduction to special interest matters speeches. I suppose when any member makes an inquiry in regard to securing a special interest slot, it is generally because they have come across an individual or a group, a cause or an event they feel passionate about sharing with the Chamber and those listening in. This time, it is a privilege and a wonderful opportunity for us to advocate and educate.

I spoke with TANA founders Mike Lizotte, Brigid Daly and Sue Heart in mid-November last year, and was immediately interested in the group's stated purpose, which is to disseminate information to raise awareness about the effects of toxic stress and the development of community resourcefulness and resilience.

I believed then, as I do now, that the long-term intergenerational impacts of trauma are a huge concern. There are many areas of socio-economic disadvantage on the north-west coast and west coast and, indeed, throughout the state. The vision of TANA, if implemented, could serve to head off many of the secondary issues, a direct result of childhood trauma which we observe in our society.

From our meeting, it was decided a forum would be held to share information about TANA, and the clinical data relating to toxic stress and societal culture which has been observed and documented in other regions, such as Washington in the United States.

Part of my role is to help increase community awareness and attract participants to the event.

Mike, Brigid and Sue and the TANA concept were profiled in the *Advocate* by journalist Libby Bingham, who was incredibly impressed with the message and was hired to promote the group's first forum.

As a result of her article and TANA's advertising through network and community radio, 200 tickets were booked out two-and-a-half weeks before the event, a phenomenal result for the north-west coast.

I had the privilege of financially supporting, hosting and being master of ceremonies at Pier01 in Ulverstone. Attendees were thoroughly engaged for the entire event, perhaps not through my contribution, but certainly when speakers took the stage, the desire to listen, learn and develop the idea was obvious.

It was an incredible experience to be part of the early beginning of a phenomenon which, I believe, may have ongoing and significant and positive effects in our local and wider community.

I will not share too many more of my thoughts today, but want to spend the rest of my time reading into *Hansard* some information from TANA which I feel sure will be of interest to members. I am more than happy to forward contact details to those members who wish to learn more.

I am not quoting directly from the TANA network. TANA's key message is that people react to their circumstances in a predictable and adaptive way. This reaction is universal and becomes ingrained in a person. However, these survival strategies become non-adaptive when circumstances improve and threat is no longer present. With support, people can be facilitated to reclaim a greater degree of control and responsibility over their lives.

TANA builds clear communication systems for the sharing of knowledge and the creation of a shared vision bridging top down with bottom up. Its goal culminates in a public health system that is founded upon the optimum balance between effectiveness and robustness.

TANA envisages a society where each person feels valued and is acknowledged with a strong sense of safety and connection. From this state of being, people learn the skills of self-regulation and self-management and become more tolerant and understanding of others.

TANA advocates for strategic prevention of toxic stress as an effective action for the public health policy that mitigates the effect of toxic stress at each stage of the lifecycle from the earliest stage possible.

While this approach may require initially substantial investment, the use of data to support a policy, significant savings in the long-term are assured with the prevention of ill health. By anticipating and addressing and meeting the needs of people, they will naturally aspire to reach their greater potential to make a more significant contribution to their communities. By supporting people who are coping with the effects of toxic stress on their bodies and minds, they will learn to function in a significantly more productive way.

Finally, when each person's experience is valued, our society becomes more integrated, utilising skills and innovative abilities and maximising each person's strengths.

The TANA concept is indeed an exciting one and I believe it has enormous potential. At their recent follow-up workshop to facilitate the next steps, 48 people from the forum indicated they wanted to be involved in that planning event and be part of the strategic working group.

To take the approach to the next level will require both financial and political support. I hope in time that TANA will receive both. For members or those listening in, TANA has a website that provides much more detailed information.

In closing, in speaking with the TANA group - Mike, Brigid and Sue - it was decided that the north-west and west coast would be a good place to start this innovation, which from there would feed into other areas in Tasmania.

It has been well received by many members of different departments, business groups and individuals. I am pleased to be able to support this and encourage members to become involved.

Donna MacFarlane

[11.41 a.m.]

Ms ARMITAGE (Launceston) - Mr President, in November last year, athlete Donna MacFarlane was inducted into the Tasmanian Sporting Hall of Fame. At the award presentation, Donna, who I can proudly say is also my niece, reflected on her international athletics career.

She was a 2006 Commonwealth Games bronze medallist, a 2008 Olympian, a two-time World Championships representative and a former Australian record holder.

