PARLIAMENT OF TASMANIA

DEBATES OF THE LEGISLATIVE COUNCIL

DAILY HANSARD

Tuesday 24 November 2026

Preliminary Transcript

This draft transcript of debates is issued in advance of the final Hansard for the use of the members of the Legislative Council and copies made from this may not be protected by parliamentary privilege.

Tuesday 24 November 2026

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

QUESTION ON NOTICE - ANSWER

No. 76 of 2026 - Artificial Intelligence (AI) Data Centres

Ms ARMITAGE question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN

[11.01 a.m.]

I'm pleased to report that, Mr. President, I have the answer to question No. 76 asked by the honourable Rosemary Armitage, MLC. I thank the honourable member for her question. Many of her questions were technical in nature and as a result we have sought further input from the department and TasNetworks to prepare comprehensive responses. We provide the following responses to her questions on notice. When I say we, I mean myself and the honourable Felix Emmett Ellis, Minister for Business, Industry and Resources.

(1) It is on the public record that the Firmus projects are of a combined proposed installed capacity of 444 megawatts, being 104 megawatts for St Leonards, 52 megawatts for Wesley Vale and 288 megawatts for Long Reach. On 7 September 2026 the Office of the Coordinator-General (OCG) provided a list of proposed data centre projects that have engaged with the OCG. This included the three Firmus projects, the projects from Viridis in Burnie and a further 6 de-identified proposals of varying sizes, from less than one megawatt up to two- to three- hundred megawatts. These projects are early in their development and are not as progressed as the Firmus projects. It is noticed that many of these proponents have not had any engagement with Hydro Tasmania or TasNetworks to understand what is possible from an energy supply perspective. It is important to note that this list was compiled at a point in time based on the information at that time and a number of projects identified on the list are now most likely on hold. The OCG also notes that there may be other data centre proponents that are considering Tasmania that have not had any engagement with the OCG. In terms of your questions of physical footprint or size for each project, this is unique for each project and is assessed through the planning processes.

(2) The nature of data centre operations and their power usage depends entirely on the developers operating model. With regards to the Tasmanian developments, should Firmus's centres be developed at the proposed installed capacity of 444 megawatts it would make Firmus the largest electricity customer in the state. Firmus has made public comments about its load being flexible to ramp up and down to ensure system stability and reliability.

(3) TasNetworks has confirmed that the Firmus projects will all be transmission connected. The St Leonards and Wesley Vale areas are, or

will be, supplied from 110 kV transmission network and Bell Bay will be supplied by the 220 kV transmission network. All proposed sites are close to existing substations. St Leonards and Wesley Vale and transmission lines at Bell Bay. TasNetworks has confirmed the three Firmus sites are the only data centre proposals with active connect applications.

(4) TasNetworks has confirmed there is no requirement to install taller high voltage distribution lines to support any of Firmus' three proposed sites. TasNetworks is currently assessing whether additional equipment will be required in Bell Bay to maintain system voltage performance requirements in a scenario where Firmus' Bell Bay site proceeds at its full 288-megawatt capacity.

(5) The Tasmanian government's expectations for data centres and AI Infrastructure Tasmania require data centre proponents to pay for all costs associated with network connection, along with their allocated share of existing network costs.

Under the current National Electricity Rules, any dedicated connection assets that need to be constructed and installed for the purpose of connecting a single customer to the transmission network must be paid for solely by that customer. This includes all stages of a customer's project, from the initial connection inquiry to design and commissioning. Firmus has agreed to pay for its electricity connection costs upfront, which de-risks the connection work for TasNetworks.

It is also important to note that the connection of large new electricity loads, such as data centres, can have benefits to wider systems resilience and network charges for other users -

Ms O'Connor - No one's buying that.

Mr DUIGAN - As existing network charges can be recovered from a larger customer base. New electricity loads like data centres can place downward pressures on charges for existing customers and insulate against any future major industrial changes.

(6) As above.

(7) As above.

(8) The Australian government's expert authority on radiation protection and electromagnetic fields is of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and it advises that, according to current research, there is no established scientific evidence to support that exposure to magnetic fields from power lines, substations, transformers, or other electrical sources causes adverse health effects.

(9) Available information suggests data centres provide significant employment through the construction phase and lower levels of ongoing direct employment through the operational phase. Progressions of data centre projects will require new renewable energy generation projects such as wind or solar farms, creating further employment.

Ms O'Connor - You going to fire up Tamar Valley?

Mr PRESIDENT - Order.

Mr DUIGAN - Firmus has publicly outlined anticipated employment associated with its proposed Tasmanian facilities. This includes the following: for Bell Bay, Firmus projects around 380 construction jobs and around 115 ongoing full-time roles once operational. Once started, construction will generally take 12 months to complete. For Wesley Vale, Firmus projects around 70 construction jobs with around 20 ongoing local full-time roles once stage 1 is operational, which is anticipated to approximate to take approximately 6 months in construction.

For the St Leonards site, Firmus projects around 200 jobs during construction and around 40 ongoing local full-time roles once operational.

Ms O'Connor - Rubbish

Mr DUIGAN - The St Leonards site is presently under construction, and operations are predicted in the first half of 2027. The Tasmanian government's expectation for data centres and AI Infrastructure Tasmania requires proponents to be transparent about the number and nature of jobs sustained after construction and the economic value flowing into Tasmania and local communities. It also sets expectations for local procurement, skills development and apprenticeship, trainee and graduate opportunities.

Ms Armitage - I may have follow-up questions.

TABLED PAPERS

Establishment of the Parliamentary Privilege Protocol between the Parliament of Tasmania and the Integrity Commission - Inquiry - Interim Report

[11.10 a.m.]

Ms ARMITAGE (Launceston) - I have the honour to present the interim report of the Joint Standing Committee on Integrity on the Inquiry into the Establishment of the Parliamentary Privilege Protocol between the Parliament of Tasmania and the Integrity Commission.

Mr President, I move -

That the report be received.

Report received.

Mr President, I move -

That the report be printed.

Report printed.

MESSAGE FROM GOVERNMENT HOUSE

Assent to Bills

[11.11 a.m.]

Mr PRESIDENT - I have a message from Government House, a bill for an act to amend the *Sentencing Act 1997*, a bill for an act to provide for the registration of teachers, a bill for an act to amend the *Land Use Planning and Approvals Act 1993* and the *Local Government (Building and Miscellaneous Provisions) Act 1993*, a bill for an act to amend the *Criminal Code Act 1924*, *Dangerous Criminals and High Risk Offenders Act 2021*, *Electoral Act 2004*, *Evidence Act 2001*, *Family Violence Act 2004*, *Forensic Procedures Act 2000*, *Gas Safety Act 2019*, *Health Complaints Act 1995*, *Justices Act 1959*, *Justices of the Peace Act 2018* and the *Occupational Licencing Act 2005*, a bill for an act to amend the *Local Government Highways Act 1982*, the *Retirement Villages Act 2004*, and the *Tasmanian Civil and Administrative Tribunal Act 2020* and regulations made under that act having been presented to the Governor for the Royal Assent, she has, in the name of His Majesty the King, assented to the said bill.

Signed
Caroline Wells
Governor
Government House
Hobart
20 November 2026

[11.12 a.m.]

Mr PRESIDENT - Being Tuesday morning, it's time for Special Interest Matters and our first speaker this morning is the honourable member for Huon.

SPECIAL INTEREST MATTERS

TasCOSS Community Services Industry Sustainability Pulse Check

[11.12 a.m.]

Ms GLADE-WRIGHT (Huon) - Mr President, I wanted to talk briefly about some of the findings from the recent TasCOSS Community Services Industry Sustainability Pulse Check report. For those who may not be familiar with TasCOSS, the Tasmanian Council of Social Service is the peak body for the community services sector in Tasmania, representing more than 200 community service organisations across the state, so when TasCOSS speaks about the challenges facing the sector, it's drawing on the experiences of a very broad range of organisations working with Tasmanians every day. I have to say the findings are very concerning.

What the report tells us is that community organisations across Tasmania are under enormous pressure, demand for services is increasing, costs are going up, funding isn't keeping pace and the organisations are struggling to keep up.

One of the most concerning findings is that 81 per cent of organisations reported increased demand for their services without receiving additional resources to meet that demand. Just to think about that for a moment. Most Tasmanians are already mortgage or rental stressed. More people need help with housing, with food insecurity, with financial hardship, mental health and other essential services, but the organisations supporting them just don't have the resources to keep up.

The report found that 60 per cent of organisations have had to turn people away because they don't have the resources to help; 48 per cent have reduced services due to financial pressures; 42 per cent have reduced staff hours; and 58 per cent have experienced a reduction in funding over the past year. Many organisations are being required to meet wage increases without receiving additional funding to cover those costs.

What needs to change? TasCOSS has highlighted some fairly straightforward priorities.

Firstly, the funding needs to keep pace with the real cost of delivering services. Organisations need proper indexation so that increases in operating costs don't continually eat away at their ability to provide support.

Secondly, government needs to properly fund mandated wage increases. We need to value the people delivering these services, but we also need to give their employers the resources to pay them fairly.

Thirdly, organisations need longer-term funding agreements. It's incredibly difficult to plan services, retain good staff and provide stability to communities when funding is uncertain or only guaranteed for short periods.

I think there is a much bigger issue here, too. Community services are often the first place people turn when things go wrong. They provide support early, help people get back onto their feet, and often prevent situations from becoming much worse. When those services aren't available, people don't suddenly stop needing help. Their problems can become bigger and more complex, putting even greater pressure on hospitals, housing services, child protection, and other parts of the public system. In other words, failing to invest properly in community services doesn't save money, it often just shifts the cost somewhere else.

I think we need to recognise that community services are essential infrastructure. They're just as important to the health and resilience of our communities as many of the other services we take for granted. We can't keep asking organisations, their staff and volunteers to do more with less and expect that to continue indefinitely. A huge shout out to all those people doing this incredibly important work. I see you, and I appreciate you, and I recognise the difference that you make every single day in the lives of our most vulnerable.

You've heard me speak about donor economics in this place, and I'll continue to argue that our success as a society should not be measured simply just by how much we grow our GDP or how strong our economy looks on paper. Surely a far better measure of success is how well we look after one another, particularly those who are our most vulnerable. After all, what is the point of growing our economy if we're leaving people behind?

The message from the TasCOSS report is pretty clear. They need sustainable funding, greater certainty, and a genuine commitment to supporting the organisations that do such important work in our communities, and I think that's something that we should all care about.

Trent Fenton - Winning Entrant in *Alone Australia*

[11.18 a.m.]

Ms LOVELL (Rumney) - Thank you, Mr President. I rise to recognise an incredible achievement of a Tasmanian and a constituent and friend of mine from a few months ago, earlier this year. I'm sure honourable members would all have heard about the impressive achievement of Trent from Tassie, also known as Trent Fenton, local Rumney resident who outlasted nine other contestants to win the 2026 season of *Alone Australia*.

Trent is a former Royal Australian Navy chef and an experienced bushcraft enthusiast and fisherman. Trent lives with his wife, Emma, and their three kids, aged 11, 10, and six on a largely self-sufficient property. He competed in season 4 of *Alone Australia*, which aired earlier this year. This season took place in the unforgiving Arctic wilderness of Sápmi in northern Finland, a far cry from the Tassie bush. Trent mastered an extraordinary 52 days, and with his success in fishing, foraging and preserving his food could well have lasted a lot longer. In fact, when the season ended and Trent had been declared the winner, he still had around five kilograms of preserved food stored away.

For anyone who watched the season, and I know there were many Tasmanians watching each week with very keen interest, Trent was an easy fan favourite with his resourcefulness putting him at an early advantage.

As I mentioned at the beginning of my speech, Trent is not only a constituent but a friend of mine, with Trent's oldest son, Jack, and my youngest, Tom, mates at school. Tom and I, along with many of his classmates, watched every episode together. The episodes that aired in the weeks Tom was at his dad's we would save to watch together on the weekend. The final episode aired in September. It was a sitting day, and it was looking like we might be sitting late into the evening. Tom sent me a text message that day to say that he was sorry, but he couldn't wait and would be watching it whether I was home or not. Fair enough, he was worried about spoilers because after Trent's win, there was much celebrating in the classroom the next day. Luckily, we adjourned in time, and I was able to get home to watch it as it aired. And I know I'm not the only one who rushed home to watch it straight away that evening as the member for Elwick is also a keen fan. Trent gained 30 kg before leaving for *Alone* and this, along with his ability to catch fish - he's officially the most successful fisher in *Alone Australia*'s history, catching 44 fish in his 52 days - helped him to last physically. But there were moments of vulnerability that Trent shared with the audience that gave an insight into how he managed his emotional wellbeing and strength to stay as long as he did.

Trent has shared that he told his three kids that he was going to win and, while he had times where he missed them terribly, he kept coming back to the promise he'd made them and how badly he wanted to show them that you can set your mind to a goal and achieve it. Trent spoke about that often throughout the season and Trent's kids had such confidence in their dad that they weren't even very surprised when he did win. In fact, he says they were more worried about his beard and that he would shave it off before he got home.

Anyone who knows Trent, knows what a humble, unassuming guy he is, so hearing him speak about how he doesn't feel he deserved to win, has come as no surprise. Trent has also spoken about using some of his $250,000 prize to support some of his fellow contestants, which again, is no surprise to anyone who knows Trent for the generous, genuinely good man he is.

So, I wanted to acknowledge Trent today, not just for his very impressive and well-deserved win, but for allowing us all to share this experience with him. To share with us his vulnerabilities, his humour and his love for Em and the kids. It was easy for us all to get behind Trent because anyone watching could see how much he deserved this win. Well done, Trent from Tassie.

Members - Hear, hear.

MMG's Rosebery Mine - 90 Years of Service

[11.22 a.m.]

Ms FORREST (Murchison) - Mr President, today I acknowledge a remarkable milestone in Tasmania's mining history, 90 years of continuous operation at MMG's Rosebery Mine on the west coast. In February this year, Rosebery remarked decades of continuous operation, making it one of Australia's longest-running mining operations. It is an achievement that belongs not just to the mine, but to the generations of people, families and communities who have contributed to its success.

The story begins on 13 November 1893, when prospector Tom McDonald discovered the ore body and registered his find. Mining commenced soon after, but economic downturns interrupted operations and it wasn't until the commissioning of the Rosebery Mill in February 1936 that the remarkable period of continuous operation that we recognise today began. Over the last 90 years, the mine has changed enormously in technology, working conditions, workforce and scale. In 1940, the workforce numbered 482 people. Through the 1950s, it grew from 494-675. By 1955, what was then described as 'new Australians' made up 13 per cent of the workforce, people from many backgrounds and countries who brought their skills and families to the west coast and helped build the community we know today.

The history has not been without its challenges. In June and July 1955, a three-week strike over bonus clauses resulted in lost production. In 1980, a 51-day strike, involving every union on site, again centred on the bonus payment system and this gripped the whole the entire community until work resumed on 17 November. At that time, the mine employed 1124 people. These events remind us that a mine is never simply an industrial operation. When it experiences disruption, the effects are felt well beyond the gates and into the broader community.

There have also been important milestones for workers. A canteen opened on site in 1961. In 1963, annual leave increased from two to three weeks for day workers and from three to four weeks for continuous shift workers. And in 1981, the mine employed its first female apprentice, an electrical mechanic trainee; an important step in opening up mining careers to women in traditionally male-dominated industries.

Infrastructure also played its part. In 1964, the Murchison Highway was opened by then minister for Roads, Eric Reece, strengthening the west coast links with the rest of Tasmania,

and in 1987, the longest train ever to leave Rosebery weighed an extraordinary 2289 tonnes - nine locomotives hauling 56 wagons of zinc and lead concentrate. In 1989, $8.295 million worth of new mining equipment was introduced, a clear vote of confidence in the operations future. And in 1990, two of Tom McDonald's grandsons, Peter and Greg Jeffrey, travelled from Queensland to visit the mine their grandfather discovered. In 1993, the township of Rosebery celebrated its centenary. In 2003, the service decline was completed and the shaft winder and rail system decommissioned, allowing vehicles to be driven underground, a significant step towards mechanisation. And in 2009, MMG Ltd commenced operations, opening up a new chapter.

It's particularly fitting to acknowledge one employee whose working life spanned so much of that that history. On 2 February this year, underground electrician Ian 'Pidge' Pigden reached 55 years of service at Rosebery Mine, an achievement that is becoming increasingly uncommon. Ian, or 'Pidge,' spoke of the people, the pride in the work, and the sense of community as the things that have kept generations coming back.

I also acknowledge, the current general manager, Steve Scott, the 25th general manager in a succession dating back to 1912. Steve recently told the newspaper:

> I remember growing up in Tasmania and everyone had heard of Savage River and knew where Mount Lyell was, at Queenie, but, in my eyes, Rosebery is the best one. We're sitting on a really great resource. It's world-class.

Under his leadership, the mine continues to produce zinc, lead and copper concentrates, as well as gold and silver, using mechanised underground mining methods. Unmanned loaders can now be operated and monitored remotely from MMG's office in Burnie, improving safety and efficiency. In May this year, the Tom McDonald Exploration Portal was cut, the first new portal in 30 years and fittingly named after the man who first discovered the ore body in 1893. Rosebery currently has its largest recorded mineral resource and MMG has expressed confidence in the potential to expand operations beyond 100 years.

This matters not only to MMG, but to the west coast and to Tasmania. The mine supports local business and suppliers from across the region, provides employment, and contributes to Tasmania's economy through exports and royalties. It represents the contribution of thousands of workers, past and present, their families and the wider west coast community.

Mr President, I congratulate MMG, the general manager, Steve Scott, the rest of his team and all those who have played a part in the Rosebery mine's remarkable history. I hope the exploration, investment and innovation now underway will ensure Rosebery continues to contribute to the west coast and Tasmania for many years to come. And I look forward to joining the celebrations in Burnie on Friday night and giving my congratulations to Rosebery Mine on an amazing record of 90 years of continuous operations and commitment to our beautiful west coast. Thank you.

New Horizons Tasmania - 40th Anniversary

[11.28 a.m.]

Ms ARMITAGE (Launceston) - Mr President, today I speak about the wonderful milestone recently reached by New Horizons Tasmania. For anyone who might not quite know

about New Horizons, they are a community and volunteer-powered organisation dedicated to offering disability services for people five years of age and older. These services support and celebrate the inclusion and the empowerment of individuals of all abilities New Horizons' programs are designed to create a welcoming community where everyone can participate, grow and thrive. Their vision is to contribute to a socially just, accessible and inclusive Tasmanian community through the creation of sport, recreation, leadership and community opportunities for people with a disability.

This year, New Horizons celebrates 40 years of working in our community as a leader in inclusive sport and recreation, positively impacting countless lives. Beyond sport and recreation programs, New Horizons organises other community events like carnivals, social functions and interstate trips. Program coordinators work right across the state from the north-west to Launceston and down in Hobart. Working in our community for 40 years is a huge achievement; and it is not possible to truly appreciate this incredible milestone without understanding the history and purpose behind New Horizons and what they do. In the mid-1980s, passionate netballer Robyn Hanson met a family whose daughter with Down syndrome had been turned away from a local club.

The rejection stunned her.

Digging deeper, she discovered that opportunities for Tasmanians with disabilities to simply get active and enjoy sports were almost non-existent.

Working at the Department of Sport and Recreation, Robyn teamed up with colleague, Ted Gleeson, to push for something better - a club where people could move, learn new skills and play at their own pace, free from pressure or judgement. The Tasmanian Government agreed to fund a trial in Launceston and in 1986, New Horizons was born.

What began as a lean, volunteer-powered initiative quickly became something special, meeting a much wanted and needed demand in the community - an inclusive sport and recreation organisation for people with disability.

Early partnerships with local sports clubs and a growing network of dedicated helpers created a warm atmosphere that to many people became just like a family.

As more people joined, friends and relatives stepped up as well, strengthening the community year by year.

A satellite branch opened in Scottsdale in 1996, followed by another in Wynyard in 2015. Meanwhile, the Launceston base continued to field regular calls from families across the state, hoping for programs closer to home. A Commonwealth Bank Community Grant in 2018 finally made part-time operations in Hobart possible, prompting the organisation to become New Horizons Tasmania.

Along the way, participants have joined mainstream teams, represented their state and country, built confidence, improved fitness and forged lasting friendships. Importantly, staff, participants, families and volunteers have kept the focus firmly on fun, skill and belonging.

Mr President, to celebrate 40 years of impact, New Horizons 2026 Gala was something special and a bit unlike any other celebration they'd had before.

In September, New Horizons celebrated in true Aussie style with an event inspired by the legendary Crocodile Dundee, which shares the same milestone anniversary. This was not just another black-tie party, it was a lively party with costumes, food and music to fit the theme. I joined with a number of other members of the community including the member for Rosevears and I think the member for Windermere was also there and I will mention someone else in a moment, for a night that was truly unforgettable and, of course, inclusive and fun but the one I really wanted to mention was the member for Bass, George Razay, who dressed as a crocodile. He certainly made a splash! It was a really wonderful celebration of New Horizons and the people who made it possible.

Additionally, Mr President, the birthday celebration on 13 November in Launceston marked New Horizons' 40 birthday and I was also joined there by the member for McIntyre, the member for Rosevears, and the member for Windermere.

Being their ruby anniversary, guests were invited to head along and to wear a touch of red. Seeing so many people in attendance adorned with red clothing items and accessories showed the immense support New Horizons has and how deeply woven into the community they are.

Mr President, as the world grows more inclusive, the need for organisations like New Horizons may one day lessen. Until then though, the team remains determined to help create a fairer community while making sure everyone has a genuinely fun time and the opportunity to thrive and be the best version of themselves. Here's to many more years and to milestones to come.

Members - Hear, hear.

St Helens Marine Rescue Association

[11.34 a.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - What an array of topics we've been able to listen to this morning. It's delightful. I just can't get the smile off my face.

Mr President, it's my pleasure to rise to acknowledge a significant milestone for the volunteer St Helens Marine Rescue Association which is proudly celebrating 30 years since its foundation members laid the slab for what would become the organisation base station in the prime position on the St Helens waterfront. For three decades, St Helens Marine Rescue has played an invaluable role in supporting the safety of our boating community along Tasmania's east coast, providing a marine radio and emergency response service extending from the fantastic Flinders Island in the north to the brilliant Bicheno in the east. The association provides a 24-hour, 7-day-a-week radio monitoring service, ensuring that assistance is available to those who need it and when they need it most, Mr President. Operating across such an extensive area is no small undertaking. What makes this service even more remarkable is that the association functions are funded with relying on grants, fundraising and the generosity of community support to maintain its operations and deliver these essential services to the boating public.

Originally established as the Royal Volunteer Coastal Patrol, the organisation has grown considerably over the years. With the support of funding and grants, the base station has been progressively expanded to include a meeting room, office facilities and amenities, providing a more functional and welcoming base for its volunteers. Today, the association has approximately 35 to 40 dedicated volunteers who give generously of their time, their skills and experience to support the safety of others.