She was also a middle distance and steeplechase runner who set an Australian record in the women's 3000-metre steeplechase at the 2008 International Association of Athletics Federations Golden League meeting in Norway.

Despite knocking her knee and stumbling at the last barrier, she recovered quickly and in a sprint finish, went from fourth to second. This record stood for eight years.

Donna is an inspiring and courageous athlete who is proof that it is entirely possible to make a comeback regardless of what happens along the journey - an inspiration to us all.

Her career began in 1996, when she won the Australian Junior Cross Country title and a couple of junior track titles later the same season. She began experimenting with steeplechase and, competing as Donna Tyberek, won the Australian under-20 titles over 800 metres, 1500 metres and cross-country.

In 2000 she won the senior bronze medal in the 3000-metre steeplechase at the Australian Athletics Championships at Olympic Stadium in Sydney, the event's inaugural year for women.

After Sydney she took a break from professional athletics to focus on starting a family, which now includes three wonderful children, Marcella, Gabriel and Elodie. Five years on, she returned to running, intending to get fit, and entered a fun run in Hobart.

However, guided by new coach Max Cherry and with the help of a group of teenage training partners, she made a stellar return to the professional scene as a 3000-metre steeplechase specialist. She improved her best times over every distance, from 400 metres to 10 kilometres.

One year after returning to running, Donna was selected for the 2006 Commonwealth Games in Melbourne, making an immediate impact by winning a bronze in the 3000-metre steeplechase. Immediately following the Commonwealth Games, Donna helped Australia to a team bronze medal in the IAAF World Cross Country Championships in Fukuoka, Japan.

However, tragedy struck at the 2007 World Athletics Championships in Osaka, Japan, when a competitor accidentally trod on her foot inside the first 50 metres of the race, tearing her shoe off. She continued for a lap and a half before withdrawing from the race. After the race, when interviewed, she said -

I tried to battle through and ignore the pain in my foot as I could feel the skin turning away.

She continues -

But I had a look down and saw the blood pouring out and it was just too sore. I thought, I can't do another six laps.

Tragedy struck again in April in 2008 with the sudden death of Max Cherry shortly before the Beijing Olympics. Donna was ranked fifth in the world, which meant she was under enormous pressure to perform. She ran in the last heat of the 3000-metre steeplechase but finished four seconds outside the qualifying time. Her time of 9 minutes 32 seconds was 14 seconds short of her personal best.

Donna ended her international athletics competition with the 2009 World Championships in Athletics in Berlin. She now resides in Western Australia and despite being born in Victoria, still refers to visiting her parents in Hobart as going home.

She moved to Launceston when she was just two years old and attended Larmenier Catholic Primary School up to year 6 and Mount Carmel in Hobart to year 12.

Now a freelance writer, she enjoys running and passing on Max Cherry's words of wisdom. She says -

At the end of my career there are so many positive things to look back on; so many things Max taught me; life skills that I still use to teach my children.

Marcella's getting a bit faster than me now. I tell her, 'Run tall and lightly. You don't want to hear your footsteps on the ground, otherwise all your energy is going into that.'

Mr President, the Tasmanian Sporting Hall of Fame honours outstanding Tasmanian sportspeople who have represented our state at the highest level and ensures their achievements receive the recognition they deserve.

Donna is indeed a wonderful role model for someone who made a comeback as an elite athlete and achieved so much for her family and her country. Well done, Donna.

Mr PRESIDENT - She is also a good junior swimmer, as you probably know.

Young Leaders of Tasmania

[11.46 a.m.]

Ms SIEJKA (Pembroke) - Mr President, today I recognise the important work of the Young Leaders of Tasmania program, an initiative aimed at improving the lives of young people living with disabilities. The YLOT program is a not-for-profit organisation that supports young people living with disabilities while also empowering young Tasmanians to participate and show leadership in their communities.

This program equips young Tasmanians in years 6 to 12 with the skills to support those dealing with disabilities, and then they are buddied up with students living with disabilities from special needs schools from around the state. The program helps these young people develop their leadership skills through mentoring and supporting those living with disabilities.

In 2018, 27 young leaders from Bellerive Primary, MacKillop College, Eastside Lutheran College and Rosny College participated in the southern program, partnering with students from the Southern Support School in Howrah.