Over the years, they've been involved in countless marine rescues, responded to emergency situations and provided valuable assistance, including vessel escorts for visiting boats. Their commitment ensures that people enjoying our beautiful coastline can do so with the reassurance that help is available when it's needed. The work undertaken by those volunteers can often be challenging and at times dangerous. It requires considerable skill, sound judgement, commitment and - above all - a willingness to put the safety and wellbeing of others first, especially at sea and often in treacherous conditions.

That dedication was particularly recognised in April of 2022 when current President John Deering, known as JD, and John Sullivan received Tasmanian Police Commissioner's commendations in recognition of the bravery and skill they demonstrated during a marine rescue operation at Bicheno. This recognition is a wonderful acknowledgement of their individual efforts but also reflects the calibre and commitment of the volunteers who make up this amazing organisation.

With the marking of 30 years of service, it's important to recognise not only the achievements of the association but also the many people who have contributed to its success over that time. From the foundation members who had the vision and determination to establish the base station to the volunteers who continue to give their time today, this organisation has been built on community spirit, dedication and a genuine commitment to helping others.

This Saturday, celebrations and I will be there, Mr President, will provide an opportunity to reflect on that remarkable history, acknowledge the contribution of past and present volunteers, and look ahead to the future with the launch of the association's new vessel, the *SH40 Baliya*. The arrival of this new vessel is an exciting development and will further strengthen the association's capacity to provide assistance and respond to emergencies along our coastline.

Mr President, I congratulate the volunteer St Helens Marine Rescue Association on reaching its important 30-year milestone. I also extend my sincere thanks on behalf of myself and our community to every volunteer, past and present, and to the families, the supporters, the sponsors and community members who have helped sustain this essential service.

Volunteer marine rescue organisations are an incredibly important part of our coastal communities, Mr President. They provide reassurance, safety and, on many occasions, a lifeline to those who find themselves in difficulty at sea. So, 30 years is a wonderful achievement, and the volunteer St Helens Marine Rescue Association should be immensely proud of its contribution to our community. I wish the association every success for its celebrations this Saturday and certainly look forward to joining those attending and, again, extend my best wishes for many more years of service to follow. Thank you.

Veterinarians in Tasmania

[11.40 a.m.]

Mr GAFFNEY (Mersey) - Thank you, Mr President. I rise today to highlight the pivotal role veterinarians play in Tasmania and strongly encourage the government to provide much needed support to the sector.

I am certain we're all aware that veterinarians are fundamental in safeguarding the health and welfare of our animal industries, which are a cornerstone of Tasmania's primary production and regional economies, as well as caring for our beloved pets and wildlife. In mid-November of this year, I spoke to the Tasmanian division of the Australian Veterinary Association (AVA), led by local veterinarians Dr Rhianna Booth and Dr Sarah Hall. They spoke of a system where our young people must go to the mainland to fulfil their dream of becoming a veterinarian. When these students get into the university, they are facing one of the longest and costliest degrees, including 52 weeks of unsupported placement. It is well recognised that when the students graduate, many do not come back to Tasmania for a number of reasons, including established professional and personal relationships and the opportunity to earn better wages on the mainland, where they receive greater industry support, which in turn helps them to pay back their substantial HECS debt.

The AVA is also seeking to debunk misconceptions about the veterinary industry. The public perception is that veterinarians are, as an industry, profit-driven and propel high costs. This misconception is perhaps a reflection on our publicly funded human health system, which leads to a disconnect between veterinary service expectations and the cost to deliver these services.

Compounding this is the belief that veterinarians receive government funding, with 49 per cent of respondents to the government's Institute of Australia survey believing that some form of subsidy relative to Medicare is provided to veterinarians from the government, when in fact the reality is private veterinarians receive no public funding whatsoever. There is another myth that vets have significant earnings after graduation, whereas the truth is veterinarians out of university have a lower median annual salary than doctors, dentists, teachers, nurses, physiotherapists, clinical psychologists and social workers.

Tasmania has a beautiful natural environment and wilderness which brings people from around the world to see it. Central to this is our natural wildlife, from our iconic Tasmanian Devil, to quolls, wombats, platypus, wallabies and pademelons. I only hope our current government recognises the importance of our natural assets.

If we find injured wildlife, what do many of us do? We take it to the local veterinarian. Have you ever considered who pays for the care of the wildlife? Veterinarians take care of these animals largely at their own cost, with many injured wildlife unfortunately requiring euthanasia and cremation. The vet practices that wear this cost are typically small local businesses, with the AVA broadly estimating cost to be about $4000 to $5000 per annum per business for wildlife treatment, with some veterinarian businesses in in Tasmania closer to $10,000 without any financial support from the government or the private sector.

Australia is in its tenth year of a national veterinary shortage with a desperate need in Tasmania, particularly for large-animal veterinarians. This is partially because early career veterinarians are leaving the field because of stressful situations, increasing pressure, and

demanding jobs with on-call and after-hours work affecting mental health and lifestyle. This is supported by evidence sourced from the AVA data in 2021 identifying that 66 per cent of veterinary professionals have suffered a mental health condition, with more than 50 per cent of veterinarians believing work harms their mental health. It is widely acknowledged that veterinarian jobs are considered very stressful. Sadly, 20 years of evidence demonstrates that veterinarians have higher rates of suicide than the general population and studies indicate it is more than likely work-related.

Despite this, the AVA spoke positively of the potential for this state to address many of these needs in a cost-effective manner. Tasmania provides what most veterinarians are seeking: the ability to build their skill sets in taking care of a broad array of animals, something you do not get in urban centres of other Australian states. Indeed, the AVA proposed the following practical initiatives which would greatly assist both short-term and long-term needs in the industry.

Firstly, setting up a scholarship program to support Tassie kids to go to the mainland and study, so that they can come back fully trained. Secondly, targeted incentive programs to encourage veterinarians to work in Tasmania. Next, government provides some reimbursement to assist with the cost of the care they give our wildlife. Fourthly, legislation that meets current practices, particularly for veterinary nurses.

And finally, simple practical support for managing H5 bird flu, such as being provided with a kit to help them understand what they have to do if it is suspected in a bird or an animal and fit-for-purpose flow charts to help effectively practice triage.

These initiatives and their associated costs are relatively small in exchange for the enormous impact that the veterinary profession provides Tasmania. I urge my fellow honourable members to champion these proposals and for the Tasmanian government to support the initiatives in the 2027-28 budget process and have a really productive conversation with the AVA.

Members - Hear, hear.

MESSAGE FROM PRESIDENT

Member for Prosser - Birthday Wishes

[11.46 a.m.]

Honourable members, before calling Orders of the Day, I wish the honourable member for Prosser a happy birthday.

Members - Hear, hear.

MOTION

Tasmanian Museum and Art Gallery (TMAG) Herbarium Cuts

[11.46 a.m.]

Ms WEBB (Nelson) - Thank you, Mr President. I rise to speak to the motion in my name, No. 15 on the Notice Paper, calling for a reversal of planned cuts and a commitment to secure long-term funding for our much-loved and valued Tasmanian Museum and Art Gallery

Ms WEBB (Nelson) - Mr President, I move -

That the Legislative Council:

(1) Notes with concern the Tasmanian government's intention to cut resourcing and staffing of the Tasmanian Museum and Art Gallery (TMAG) which holds internationally significant natural history collections, including vital educational, interpretative, promotional and senior curatorial roles;

(2) Acknowledges the considerable alarm and disbelief expressed by many in the Tasmanian scientific, cultural history and broader communities in response to the news of the threatened government funding cuts;

(3) Notes the range of urgent representations from local, interstate and international university-based and other professional research institutions expressing significant alarm over the proposed cuts and the impacts they will have on established research projects underway, the health and viability of the TMAG collections, current and future research and capacity, and the reputational damage to Tasmania;

(4) Acknowledges TMAG's collections management is not a passive administrative task but instead requires skilled and continual high-level research, classification and maintenance;

(5) Notes the government's intended staffing and resourcing cuts risks jeopardising the integrity of the TMAG collections and public assets, and also endangers:

(a) The collections' security and conservation due to inadequate oversight accelerating the physical degradation of vulnerable, unique and irreplaceable type specimens;

(b) Current and future research throughput as the absence of dedicated research risks collection stagnation, reduced active loans and innovation collaboration, exchanges, and cross-regional biosecurity support;

(c) Capacity to meet statutory obligations as set out in section 5 'Institutional objectives' of the *Tasmanian Museum and Art Gallery Act 2017*;

(d) Tasmania's access to vital skills, knowledge and expertise.

Further, that the Legislative Council notes the motion passed at the Friends of TMAG public meeting of 8 October, and calls on the government to:

(6) Immediately reverse the intended job cuts at the Tasmanian Museum and Art Gallery;

(7) Retain the skilled staff who care for and interpret Tasmania's TMAG state collections;

(8) Commit to providing TMAG with the secure, long-term funding needed to fulfil its public, cultural, scientific and legal responsibilities; and

(9) Reflect the long-term funding commitment in the 2027-28 State Budget and forward Estimates.

Many would be familiar with the quote attributed to Winston Churchill when he was asked to cut funding for the arts in order to support the war effort in World War II. As the story goes, Churchill's response was -

Then what would we be fighting for?

While it's a pithy illustration of arts and the creative industry being central to a nation's identity and social soul, historians have not been able to find written evidence that Churchill did actually pose that question. However, we do have the corroborated remarks Churchill made in a speech to the Royal Academy on the 30 April 1938 -

The arts are essential to any complete national life. The state owes it to itself to sustain and encourage them.

The Tasmanian Museum and Art Gallery, affectionately referred to as TMAG, is the second-oldest museum in the nation and since its inception in 1848 has been the custodian of our cultural, social and scientific heritage and stories.

TMAG is further unique in that, as Peter Boyer pointed out in a September opinion piece, it holds Tasmania's historic, scientific and art collections integrated in one place, unlike other states.

TMAG's art and cultural and natural heritage and scientific collections consist of more than one million items, including a library of 150,000 rare books, all of which provide a wondrous foundation underpinning contemporary creative research and scientific inspiration.

Clearly, over the last approximately 180 years, TMAG has been pivotal to Tasmania's cultural life and would surely have met with Churchill's approval.

This recognition of TMAG's unique role is also reflected in the following statement. Let's listen to it carefully:

> Speaker, in my inaugural speech in this place more than a few years ago, I said how proud I was to be a shadow minister for the Arts.
>
> I said then that investment in by government and business in the arts is not subsidising artistic expression.
>
> It is an investment in community development, in diversity, creativity and cultural identity.
>
> I spoke of my passionate belief that the arts empower communities.
>
> I'm as dedicated today as I was then.
>
> This government has a strong record of investments in the arts.
>
> We are proud of our support for the TSO, for TMAG, and for QV-MAG, along with theatres across the state.

Members here may recognise that statement which was delivered by the Premier on the 3 March this year in his annual State of the State address. Investment in the arts, investing in community development, diversity and creativity, empowerment of communities and support for the TSO, TMAG and QV-MAG. How quickly things change.

One is now at risk of being drowned out by a stadium, while the others face withdrawal of any such investment and are instead facing savage and debilitating resourcing cuts by this very government, under this very Premier.

So how do we get from that glowing statement of 3 March to here and now? Members may recall that barely five months after the Premier's State of the State address, concerns were raised by the public sector union that 30 per cent of staff, nearly one third of employees, were to be cut. The *Mercury* reported on 31 August that a government spokesperson, and I quote,

> Rejected the union's claims as false. [TBC 11.50]

Yet, barely three weeks later, on the 23 September, news broke that Dr Gintaras Kantvilas's position as head of the Tasmanian Herbarium was to be axed. There were further concerns of a 5 per cent reduction of herbarium staff reducing the complement from eight to four. Axing such a specialised role and its incumbent with 40 years' experience and who was also the recipient of the Premier's annual STEM award was incomprehensible, but it got worse. News then broke that further TMAG staff were to be cut, with seven critical roles to go, including that of senior curator of vertebrates and palaeontology, and senior curator of invertebrates - apparently the remaining curator of zoology role was to take on all of these curatorial roles, despite them being fundamentally different scientific disciplines. Other key positions such as librarians, exhibition officers, graphic designers and photographers are also under threat. The outrage, disbelief and devastation was felt immediately throughout the creative, scientific and broader Tasmanian community. The fallout continues to this day.

Last month, during a debate in the other place, the minister stated that he's glad TMAG is and I quote,

> Front and centre. [TBC 11.52]

End of quote, in the public debate, stating, and I quote again,

> That's where it belongs, and that's where it should be.

End of quote. Well, that is quite extraordinary. What an extraordinary, tone deaf and patronising thing to say. The reason TMAG has suddenly shot into the public spotlight in such a way here, also nationally, also internationally, is because this government's ill-conceived, detrimental and devastating cuts are on the table. This is not something for the responsible minister to be proud of. What doesn't this government get? The contextual reason for TMAG to be front and centre in the current public debate is because thousands of Tasmanians, not to mention others across our nation, not to mention others across the globe, are angry, shocked and disbelieving at these decisions being made. The staff who are at risk of losing their jobs and seeing invaluable research and projects shudder to a sudden halt are not thinking 'it's wonderful' that they are the reason for TMAG suddenly being thrust into the spotlight of public debate. It is borderline cruel to issue such platitudes from the responsible minister. However, the minister wants TMAG to be front and centre. Well, front and centre he got, not just across Tasmania but across the nation and globally.

I'm aware that MPs here, including this Chamber, have received messages from numerous professional, research and other stakeholder entities such as museums and universities based all across our globe, from Trieste, Upsala, Oslo, Gdansk, Madrid, Barcelona, Portugal, Prague, Ottawa, Arizona, Mexico, Brazil, Turkey, and on and on, all expressing their disbelief and calling for an urgent reconsideration. I'm going to place on the public record just two extracts from some of those compelling, evidence-based emails that we have been receiving from international academic and scientist communities.

Firstly, from Dr Jan Vondrák of the Herbarium at the Academy of Sciences in the Czech Republic. This is what Dr Vondrák said, [TBC 11.54]

> These measures pose a serious threat to scientific infrastructure of long-term importance, not only to Tasmania itself, but also to the international research community. Particularly alarming is the intention to eliminate the position of Tasmania's only lichenologist, Dr Gintaras Kantvilas. His work has made a fundamental contribution to our understanding of southern hemisphere's biodiversity and is widely utilised by European institutions as well. Equally serious is the loss of expertise in bryology, a field essential for the study of non-vascular plants. Together with fungi, these organisms constitute more than half of Tasmania's biodiversity. The HO Herbarium is an internationally respected centre for taxonomic research. Weakening it will lead to the disruption of long-term scientific projects, compromise the management of collections, and reduce the availability of data crucial for ecology, nature conservation, and global climate change monitoring.

Secondly, I will quote from a letter co-signed by 23 international scientists from the International Association for Lichenology who warned us this, Mr President: [TBC 11.56]

> Natural History collections require qualified leadership and specialist knowledge. Once this expertise is lost, it is extremely difficult and costly to

> rebuild. This has now been recognised in many places in the world who are attempting to rebuild taxonomic expertise to tackle the challenges of global biodiversity loss and climate change. It is therefore surprising to see that Tasmania has chosen to take the opposite path. The IAL, therefore, respectfully urges the Tasmanian Government to reconsider these changes, retain the herbarium specialist positions and leadership, and consult meaningfully with its scientists and the wider scientific community before proceeding with these severe and irreversible cuts.

Mr President, there were many more international statements of support for TMAG and calls for these disastrous cuts to be halted. Indeed, they are still arriving in my inbox and no doubt others. We could be here all day, if we wished, to highlight the range of examples cited of TMAG's work across a whole range of fields. That is an indication of the esteem in which it is held by its global counterparts.

But Mr President, to come back locally, the shock and disbelief was felt viscerally across the community here in Tasmania. Tasmanians did not need to be urged by the responsible minister to keep TMAG front and centre, that is for sure. Additional to the flood of horrified, outraged, and distressed emails sent to MPs, hundreds of Tasmanians turned up to be counted at the Friends of TMAG public meeting held during lunchtime on 8 October. Speakers included Rodney Gibbins, inaugural chair of the TMAG Aboriginal consultation group. In his speech on that day, Mr Gibbins stated the following: [TBC 11.58]

> The representation of Palawa in TMAG is now characterised by respect and engagement. Developing a strong consultative relationship with the Palawa community has led to an equal and respectful partnership leading the way across government and its institutions. TMAG, with Palawa, have achieved some significant outcomes over the years, which included return of human remains and petroglyphs removed from Palawa cultural sites. These outcomes mattered because strong leadership and professional integrity with actions matter. TMAG provided the tenets for these to occur. That's something that the whole of government could learn.

Again, at the same meeting, former Chief Justice of the Supreme Court, the honourable Alan Blow AO KC, warned us this, Mr President: [TBC 11.58]

> Successive governments have reduced funding for the TMAG over decades, but the past cuts have never threatened its ability to function as a state museum and a state art gallery. If the recent announced cuts go ahead, the proper functioning of the institution will become impossible for the first time. Special exhibitions will become impossible, as will the rejuvenation of permanent exhibitions. Without half of its staff, only half of the herbariums work will get done.

Another speaker at that public rally, Mr President, Dr Sally Bryant AM, was blunt: [TBC 11.59]

> Our natural collections are not objects sitting in dusty drawers, they are reference libraries and type specimens with documentation and curation that must keep pace with changing times. New species are being added all the

> time, especially during TMAG discovery expeditions, demonstrating there is so much more to learn about Tasmania's natural environment. Maintaining and interpreting these collections requires highly skilled, academically trained professionals. Real people with experience and dedication.

She also said:

> There is no extravagance in these roles or institutions. They already depend heavily on volunteers and friends of groups to help them keep buoyant. Volunteers contribute invaluable time and expertise in ensuring TMAG continues to be a state institution of global importance. When you cut staff to save money you lose more than people and the services they offer; you lose access, and the heart and soul of an organisation is something that goes far beyond a budget line.

'The heart and soul;' these are statements from professionals, the experts in their respective fields, and we should listen to them.

Of course, recently we've seen MONA entrepreneur David Walsh enter the fray with his letter published in the *Mercury* on 16 November. Mr Walsh has always acknowledged the inspirational role TMAG has played in his life and fortunes. He put it so succinctly, and as a first-hand testimony, it's worth placing on the public record here. Mr Walsh's letter reads,

> The Australia Institute economist Richard Denniss said, 'We're one of the richest countries in the world - we can do anything we want. But we can't do everything we want.' Does that mean if we want a football stadium, we can't have a properly funded museum? If that's the case, allow me to reconsider my neutrality towards the football stadium.
>
> I want TMAG properly funded. I want the life-changing childhood experiences I had as a kid at TMAG to be available to all Tasmanians forever. I put stuff on Mona's wall because TMAG put stuff in my heart.

Ms O'Connor - Hear, hear.

Ms WEBB - When next someone frets about the cost of maintaining TMAG, it is worthwhile reminding them that without the investment into TMAG years ago, a little boy may not have been inspired to go on to create his own astounding and complementary private museum just up the river. TMAG did contribute towards that huge private investment, which our state still benefits from.

We could go on reading out statements of support; however, I'm conscious other members are likely to want to speak to this as well. And, of course, there is the current petition that will be tabled in the other place, which had garnered well over 7000 signatures when I last checked. But before I move on, I wish to mention the open letter issued by Friends of TMAG, dated 17 November. This letter details TMAG has a 'statutory obligation to care for approximately one million objects of inestimable value.' Many of which are extremely fragile and require expert care and maintenance. The letter also states,

> ... TMAG has been recognised as a significant driver for the local and state economy. It has an outstanding reputation which draws visitors and researchers and adds considerably to Tasmania's reputation. TMAG has educated generations of Tasmanians and its collections and the knowledge of its science curators underpin much of Tasmania's conservation, agricultural and biosecurity legislation.

And further,

> The cuts of the scientists will damage Tasmania's reputation, its management of natural and rural environments and its agricultural economy. The cuts to exhibitions staff will significantly compromise its ability to present outstanding exhibitions and public programs, which in turn will damage its leadership role in Tasmania [sic] cultural tourism.

Over 100 eminent people signed that letter calling on the government to reconsider the threatened job cuts which risk and, 'Unintended deleterious consequences on multiple areas of the Tasmanian economy.' The signatories include a former state Liberal minister for the Arts, a former Labor premier and minister for the Arts and former governor Barbara Baker AC. Other signatories include local and international academics, local business operators, artists, actors, historians, scientists and ecologists.

Mr President, I wish to seek leave to table a copy of that open letter of 17 November to ensure that it forms part of the public record.

Leave granted.

Ms WEBB - As the open letter emphasises, TMAG is not just a storage facility housing static collections. Common themes run through the wide array of representations received by us and direct conversations that we've held, attesting to the crucial role contributing to our contemporary scientific, cultural, research, educative and creative endeavours. TMAG is a living and evolving institution making current and contemporary discoveries, as much as it is the official caretaker of cultural and natural heritage. A local scientist sent me correspondence in which she stated:

> The herbarium is far more than a repository of specimens. It's also the material evidence of what we know about Tasmania's flora and the foundation upon which new knowledge is built. This asset is our greatest opportunity. It is not hyperbole to say that understanding the past and present of Tasmania's natural resources is fundamental to using them wisely in the future. [TBC]

It is the current critical research being undertaken with international partners and networks. It's the ongoing expression of creativity and cultural identity. TMAG is a time traveller's portal; a guardian of our island's heritage, unique stories, and lived experience spanning millennia.

Compelling as the extensive array of correspondence on this matter has been, I wanted to see and assess this for myself. I had the honour of visiting both the herbarium and the TMAG Rosny archive and collection site, both of which were fascinating and illuminating. Prior to my

visit, I was genuinely unaware of the full extent of these impressive collections and the world-class experts that care for, further develop and share these collections locally, nationally and internationally. Quite frankly, it was breathtaking to be shown through these collections. To be shown, for example, in the herbarium, the specimens of Tasmanian flora collected by the earliest European visitors to this island right there laid out in front of you, or shown in the in the Rosny vertebrate collections, preserved specimens of Tasmanian tigers collected prior to extinction. Not to mention a huge array of other creatures I never had any idea existed in previous times on our state and currently. Absolutely extraordinary.

A multitude of carefully preserved items and specimens; and they're not static collections. That came to life for me when I saw it in person. It's easy to read that on a page and hear it and not fully understand the intensive work that happens every day by the wonderful people looking after these collections to ensure that they continue to be available and cared for and able to be used for ongoing scientific endeavour. They're actively being used every day in further scientific discovery, in important biosecurity work, as part of international scientific collaborative research projects and much, much more. It was abundantly clear to me that there was a need for highly-skilled experts to care for, to continue to use and to develop the collections and not just the most prominent senior roles in those areas, but all of the roles in those areas who were all, I think, working like champions, given the cuts already suffered. I extend my deep thanks to the staff who took the time to show me through these collections and, even more, I thank them for their highly knowledgeable and enthusiastic ongoing care for these key scientific, cultural and heritage collections on behalf of our state.