The program also saw students from Devonport Primary School working with students from the School of Special Education in the state's north-west. This year, the program aims to enlist the help of students from the Launceston area to work with students from Launceston's Northern Support School.

I welcome guests from YLOT today.

A student enrolled in this year's program said they wanted to be included in the program because -

I want to assist in improving the lives of people with disabilities, particularly in ensuring that their fundamental human rights are respected and upheld. I want to make the Tasmanian community a more inclusive, accepting and accessible place for people, specifically youth, with disability.

In particular, I recognise the work of the organisation's founder, Keren Franks.

Keren was inspired to start the program after seeing how her daughter, who lives with a disability, was positively influenced by the leadership qualities of the students who surrounded her.

Keren's work in establishing the program and her commitment to providing support to students from all around the state should be commended.

Keren, together with her husband Ron and supportive board members, has grown the organisation and ensured that good governance is at the core of all the work they do. This includes the involvement of young people in decision-making.

I will give a few examples of the program at work. In August last year, students from the Young Leaders program helped out with the launch of the Community Sports Development Program, which was run by Tascare and Special Olympics Australia. As part of this, young leaders, alongside Hobart Basketball Association players, supported and mentored participants, helping them to develop their skills on the court.

Another example of the program at work is the supportive friendship a number of young leaders built last year with a student at Southern Support School. This year that relationship will continue as a young man from Southern Support School transitions to Clarence High School and will be placed in the same homeroom as the young leaders, assisting to build a positive experience, reduce stigma and ease the challenges in a move to a mainstream school.

Experiences such as these help to improve the quality of life for those living with disabilities. In Australia, approximately one in five people lives with some form of disability. Tasmania has the highest number of people living with a disability. Those dealing with disabilities in our community persistently face challenges in their day-to-day lives, either directly stemming from their disability or in the form of stigma and alienation.

In 2015, the Australian Bureau of Statistics reported that young people living with disabilities were 10 times more likely to face some form of discrimination when compared to adults. The work of the Young Leaders of Tasmania program helps to foster inclusiveness and combat the isolation that young people with disabilities disproportionately suffer in order to make life for those living with disabilities a little easier.

One student leader from MacKillop College said that the most important thing they learnt from their participation in the program was that disability does not define a person. For me, this statement speaks to the community we should aspire to live in, where a person's birth does not define how they live the rest of their lives. Programs fundamentally concerned with inclusiveness and equality, such as the Young Leaders of Tasmania, help to realise this goal.

By providing support to those living with disabilities within our community, the program works towards affording everyone equal opportunity to succeed and take part in the community. Even in the short time the YLOT program has been running, a number of young leader graduates have indicated they now wish to pursue careers within the disability sector.

I think we can all agree that the work of the young leaders and the organisation's volunteers should be recognised. Anything that helps our community work towards realising a more equal, fair and just treatment for those living with disabilities should be commended.

SUSPENSION OF SITTING

[11.51 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the sitting be suspended until the ringing of the division bells.

Sitting suspended from 11.51 a.m. to 2.30 p.m.

QUESTIONS

Mowbray Connector - Installation of Roundabout

Mr DEAN question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.32 p.m.]

My questions relate to the East Tamar Highway and the junction with the Mowbray Connector.

- (1) What is the current status and position relative to the roundabout to be installed at the East Tamar Highway and Mowbray Connector intersection?
- (2) Has the project gone out to tender?
- (3) If not, when?
- (4) When is the project scheduled to commence?

I am aware of the position with the Public Works Committee now not proceeding with it because it is under the \$5 million-mark for its installation.

ANSWER

Mr President, I thank the member for Windermere for his question.

- (1) The Tasmanian Government has committed funding to improve the safety and traffic flow at the Mowbray Connector located on the East Tamar Highway. The original design for this intersection included the installation of traffic signals. Following concerns raised by key

stakeholders, the Minister for Infrastructure announced the construction of a roundabout at the junction, due to public opposition to the signal junction.

The design for this intersection upgrade has now been amended to incorporate a roundabout which will replace the current turning arrangements at this intersection. It will also facilitate easier movement for traffic turning out of the Mowbray link.

The Department of State Growth will be re-engaging with key stakeholders and making the plans available for public display in the City of Launceston's office in the near future. The designs will also be published on the Department of Transport web page prior to going out to tender.

- (2) The project has not yet gone out to tender.
- (3) The project is due to go to tender in May 2019.
- (4) Construction is expected to start in summer 2019-20.