All year we've heard on repeat from the Premier and the Treasurer about the need for a rightsized public sector but as we know, however, the rightsized public sector has been determined by the government, it is not evidence-based, but is instead driven by ideology and, quite frankly, desperation. Ideology doesn't place much value on facts or evidence, particularly if they raise inconvenient considerations. What about a rightsized TMAG, what could that be? Despite the fine-sounding platitudes issued by the Premier and other government members on this matter, the whole sorry saga indicates to me that the government failed to do its research and inform itself of the impact of any cuts on TMAG's capacity to fulfil its core and statutory duties and that, quite frankly, is unforgivable and it makes me so very angry, as I know it does thousands and thousands of Tasmanians.

Angry on behalf of those directly affected and angry over such avoidable, careless and callous behaviour from this government. For the government to not even have the curiosity, let alone undertake professional due diligence, to carefully examine exactly what TMAG does, its statutory obligations and its contribution to the state's cultural and tourism sectors, and overall economic contribution, before deciding to slash jobs, is an incomprehensible situation bordering on negligent. The decisions that the government has taken to slash TMAG resourcing were clearly made in an information and evidence vacuum. They are callous and destructive cuts being proposed and they are - worse, Mr President - false economy.

Further, we know that due to protracted underfunding over years, these threatened cuts will produce minimal savings to the public purse. Additionally, these cuts risk Tasmania losing incredibly specialised skills, knowledge and expertise. These professionals who are being cut will not hang about but will be scooped up interstate or internationally, leaving a vast expertise hole in our knowledge base here in Tasmania. These cuts will impoverish us culturally, professionally, and economically.

I wish to briefly mention a report released in May this year, the *Measuring the Economic Contribution of Arts and Culture to the Tasmanian Economy: A New Methodology.* That's the report, Mr President, undertaken by consultants, Inkhorn Projects, for Creative Tasmania. This report identifies TMAG as a major cultural institution which is an anchor for Hobart cultural tourism with over one million visits per year. As such, it is identified as a key contributor to the state's tourism sector, which the report describes as being 'distinctively cultural.' The report stresses that when a proper cultural tourism attribution is applied to ascertain how much of Tasmania's tourism economy is driven by cultural motivations, the result is proportionately more significant here than it is for other national jurisdictions.

How does it make economic good sense, Mr President, to undermine that current contribution? And that is on top of the well documented contribution TMAG and the herbarium expertise makes across the agricultural, the biosecurity, the forestry, and other sectors. It simply doesn't make sense because the decision was ill-conceived, lazy, undertaken with absolutely no due diligence or assessment to inform even the most preliminary consideration. Quite frankly it was utterly reprehensible. The inherent value of TMAG, its collections, its research, and its contribution to the community is immeasurable. The hollowing out of this unique public institution will cause irreparable damage. And, unfortunately, the lack of evidence-based leadership by this government has seen the inevitable flow on effect, with recent news of cuts to Launceston's QVMAG. This government should hang its head in shame for setting such a poor example of devaluing these important cultural institutions.

I'm aware that over recent days it appears the government has had to do a rethink and that some specific positions previously targeted for the chop will apparently now be retained. I hope that can be confirmed by the Leader in today's debate. Specifically, I'm hoping that it will be confirmed that the Herbarium will be retained as a distinct department within TMAG, and hopefully that Dr Gintaras Kantvilas will be there still as its head. Apparently, a decision to abolish another curator role has also been overturned, which would be welcome indeed.

However, even if that good news can be confirmed. It doesn't negate this motion and the calls that are made in it. We know TMAG has been criminally starved of funds for years and yet has somehow managed to maintain its extraordinary output due to the dedicated and concerted efforts made by staff and volunteers. I think that potentially TMAG across all its departments has done such a laudable job in continuing to meet and exceed expectations when delivering on its statutory obligations, it's educational and community engagement activities, it's lulled us into a degree of false security, perhaps. These detrimental cuts, flagged by the government, have served as a wake-up call. No more false security, no more complacency or taking this institution for granted. For quite some time under this government, we have not had a rightsized or a rightly funded TMAG. This government has grossly underfunded TMAG and we need to turn this around.

Which brings me to the crux of the motion detailed in clauses (5), (6), (7), (8) and (9). Mr. President. Clause (5) of the motion highlights the threatened resourcing cuts risks both jeopardising the integrity of the TMAG collections and public assets, while also endangering its capacity to maintain collections, fulfil research imperatives, or deliver its statutory obligations. When considering clause (5) and the rest of this motion, it's worthwhile considering the Ministerial Statement of Expectation that relates here. The most recent Ministerial Statement of Expectation that I could find on the TMAG website is dated March 2025 and makes interesting reading, Mr President. Not surprisingly, it emphasises institutional objectives and strategic expectations as specified in section 5 of the *Tasmanian Museum and*

Art Gallery Act 2017. It also details strategic expectations, including the delivery of an accessible and highly utilised public program to enrich the state collection via appropriate research and acquisition activities, and to work to grow and support Tasmania's cultural and creative industries and visitor economy but, Mr President, section 5.4 of the statement of expectations is the part which really caught my attention. Section 5.4 states this, and I quote: [TBC 12.15]

> The Minister, along with the Department of State Growth as their adviser, is to be kept informed of any matters of significance. Specifically, the Minister expects to be notified of any adverse development which may prevent the achievement of performance objectives, significantly affect the operating ability of TMAG, impact upon the reputation of TMAG or the Tasmanian government, significantly impact on Tasmanian government policy or client relations.

Well, Mr President. Well, I can inform the minister that there are indeed adverse developments which are preventing TMAG's operating ability, its performance objectives and which are impacting upon TMAG's and the government's reputation. It is the government itself and the minister who is the author of those adverse developments, Mr President. It is beyond ironic that the ministerial statement of expectations highlights the very things the minister he himself is doing.

We can address those adverse developments though, Mr President, clause 6 and 7 of the motion call for the immediate reversal of the proposed job cuts, the retention of current skilled staff however, as I've already stated, retaining the curatorial roles is welcome, but if they're deprived of essential administrative and other support, they will remain hamstrung when working to fulfil their responsibilities. We've seen that across the police and health departments, for example. Cutting of jobs perceived to be not essential only results in those essential jobs being driven to undertake administrative and other work that's beyond their own core role, leading to a detrimental outcome.

It's another example of false economy. Clause 8 and 9 of the motions seek to address years of false economising which has resulted in the already chronically underfunded TMAG. We are now all aware that the status quo is woefully insufficient. TMAG must be provided with secure funding facilitating its delivery of all its public, cultural, scientific and legal responsibilities to conclude, Mr President, I wish to read out the motion passed at the Friends of TMAG public meeting which was held on 8 October. The motion was unanimously passed by the packed Waterfront Pavilion audience and I quote from it, this is the motion: [TBC 12.17]

> That this meeting calls on the Tasmanian government to immediately reverse the proposed job cuts at the Tasmanian Museum and Art Gallery, retain the skilled staff who care for and interpret Tasmania's state collections and provide TMAG with the secure long-term funding needed to fulfil its public, cultural, scientific and legal responsibilities.

End of quote. As members will see, the motion before us in this Chamber reflects the sentiment of the community motion. Mr President, the minister stated in the other place, and I quote: [TBC 12.18]

> We will continue to ensure that TMAG is strong, front and centre and available, accessible and valuable to more Tasmanians and our visitors over the years ahead.

Well, Mr President, that's a very laudable statement and, in fact, the motion before us provides an initial blueprint for how to begin delivering on those positive goals stated by the minister. To reiterate, in order to invest in a strong front and centre and accessible TMAG, the government must undertake steps detailed in the last four points detailed in the motion: Immediately reverse the intended job cuts, all of them, at the Tasmanian Museum and Art Gallery, retain the skilled staff who care for and interpret Tasmania's TMAG state collections, commit to providing TMAG with secure long-term funding needed to fulfil its public, cultural, scientific and legal responsibilities and ensure the long-term funding commitment is clearly identified in the 2027-28 state budget and forward estimates.

The first step is for the government to immediately cease and desist with these dangerously ill-conceived and uninformed job cuts at TMAG and the second step is to ensure proper funding provided for in the next state budget. Mr President, to close, I wish to acknowledge all the dedicated and passionate TMAG staff, volunteers and supporters, including those here in the chamber today.

Also, a specific shout out to the Friends of TMAG group who have worked tirelessly for 44 years in good faith to support our public institution and who have kept the flame alive over these last few stressful months. Thank you for all that you do. To reiterate, Mr President, this motion does seek to place TMAG truly front and centre, just as the minister welcomed in the other place, and with that I commend the motion to the House.

[12.20 p.m.]

Ms O'CONNOR (Hobart) - Thank you, Mr President. Well, that's a very hard act to follow. That was an excellent contribution from the honourable member for Nelson. Very evocative, told the very clear and long story of TMAG contribution to our state. I'm not going to make a particularly long contribution today because it's a long day, but I do hope that all honourable members will support this notice of motion. I know that that puts government members in this place in a slightly difficult situation because they are part of a Cabinet decision that decided it was appropriate to cut, within the space of a single year, $3.7 million from TMAG's funding. For TMAG, that's a devastating cut to a budget that was already the smell of an oily rag for an institution of that value and significance to our island.

TMAG is the guardian of our history and the keeper of our stories. They help us to understand more intimately and intricately the natural wonders of this island, and it is not lost on me anyway, that today we find out about the latest costings for the proposed Macquarie Point Stadium. Add it all up, and it'll be at least a $1.5 billion spend, and we've been warned about the consequences of this government's attachment to that unpopular project by the Tasmanian Planning Commission, former secretary of Treasury, respected economist Nicholas Gruen. But here we are with a project of this scale, unpopularity and unaffordability before us at the same time as huge swathes of civil society in Tasmania have come together to try to save the Tasmanian Museum and Art Gallery from cuts that, for that institution which has given and safeguarded so much, will be devastating. Not just to TMAG, not just to the Friends of the Tasmanian Museum and Art Gallery, but to us all.

They do say you can tell a lot by how a society treats its most vulnerable, and equally I think you can tell a lot by how a government treats our cultural and civil institutions. This has been, really - I mean, a government that conducts itself the way this one has ever since Gillon McLachlan swanned into town and demanded that stadium; this government is taking the axe to our cultural institutions, it's taking the axe to our public service. It has told, for example, the Tasmanian Council of Social Services not to allow community sector organisations to ask for money. There's no money. Our community sector organisations - again an extraordinarily important part of our social and cultural fabric, like TMAG - are being told to go away. There's no money.

There is uncertainty about exactly what those cuts will mean for the Tasmanian Museum and Art Gallery. We know that after the proposal to sack the head of the Herbarium, Dr Gintaras Kantvilas, that there was a huge outcry, and the member for Nelson read in some of those submissions from cultural and scientific institutions all over the world, and there seems to have been some kind of backpedalling on that decision. But the ham-fisted way, the insensitive and the ignorant way, that this cut to TMAG has been dealt with, indicates to me that they didn't think very much about it before there was a decision made to wield the axe, because there are multiple statutory obligations, for example, the role of the head of the herbarium, in making sure we have an appropriate biosecurity framework here on the island. But I don't think the government even had a look at section 5 of the *Tasmanian Museum and Art Gallery Act 2017*. If they had, they'd have increased the funding for TMAG.

The main objectives of the Tasmanian Museum and Art Gallery are to, under section 5:

(a) care for and develop the TMAG collections, and

(b) acquire, collect and procure works, objects and specimens relating to history, the arts, the natural sciences, technology, archaeology and Aboriginal cultural heritage, with particular emphasis on material that is uniquely Tasmanian or of relevance to Tasmania; and

(c) exhibit, promote, disseminate and otherwise make available the TMAG collections and, from time to time, material loaned to TMAG by other institutions; and

(d) exhibit, promote, disseminate and otherwise make available information relating to the work of TMAG; and

(e) arrange for, promote and support the educational use of material relating to history, the arts, the natural sciences, technology, archaeology and Aboriginal cultural heritage, with particular emphasis on material that is uniquely Tasmanian or of relevance to Tasmania; and

(f) conduct a range for, promote and support research, educational and interpretive activities relating to history, the arts, the natural sciences, technology, archaeology and Aboriginal cultural heritage.

On behalf of the people of Hobart who I represent, I want to say the most sincere and heartfelt thanks to the people who currently work at the Tasmanian Museum and Art Gallery and those people who've worked there over the many years for upholding the objectives of the act, despite the fact that the Tasmanian Museum and Art Gallery has been underfunded by successive governments; despite the fact that about 10 years ago now, TMAG came to government with a request for some redevelopment funding so that the place could be refurbished, the collections better safeguarded and it would guarantee, if you like, that the building itself was - even though it's not a contemporary building - was able to be part of delivering on those objectives for the next 100 years.

There was no money then, there's even less money now, and what we have happening at TMAG is an undermining of its capacity to meet its statutory obligations because although there's a rumour floating around that the head of Herbarium is safe, we have had no confirmation from government, none whatsoever, and we do know from the latest information that we've been provided with that some of the cuts will, for example, include the librarian of that extraordinary collection of literary treasures, remembering that culture is part of the stories we tell ourselves about ourselves.

There's, as we understand it, the photographer at TMAG who's been digitising the collection. That position will go, as well.

For an institution that carries our state collection not to be digitised and accessible to researchers at this stage in 2026 is a disgrace, and yet that position is going.

As I understand it, there's a designer's position going. So, what is the government going to do, unleash AI design out of TMAG? It sounds like it.

Some exhibition staff are going as well.

These cuts are destructive, they're short-sighted and they're unnecessary, and they really do shine a light on how little this government has valued our cultural heritage and our natural heritage in fact. So, I did say I was only going to make a short contribution because I know a number of members will be wanting to speak today. I do note the honourable member for Nelson's very well-put-together motion and support all of its objectives including the need to immediately reverse the intended job cuts at TMAG, the need to retain the skilled staff who care for and interpret TMAG state collections, the need to commit to providing TMAG with the secure long-term funding needed to fulfil its public, cultural, scientific and legal responsibilities, and the need to a long term funding commitment in the 2027-28 state budget and forward Estimates.

It is quite similar to a motion that my colleague, the honourable Vica Bayley, member for Clark, tabled in the other place and which I have tabled in this place. I do want to take the opportunity to thank, with all my heart, the Friends of TMAG for, I think, more than 40 years of working to make sure that our wonderful museum and art gallery is the best that it can be and I know part of that means that you're going out the community and you're approaching generous donors who have also contributed so much to our collection.

I remember when the kids were small, Mr President, and we didn't have a lot of money because I was married to a landscape painter so, because the Tasmanian Museum and Art Gallery was right there, and it was free, like so many Tasmanian parents, many a day I would

take the kids down to TMAG for a rumble through the collections that were on show. I like to think it gave them a richer and a fuller understanding of what it means to be a child of Gondwana, a Tasmanian.

So, I'm very thankful to the Tasmanian Museum and Art Gallery and all of its supporters over the journey. I know it's hard, entering the political fray and probably a number of the Friends of TMAG didn't expect to be undertaking what is effectively a political campaign. But in Tasmanian life it is often civil society - so often, actually - that steps up in the face of government excess and neglect and you are part of that long and proud history of people on this island who will stand up to defend what makes this place so precious in all the world.

I'm very thankful to TMAG and the Friends of TMAG and all of those people who've been advocating for the cuts to be reversed, the more than 7500 people, I think, who signed a Vica Bayley's petition which will be tabled in the other place. I think the government not only didn't read the TMAG act when it decided to do this, but it has severely underestimated the depth of connection and feeling that the people of Tasmania feel for our museum and art gallery and I hope, Mr President, they see the light and reverse the cuts so our beautiful TMAG can be the best that it can be for decades and centuries to come.

[12.34 p.m.]

Mr GAFFNEY (Mersey) - Thank you, Mr President. I rise to support the motion from the honourable member for Nelson about the cuts to the Herbarium at the Tasmanian Museum and Art Gallery. I'm sure many of us in this place and in the other have received worried emails and letters or even visits from constituents about the budget cuts to the Herbarium at TMAG. I've also heard from many concerned Tasmanians from right across Tasmania, the mainland and the world.

We've even had urgent correspondence from distinguished Professor Emeritus, Brent Mishler, from the Department of Integrative Biology who is the Curator of Bryophytes and Jepson Herbarium at the University of California, Berkeley in the USA. He was speaking to the unique position and value of our herbarium in world research. We've also heard from Leopoldo Medina, PhD, who is the vascular plants collection manager of the largest herbarium in Spain. His email to us - in perfect English - said:

> Our herbarium, the largest in Spain, has historically and consistently maintained a significant relationship with this herbarium based on loans and exchanges, which has resulted in scientific publications of great value and relevance. I trust that, given your wisdom and political responsibility, you will reconsider your proposal which will clearly have enormous negative impact on Tasmania, Australia, and global science.

That is the reality of these threatened changes, Mr President, they hurt our art, our science and our creative spaces across the state and way beyond what can be seen from the somewhat limited view from the Treasurer's office window. Whilst I can understand the need for sound budget management, cutting off our nose to spite our face is a step too far, to come with a sense of realistic priorities. As many constituents have pointed out, we cannot cut to save pennies if those cuts do serious damage to our long-term viability, our international reputation, and our contribution to the wiser world. Yes, we are an island, but our reach goes far beyond our shores.

I should note, Mr President, that I and many others have called on the government to be decisive and firm in its budgeting. But calling for decisive choices is not an invitation to cut with reckless abandon and with no regard for the long-term livelihood of our state. Good budgeting is as much about balance as it is about priorities. It is our job in this place, in the other, and across Tasmania to push the government towards a sensible balance. As one concerned constituent wrote to members: [TBC 12.36]

> The problem for TMAG and herbarium appears to be the government's hierarchy of values. One places the arts, sciences, and related activities as being dispensable, to take last place to sport, business, and industrial demands that usually comes with the additional demands for multimillion-dollar government bailouts and subsidies. If only a tenth of that go to the arts and the sciences, just imagine the difference it would make.

I find it hard to see these cuts or anything, but ill considered, Mr President. A woman in Hobart sent me the following, which I thought was a damning comparison of this government's priorities - [TBC 12.37]

> There has been a new $95,000 appointment of a Biosecurity Ambassador for Tasmania, made for a basketball coach. This is a new low in insanity for the government, making up a new position for someone who has no formal qualifications in biosecurity, yet cutting the job of the head of Herbarium who has 40 years' worth of experience and advanced formal qualifications. Why couldn't that money have been redirected to save the head of herbarium's job?

This raises serious questions about the priorities of this government. As it currently stands, the government has no interest in, or understanding of, the importance of the arts, TMAG, and cultural institutions to our state and to our community. It is a philistine mentality that doesn't realise that the immense, irreversible and long-term damage that these cuts will do will actually cause more harm than the problems they are supposedly trying to fix. The TMAG is already paired back to the barest minimum and cannot withstand any more cuts. But our state government is so obsessed with its stadium it has lost all sense of proportion and priority.

Mr President, it's a shame that every talking point leads back to the mismanagement of the state's finances over the stadium. Still, it is a reality and fair criticism, and in this place, we constantly find ourselves discussing the entirely predictable knock-on effects of that decision, this one included. I think from the presentation this morning, we received a 27 per cent cut in the TMAGs allocation of funding. I think that went from thirteen point something down to nine point something million. Yet here, 12 months ago, the Centre of Excellence at Kingston went from $65 million to $130 million in a blink of an eye. Amazing that's the priority for one sport.

The enabling legislation for the stadium has passed and the onus is now on the government to return to rationality and pursue its stadium dream. The legislation was not passed as a green light for the government to do as it pleases with the state's finances. It was passed on the expectation of responsible management which would maintain and enhance the status quo. I urge the government to reflect on the commitments it made to the fiscal responsibility when it sought support for the legislation to act in line with them. Gutting the Tasmanian Herbarium while gifting a job for a basketball coach to be hired as a biosecurity ambassador shows that it is failing to, whilst excelling in its perfect 'job for the boys' scenario.

Fundamentally, Mr President, harming TMAGs operations and resourcing will harm Tasmania at a deep level.

TMAG feeds directly into our industries, our science and our culture. It supports Tasmania as an artistic and cultural institution, our scientific work, our creative output and our wider tourism and hospitality industries.

The most obvious contribution, though probably the most overlooked, is how support for the arts fuels our creativity and shapes our state. The creative industries of which TMAG is part set the scene and drive our tourism and hospitality industries, but they also have a uniqueness of their own.

There is no denying that Tasmania has a character, a brand if you like, one that's quirky, individual and creative. Whether through MONA's unique endeavours, through local art or through our wider cultural sense, Tasmania has its own unique charm. That charm doesn't exist in a vacuum; it is the result of hard work and thousands of hours of often unpaid, unthanked labour by Tasmania's creatives. For every little art initiative that works and adds to the charm, there are several more that have tried something new that didn't quite come off. When we talk about Tasmania's character, we cannot forget the real hopes and dreams poured into it and all too real resilience with no expectation of reward.

This alone is a major reason why we, and as a government, need to respect, care for, and nurture TMAG. The Tasmania we know today, the same Tasmania this government hopes to leverage with its grand Macquarie Point stadium gamble, will not exist if we do not properly support our creative industries.

I'd like to refresh our recent memory of the member for Murchison's motion on funding for the arts. It's perhaps a motion debate we should have at least on an annual basis, as it put hard numbers on the real value of the arts bring to Tasmania. It was also one that highlighted how little value the government places on funding for those self-name arts, other than, of course, as a wonderful opportunity for those social media channels.

The motion is specifically about the Tasmanian herbarium, but it's important to recognise TMAG as a whole. It is a very real driver of our creative and scientific life, and one where the two go hand-in-hand, and the decline in the sciences and the supporting staff will inevitably affect the rest of TMAG's operational staffing and vice versa. We heard this morning that it's at a threat: if those funding cuts go ahead, TMAG will be lucky to survive.

The contribution that TMAG and its related institutions make to our science is fundamental to our understanding of Tasmania and world history, the environment and Tasmanian fauna and flora. As another Tasmanian from Stieglitz put to me:

> This institution is not simply a scientific or artistic space but museums, especially public museums such as the Tasmanian Museum and Art Gallery, have increasingly important roles as both traditional and innovative custodians of what is both extinct and extant. There's no better way to hold the interests of young people, where they fit in the world, than an exciting visit to a museum. Such visits usually become habits and therefore cultural heritage. It's always been so with civilisation. Museums are therefore

extremely important anchor points amongst our ever more rapidly changing society.

I want to be clear, when I speak of support here, I'm simply asking the government not to take a sledgehammer to our premier museum and gallery, or to leave our creative and scientific spaces in ruinous uncertainty. Nobody here, and nobody advocating for TMAG and its herbarium, is asking for a massive outlay for a new risky business proposal. We are asking that something already working for Tasmania's benefit and image not be killed off for the sake of a few pennies in operational efficiencies.

When I say a few pennies, I'm of course comparing it to the hundreds of thousands, millions of dollars, that is being devoted to supporting a mainland-owned AFL team, which is the Devils. Let that sink in. We might think it's our team, but we don't actually own it. We just have the use of a licence and responsibility to pay for it. On the record, I am very much in favour of sports, but I am very much concerned about where this community is heading.