Tertiary Entrance Scores - Calculation Errors

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT.

[2.34 p.m.]

With regard to the role of the Office of Tasmanian Assessment, Standards and Certification and the independent audit initiated by the Minister for Education and Training to investigate how tertiary entrance scores for some units and therefore incorrect ATAR rankings were issued in December 2018 -

- (1) What was the procedural error identified in the calculation of tertiary entrance scores for some Tasmanian students following the release of results by the Office of Tasmanian Assessment, Standards and Certification?
- (2) How was the error identified?
- (3) Who or which company is undertaking the audit?
- (4) When is it expected to be completed?
- (5) What is the scope of the audit?

ANSWER

Mr President, I thank the member for Murchison for her question.

- (1) There was no error in the calculation of tertiary entrance scores for Tasmanian students in 2018. As a result of human error, data transposition resulted in results being applied to students incorrectly.

- (2) The issue was identified when inquiries from students and parents were received, and it was resolved within 12 hours.
- (3) KPMG undertook the audit.
- (4) The audit was completed in February 2019.
- (5) The scope of the audit was to -
 - (i) consider the current processes and controls in place regarding importing and validating data relating to tertiary entrance scores and ATAR results focusing on HAP/UCP results
 - (ii) consider the processes of transferring results from educational performance and review to the Office of Tasmanian Assessment, Standards and Certification and any validation checks that may be in place.

Motor Accidents Insurance Board - Claims Paid to Hospitals

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.36 p.m.]

With regard to payments of claims made to hospitals following a Motor Accidents Insurance Board claim by MAIB -

- (1) Are the claims ever questioned by MAIB if the cost appears higher than other similar claims?
- (2) How are claims assessed prior to the payment by MAIB to ensure claims are not excessive as related to the medical care required?

ANSWER

Mr President, I thank the member for Murchison for her question.

(1) and (2)

The MAIB assesses all claims in accordance with the provisions of the Motor Accidents (Compensation and Liabilities) Act 1973 and the Motor Accidents (Compensation and Liabilities) Regulations 2010 prior to accepting the claim.

Once the claim is accepted, under the act the MAIB is required to pay relevant benefits, including medical costs and disability allowances, to eligible claimants, where the claimant's personal injuries result directly from a motor accident. The MAIB responds to the requests of treatment providers and reimburses, or pays directly on behalf of the claimant, costs that are determined to be reasonable and necessarily incurred and are a direct result of the incident.

Invoices for treatment costs are reviewed for 'reasonableness' with consideration given to a number of factors, including -

- Is the treatment provided reasonable for the injuries sustained?
- Has the correct fee (industry and/or agreed rates) been applied for the treatment?

- Are the dates and/or days (for hospital stays) correct and correspond with the claim?

The MAIB has a number of fee schedules and agreements for services provided to claimants - including a bed day fee rate for public hospitals that covers a major portion of hospital services provided to an MAIB claimant in Tasmania - and invoices received are reviewed against the schedules and agreements prior to payment.

If there are any concerns about the reasonableness of an invoice, the MAIB takes steps to address them, requesting further information from the hospital or provider where required.

Teacher Training - Handling Violent Situations

Mr DEAN question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.39 p.m.]

In relation to training given to teachers to ensure they are equipped to handle a range of issues occurring on school grounds, could the Leader please advise -

- (1) What training do teachers undergo to 'handle' a violent situation - for example, two students engaged in a physical altercation?
- (2) What level of training are they given to protect themselves from physical aggression?
- (3) Does the training involve 'physical' training?
- (4) What is the extent of the training and how frequently does it occur?
- (5) Who does the training?
- (6) What is the experience of those trainers?
- (7) Is the training provided in schools consistent throughout all of our schools - public schools in particular?

ANSWER

Mr President, I thank the member for Windermere for his question.

- (1) School leadership teams are experienced in dealing with physical situations and are well placed to support teachers in this area. When further support is required, schools may engage with the Respectful Student Support Team - RSST - or student support leaders or other specialist student support teams as needed - for example, the autism consultants.
- (2) This is context dependent and the principal is able to make judgements as to which areas staff require professional learning in and to what extent. There are two main professional learning opportunities currently being assessed by schools as required. They are -
 - (a) Team-Teach.
 - (b) Protective practices, formerly known as aggressive awareness training, which is conducted by the police.