I digress, but perhaps the government would be more receptive if members here or in the other place came up with a half-baked, over-budget grand idea, one with no clear prospect of success, rather than asking for meagre funding to support an internationally recognised asset.

The place of the arts and creativity in the Tasmanian community is widely accepted. It has nothing to prove and stands up to every level of scrutiny. It is also increasingly accepted that they are strong indirect drivers of our economy. Arts and creatives are not usually big money-makers on their own, but they contribute greatly to how a place is perceived, its tourism, and its place in the world. They also provide cultural focal points that draw interest, visitation and cultural development. A place that gains these focal points becomes a sociocultural hub. We only need to look at Salamanca in Hobart or the paranaple arts centre in my electorate.

I am concerned that in applying the same cost benefit analysis it is surely applied to almost every government output to pay for the over-budget projects and year after year of wasteful spending, the government has overlooked the net benefit side of the equation.

It is an easy thing to do because the arts don't have an immediate fiscal impact. Instead, they lift an area, its amenity and its cultural offerings, and that in turn becomes an indirect driver of economic activity.

Of course, in economic terms, the arts are prone to being underused or inefficient in a market. Without immediate direct income, creative endeavours are less likely to be attempted or funded. The result is that what might have been the most efficient allocation of resources, a strong arts presence and a critical mass drawing tourism and revenue, becomes an inefficient one that brings in less than it could and economists might say this inefficiency is exactly where government should step in to foster and encourage these creative businesses.

I put it to you, Mr President, that by devaluing and undermining Tasmania's premier institution for art and creativity, the government is doing the opposite of what it should.

If we really want to look at the revival of Hobart, from a crumbling regional backwater to the modern-day leader in the arts, food and culture, we owe a huge debt to David Walsh. MONA has been the catalyst that's drawn cashed-up, out-of-state and international visitors who have come to experience the uniqueness that is MONA. The time they've had in Hobart and

beyond has created a viable economy in which our very best hotels, restaurants and bistros can flourish for the benefit of us all. David Walsh, as the founder of MONA, has always been circumspect in anything to do with politics until the other day when the honourable member for Nelson read into [inaudible 12.47.08] his Letter to the Editor.

I won't read that in, but I don't think anyone could have said it better. David has a provenance and an authenticity that the government can only dream of in its wildest fantasies. Not that it doesn't try, it's just that it always falls short.

It is well accepted that these creative focal points have cultural and economic importance, but they also have institutional importance, they lend pedigree and they deliver educational wellbeing and community participation benefits.

It is interesting that while cutting funding for offerings like TMAG, the government leans heavily on its visitor economy strategy and its tourism growth plans. These things go together. You cannot have a thriving visitor economy without thriving cultural and community spaces, and vice versa. The cuts work against the government's own plans for Tasmania.

TMAG is more than a creative or scientific space; it is a place of significant scientific, historical and community value, and Tasmania's herbarium feeds directly into that. The threatened cuts, therefore, hit at the heart of what our state offers and we risk doing irreparable harm. Even one of the most conservative Tasmanians I've ever heard from has expressed grave concern about the corrosive damage that job and budget cuts will do to our scientific, historical and community opportunities.

I'm going to do a few quotes from those Tasmanians.

> Currently, TMAG cares for over 1 million objects, including almost 250,000 objects in arts and culture, including the globally important First Nations collection, over 800,000 specimens in natural history, and a library containing over 15,000 rare books.
>
> The proposed cuts at TMAG will result in a loss of the expertise required to care for Australia's second-oldest museum collection, and will reduce the museum's ability to fulfil its obligations to care for the collections and support scientific research.

The second quote is from a person who moved here from another state:

> As a scientist working in biodiversity research and collections, I recognise the critical role that museum curators play in documenting Australia's biodiversity, supporting conservation and biosecurity initiatives, facilitating scientific research, maintaining specimen collections and making biodiversity data accessible to the community and government agencies. TMAG's collections and the expertise associated with them are an important part of Tasmania's scientific infrastructure.

TMAG is used internationally and domestically to great benefit. For example, an Order of Australia medallist from Westbury wrote to me:

> As a citizen scientist, I've been working on a very cryptic group of organisms called myxomycetes, AKA slime moulds since 2010. I have deposited over 600 specimens at the National Herbarium of Victoria, Melbourne, because the institution has the staff to properly curate the collections. Had there been adequate staffing at the Tasmanian Herbarium (HO) I would've sent specimens there, but even before your cuts, the staff at the herbarium were stretched to the limit. Since 2013, I've been working with myxomycetologists - I'll spell that for Hansard - from Spain, Ukraine, Germany and the USA who have been interested in what I've found because Tasmania is well known for its relict biota species that have been used to be more widespread but now occur very locally.
>
> Together, we've described eight species new to science and we're currently working on three additional undescribed species. Two of these species have names that indicate their association with Tasmania, the new genus Tasmanian myxsis [INAUDIBLE 12.51.08] and the new species *Reticularia tasmanica*. Other species will be named *Lamproderma lutruwita* after I sought permission from the linguist at the Tasmanian Aboriginal Centre to use the name and a new [INAUDIBLE 12.51.16] will have the species epithet [INAUDIBLE 12.51.19], which refers to the former supercontinent, also known for its relic [INAUDIBLE 12.51.23], where this new species is found.

Another Order of Australia medallist from Tasmania wrote to me in similar terms, saying that none of this would be possible under the proposed new structure, which is a severe loss for Tasmania as a whole and specifically a loss for TMAG as an internationally recognised and respected institution. Many of the people I've quoted are experts, as are many of those who wrote to me who I've not quoted. The cuts will have a direct and significant negative impact on them and on the scientific, historical and cultural development they contribute to.

We are slowly reaching a point where people feel the government is not listening or is not interested in the needs of Tasmanians. I worry these cuts are just another example of an unnecessary departure from what Tasmanians want. If you want to make such cuts, make an appropriate and defensible case for them. As one constituent said of their emails and outreach, 'The responses received from Liberal parliamentarians on this matter are either non-existent at best and patronising hypocritical at worst.' [TBC] It's one which is echoed in the government's formal responses and discussion of the cuts in the other place and publicly in the media.

To finish, I thank the honourable member for Nelson for her work in this area and reiterate my unreserved support for TMAG and the herbarium. I hope members here and in the other place recognise its value to our economic, cultural and scientific development and our history into the future. I call on the government to reconsider its position and give Tasmanians a clear statement of support for TMAG and the herbarium at the same level of enthusiasm they have for anything to do with the stadium. In closing, I was listening to the debate in the other place this morning; the interest on some of the loans that we're going to be taking for some of the projects we've got, is over a hundred million dollars a year. The interest and we are taking -

Ms Forrest - And that's before we borrow anymore.

Mr GAFFNEY - Yeah, and we're taking three or four million from the TMAG that has history, has scientific value and - worldwide - people understand its role. Worldwide, people

don't even know about Australian Rules football and yet here, we are taking away a part of our cultural identity for the sake of four football posts. So, I congratulate the member for Nelson for her work and, in closing, I am a supporter of the Devils' team, but this is just ridiculous.

[12.54 p.m.]

Ms LOVELL (Rumney) - Mr President, I'm rising really just to make a brief contribution in support of this motion. I say brief because I think other members have put a lot of the public commentary on the record already. I want to thank the member for Nelson for bringing this motion before the Chamber. I don't want to pre-empt anything, but I suspect it will be broadly supported, like a similar motion was broadly supported in the other place, and I think that's really reflective of the community sentiment around this issue and how deeply respected TMAG is and the understanding the community has that we're not just talking about nice-to-haves or luxuries. We're not only talking about the arts and the contribution that the arts make to our community on a really broad level, but also talking about biosecurity, legislative requirements, and a whole range of other things. I think the reason that this has been so strongly opposed by the community is because, like many people, I think the way I feel about this is how others feel about it too, it just doesn't make any sense.

The savings that the government are claiming they'll make from these cuts - and we're talking about cuts here. I know the government have tried to say it's not about cuts; it's efficiencies or what have you, but it is cuts. And, like so many of the cuts that the government have outlined that they are planning to make across the public sector, there is no plan behind them. There's no strategy. There's no, 'Let's look at the public service and figure out what we might be able to do more efficiently or how we can spend money more wisely and keep delivering these services. What are the services we might be able to cut back on? What are the services that are important to the community?' There's none of that. It's just let's look at the budget for each agency and just pick off bits that we think we can cut. It doesn't make any sense; it's not strategic; and it won't save money in the long run.

I heard the member for Nelson quote the Premier's state of the state speech and I had also noticed those comments. At the time, I was heartened by those comments, but here we are only a few short months later and we're seeing quite the opposite. So, I'm glad that the member for Nelson put those comments on record and brought them to people's attention again because, when you're the premier, you can't just go around saying things you think people want to hear and then taking action that does exactly the opposite.

Ms Forrest - Others do. Other leaders do as well. It's not something you want to emanate I'm sure but just make it up.

Ms LOVELL - That's right. We shouldn't be.

Ms Forrest - No, we shouldn't. You can, but you shouldn't.

Ms LOVELL - Absolutely we shouldn't; people should be honest in this place. And the Premier, more than anyone else, has these opportunities to stand up and make these statements in the public sphere. He has these platforms where he can make these statements and get the credit for it at the time. But to then turn around and take action that is completely the opposite of what he said is just not acceptable.

This has got the attention of the community; not only the attention of the community here in Tasmania, but nationally and internationally. The fact that we've had emails - and other members have spoken about this too, we've all had emails from people who are watching this around the world, and that should highlight to the government what a mistake this is.

We're here, coming up to the beginning of December. We will be approaching Christmas soon and there are people who will not know what's happening with their job leading up to Christmas. They will not know what's happening to these institutions that they care for so deeply. Going into Christmas, going into the end of the year, the level of uncertainty around this is just really destabilising for people and people are working in these roles because they care so deeply about the jobs they're doing. I am really thinking of those people at the moment because I know there's a lot of uncertainty even as recently as today that's been reported further.

I particularly want to note the work of the Friends of TMAG and thank them for being here in the Chamber today, or many of them, to hear this debate. The work that they have done on this really grassroots community campaign has really harnessed community sentiment and brought it to the attention of so many people in this place and so many people around the state, and that is really commendable. You are doing us all a service, and I want to acknowledge the work that you've done.

I'll finish my remarks there. I too, like the member for Hobart and so many others, have really fond memories of TMAG. I also was a mum with not a lot of money and that's what we used to do. We would go into TMAG and wander around, then we would go to Mures because you could get chips to share with the kids and an ice cream at a very cheap price. We could fill a day for about $8 we would spend, and we did it often because, like so many young families, we didn't have a lot of spare money. I knew that TMAG was a place that I could take my children and they would be entertained, they would be interested, they would be engaged in something that was really important to me and something that was important to them. And they still remember it. They still talk about different collections they saw in TMAG. They particularly talk about in the Antarctic collection, the ice -

The sitting suspended from 1.00 p.m. to 2.30 p.m.

QUESTIONS

Parks - Report of Dead Trees

Ms RATTRAY question to MINISTER for PARKS and HERITAGE, Mr DUIGAN

[2.31 p.m.]

Minister, following recent advice where Parks inspected vegetation at the Granite Point Road at Bridport and identified three trees that are currently assessed as dead by PWS representatives, but then they were considered that they don't pose an immediate threat. My question is why would these dead trees, and dead trees in any other of the Parks areas, not be removed in the interest of public safety and vegetation control? And then I don't have to receive calls.

ANSWER

My office is aware of the issue that you raise and I will seek some clarification around what the issue might be and what the remedy to the issue that you raise so you're not receiving anymore calls -

Ms Rattray - Simple remedy; cut down the dead tree.