The Director of Student Support and the Manager of Inclusive Learning have RSST involved in both trainings so they can also support schools when more immediate advice is required. Currently a review of both programs is occurring with the intention to make further recommendations in this area.

- (3) The trainings range from focusing on de-escalation strategies, but include training around physical responses where required.
- (4) Training currently occurs on a needs basis as required or requested.
- (5) Depending on the training either DoE staff for Team-Teach or police for protective practices.
- (6) Team-Teach trainers are required to have initially completed a 12-hour training course. To become a trainer they need to complete a training accreditation which is run over four intensive days which require a mix of theory and practical component around physical responses and de-escalation. Risk management and assessment is an important element of this training.
- (7) This is context dependent and the principal is able to make judgements as to what area staff require professional learning in and to what extent that will happen.

MESSAGES FROM THE HOUSE OF ASSEMBLY

Resumption of Proceedings

Mr PRESIDENT - Honourable members, the House of Assembly having passed the following resolution begs now to transmit the same to the Legislative Council and to request its concurrence therein -

Resolved, that in accordance with Standing Order No. 248, a message be transmitted to the Legislative Council requesting that the proceedings of the -

Corrections Amendment (Prisoner Remission) Bill 2018 (No. 15);
Gas Industry Bill 2018 (No. 40);
Gas Safety Bill 2018 (No. 41);
Gas (Consequential Amendments) Bill 2018 (No. 42);
Mental Health Amendment Bill 2018 (No. 43);
Justice and Related Legislation (Marriage Amendments) Bill 2018 (No. 47);
Security and Investigations Agents Amendment Bill 2018 (No. 51);
Supreme Court Civil Procedure Amendment Bill 2018 (No. 52);
Energy Co-ordination and Planning Amendment Bill 2018 (No. 57); and
Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) Bill 2018 (No. 58)

which were interrupted by the prorogation of Parliament on 26 February 2019 be resumed at the stage at which they were so interrupted.

It is signed S Hickey, Speaker, House of Assembly, 19 March 2019.

[2.48 p.m.]

Motion by **Mrs Hiscutt** agreed to -

That the message be taken into consideration forthwith.

Motion by **Mrs Hiscutt** agreed to -

That in accordance with standing order 317(2)(b) the proceedings on the said bills be resumed at the stage at which they were interrupted by the prorogation of Parliament on 26 February 2019.

Senate Vacancy - Joint Sitting

Mr PRESIDENT - Honourable members, the House of Assembly doth agree to the following resolution communicated to it by the Legislative Council on 19 March 2019 -

Resolved, That on Wednesday 20 March 2019 at 9.30 o'clock in the forenoon the Legislative Council meet the House of Assembly in the House of Assembly Chamber for the purpose of sitting and voting together to choose a person to hold a place in the Senate of the Parliament of the Commonwealth of Australia rendered vacant by the resignation of Senator David Bushby; and further the Legislative Council proposes the following Rules for the Joint Sitting.

It is signed S Hickey, Speaker, House of Assembly, 19 March 2019.

PREMIER'S ADDRESS

Mr PRESIDENT - Honourable members, I have a further message from the House of Assembly.

The House of Assembly having passed the following Resolution begs now to transmit the same to the Legislative Council and to request its concurrence therein:-

Resolved, That the House of Assembly requests Members of the Legislative Council to attend in the House of Assembly Chamber at 3 o'clock p.m. this day for the purpose of hearing the Premier give the Premier's Address 2019.

It is signed S Hickey, Speaker, House of Assembly, 19 March 2019.

SESSIONAL COMMITTEES

The following members were appointed to sessional committees -

House Committee

The Speaker, the Chair of Committees and Mr O'Byrne.

Library Committee

The Speaker, the Chair of Committees, Dr Broad, Ms Dow, Mrs Rylah and Mr Tucker.

STANDING COMMITTEES

The following members were appointed to standing committees -

Parliamentary Standing Committee of Public Accounts

Mrs Rylah and Mr Tucker.

Subordinate Legislation Committee

Mr Tucker.

Joint Standing Committee on Integrity

The Minister for Health.

Parliamentary Standing Committee on Public Works

Mrs Rylah.

ADJOURNMENT

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the Council at its rising adjourn until 11 a.m. on Wednesday 20 March 2019.

Motion agreed to.

The Council adjourned at 2.50 p.m.