Mr DUIGAN - Dead trees, cut them down.

TasBuild - Long Service Leave

Ms FORREST question to LEADER for the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms RATTRAY

[2.32 p.m.]

With regard to the governance of TasBuild Limited, the private trustee company that administers the construction industry portable long service leave fund valued at $258 million in his 2026 annual report:

(1) (a) Under what arrangement, what role, if any, does the minister have in the appointment of TasBuild directors or its chair,

(b) who approves the long service charge levied on employers and is the rate subject to any ministerial or parliamentary oversight?

(c) Is any approval required for major capital expenditure from the fund, such as TasBuild's proposed new office in Murray Street, Hobart. Is TasBuild's annual report tabled in parliament or audited by the auditor-general?

(2) On 8 August 2022, the government told this council that TasBuild's board comprises equal employer and union representation together with an independent chair.

(3) TasBuild has since stated publicly that its chair is not required to be independent. Does the government stand by its previous answer?

(4) It was recently revealed that the TasBuild board has appointed a former senior union official to the position of chair, where this decision has been criticised by some in the building industry? Does the government have confidence in TasBuild following this appointment?

(5) In 2022, I asked about $50 million held in the funds long service leave liability. What amount is currently held in excess of the funds liabilities and who determines how it's used?

(6) The government has acknowledged TasBuild's governance arrangements are outdated. What work has been done to address this? Will the government bring forward amendments to the *Construction Industry Long Service Act 1997* to establish a proper governance framework, including a skills-based board appointed through a statutory process and if so, when?

(7) Will any review also consider the operation of the fund rules, including the treatment of workers who leave the industry for more than three years and the absence of any refund to employers where entitlements are not taken up?

ANSWER

In response to the honourable member's question, the answer to question;-

(1) (a) None.
(b) as per the rules of the construction industry long service fund fund rules, TasBuild's board of directors approve the long service charge rate. The rate is not subject to a ministerial approval or parliamentary oversight.
(c) No. Government ministerial or parliamentary approval was not required for TasBuild's capital expenditure on its proposed new office in Murray Street, Hobart.
(d) No. TasBuild's annual report is not tabled in parliament, and no, the Tasmanian Auditor-General does not audit TasBuild's annual report.

(2) Yes, the government stands by its answer of 8 September 2022, which accurately reflected both the long-standing governance intent of the scheme and its operational convention at that time. The original intent of the chair as the seventh position on the board has always been to provide a neutral balancing presence between employer and union nominees. Historically and in practice, this role has been filled by a person appointed by consensus of the board to act independently of either industrial party and in the best interest of the fund as a whole.

(3) The Tasmanian government has expressed concern with the outdated governance arrangements of TasBuild, and believes an independent review of TasBuild's governance is warranted.

(4) As per the annual report, as at 30 June 2026, TasBuild holds approximately $81.6 million in assets above its estimated worker entitlement liabilities, representing a 145.5 per cent liability coverage ratio. The TasBuild board of directors determines how these surplus funds are invested and utilised operating under the schemes trust, deed and fund rules.

(5) Again, the Tasmanian government has expressed concern with the outdated governance arrangements of TasBuild and believes an independent review of TasBuild's governance is warranted, and any legislative reform process would require careful consideration due to the need to avoid unintended consequences and ensure ongoing industry and member confidence, given the status of TasBuild as a private trustee company and the significant amount of contributed funds held by TasBuild. This is why the government supports an independent review to inform any legislative process.

(6) Not applicable.

Macquarie Point Stadium - Potential to Cut Other Infrastructure Funding

Ms O'CONNOR question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.37 p.m.]

Minister, the Treasurer told the Public Accounts Committee last Friday, in relation to stadium costings, that the government would be looking at different ways to fund the stadium, including potentially cuts or trimming of infrastructure spending. I'm still waiting for the questions that I asked last week in relation to costings of extra stadium works, but have you had the conversation with the Treasurer about the infrastructure budget and how that might be modified or cut in order to help fund the stadium? Given there are projects such as the Southern Outlet extra lane, the Tasman Highway acquisition, Birralee Road, the Mornington Roundabout works, Arthur Highway works, the Tasman Bridge works, and on the list goes, are you able to identify any of those infrastructure projects which may be impacted by the fact that the state of Tasmania is going to need to be, not only borrowing, but taking funds from other parts of the state budget?

ANSWER

Thank you, Mr President. Well, thank you for the question. I have not had discussions with the Treasurer on those lines at all. To clarify any other part of that, I would just seek a little bit of clarification. Thank you, Mr President.

Correcting how I summarised that to start with, I haven't had discussions with the Treasurer on that; obviously, I will do that coming up to budget period, but we are regularly looking at infrastructure projects and how we reprofile them to make them fit, especially, with the activities of the *Environment Protection and Biodiversity Conservation Act 1999* and what projects are ready to go at any one time. That's just normal reprofiling. There've been no other discussions with me outside of that at this point in time.

Macquarie Point Stadium - Potential to Cut Other Infrastructure Funding

Ms O'CONNOR question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.40 p.m.]

Minister, do you accept it is true, then, the statement made by the Treasurer to the Public Accounts Committee last Friday that the state will be looking to places like the infrastructure budget and other projects in order to find sufficient funding for what has now become at least a $1.5 billion stadium project?

ANSWER

Thanks for further clarification on the question.

What I recognise is that this is something we do almost every given day, week or month in infrastructure and transport; we continue to look at the projects and what they've been

allotted both federally and state and usually the 80-20 but sometimes the 50-50 split. We work through that quite closely with federal departments as well to make sure the timing is right to keep the flow of work to keep workers in. But, as I've said, I haven't had any other discussion regarding that. I should imagine with the project that size, there will be discussions on a broader base at some point in the future, but I haven't had at this point in time.

Inclusive Practice Team - Recommended Expansion

Ms LOVELL question to MINISTER for EDUCATION, Ms PALMER

[2.42 p.m.]

Minister, KPMG's review of disability funding in schools recommended your department consider expanding the Inclusive Practice Team which helps teachers support students with disability, trauma and complex learning needs. Your department's own consultation found the team was well regarded, valued and doing its job and recommended it be maintained and further embedded in school.

However, your government is proposing to cut a quarter of the team with the changed proposal being shared with workers, and I do want to acknowledge, Mr President, that those workers are in the building today; they have been meeting with members of parliament along with other public sector workers and I thank them for their advocacy.

The Premier said this morning that no final decision has been made. As minister, will you step in and make sure the Inclusive Practice Team is not cut?

ANSWER

Thank you, Mr President. I thank the honourable member for the question. As a government, we're certainly committed to ensuring that students with disability learn, contribute and participate in all aspects of school life, and our records certainly back that up.

This year alone, we're providing over $182 million in funding through the Education budget to directly support learners with a disability.

I reiterate that the Inclusive Practice Team will be continuing beyond 2026. No final decision has been made about how the team will be shaped beyond that point. This will be determined following a formal consultation process which is formally underway and I'm going to allow that process to run its course.

Reforms to the *Disability Rights Inclusion and Safeguarding Act 2024*

Ms WEBB question to MINISTER for DISABILITY SERVICES, Ms PALMER

[2.45 p.m.]

Minister, last week, the inaugural Disability Commissioner Tasmania Annual Report 2025-26 was tabled. It provided a wealth of information and insights demonstrating the hard work undertaken by that new team. However, Minister, the commissioner has identified limitations in the act, which she is seeking amendments to, including the preliminary inquiry

provisions and the lack of applicable penalties under section 22 of the act. Also, the lack of self-incrimination exemptions, amongst other areas of concern.

Minister, my question is how do you intend to respond to the commissioner's call for these reforms to the *Disability Rights Inclusion and Safeguarding Act 2024*, and do you have a timeframe for introducing these requested reforms?

ANSWER

I thank the honourable member for her question, and can I say I am so delighted with the appointment of Tasmania's first Disability Commissioner. This was such an important thing for people with disabilities, and it's one of the strongest bits of feedback that came out of the extensive consultation when we were beginning the work around the *Disability Rights Inclusion and Safeguarding Act 2024*, and what a great appointment Dr Catherine Whitington is, that's for sure. I do note the recently tabled annual report by our Disability Commissioner. This is of course the inaugural report of Dr Catherine Whitington as our first Disability Commissioner, and it's covering that first full year of operation following the commencement of our safeguarding act. We established this role to prevent harm, promote inclusion and ensure that people with disability are treated with dignity and respect, and it certainly is pleasing tonight that there has been such great engagement with the Disability Commissioner's safeguarding advocacy and her regulatory functions.

Our work to initiate the independent review of the operation of the act, being the *Disability Rights Inclusion and Safeguarding Act 2024*, is scheduled to commence before the end of 2026. In accordance with the act, this review must be completed within three years of the act's commencement, by July 2028. When we're talking about changes with regard to budget for the office of the Disability Commissioner until the end of the financial year, we've established this office through this act and funding provided to date has allowed for the office to become established. Funding beyond 2027-28 will of course be considered as part of future budget processes. But it will be the work around the independent review of the operation of the act where I think we will be looking probably a number of - certainly feedback from the Disability Commissioner and feedback from the community in general.

Supplementary Question

[2.47 p.m.]

Ms WEBB - Just supplementary so I'm very clear: I want to check with the minister that her answer then was that she's not going to be considering any of these reforms until the independent review is done. That won't be completed until the middle of 2028. Therefore, these reforms identified now as being problematic by the commissioner won't, at best, begun to be legislated until after the middle of 2028. Is that correct?

Ms PALMER - As the report has only just landed, I will certainly be addressing some of those issues with the Disability Commissioner. We meet on a very regular basis, and we will certainly be going through that. But I think it is important to put on the record that there is that independent review of the operation of the act. It's scheduled to commence before the end of 2026, and that body of work will certainly be -

Ms Webb - 2027.

Ms PALMER - Beg your pardon?

Ms Webb - 2027, I think you mean.

Ms PALMER - No. It's scheduled to commence before the end of 2026, so that work will begin in this last quarter of the year.

Bus Transit Officers

Ms THOMAS question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.48 p.m.]

Thank you, Mr President. Minister in September 2023, the government promised to provide transit officers on buses with additional powers to address antisocial behaviour and improve safety for drivers and passengers. Despite my repeatedly raising this matter in parliament, as far as I'm aware, more than three years later we're still waiting for these powers to be implemented. In June this year you confirmed the training package, and authorisation framework had been approved, but the legal instrument of authorisation was still being finalised. You also advised you would receive advice in August on the scope and timing of a tender process for a long-term statewide transit officer service. My question is: has the legal instrument of authorisation been finalised, and when will Tasmanians finally see transit officers on buses equipped with the powers the government promised more than three years ago?

ANSWER

Thank you, Mr President, and thank you very much for the question. It's quite relevant. There are a lot of things happening in this area. The questions are still relevant whichever way we look at it. The answer to your question is: the framework for appointing officers as authorised officers under the *Passenger Transport Services Act 2011* has been finalised and the legal instrument for authorisation will be finalised before Christmas. The training package has also been approved by the transport commission. As a result, no transit officers have been formally authorised to exercise the additional powers. I received a verbal update on the scope and the timing of the longer-term transit officer service in August, which highlighted an expanded services dependent on the outcome of future funding consideration. While $2.38 million in funding was identified in the 2025-26 Budget, funding was not provided for the expansion in the 2026-27 Budget. It remains a matter for the upcoming budget process. In the interim, Building Tasmania is reviewing available funding and priorities across its existing budget to inform advice on the scope and timing of the procurement process before the tender process commences.

The current transit officer arrangement operating on buses in southern Tasmania has continued since April 2023 and provides an additional safety and security presence on the network. This complements other measures to support safety on public transport, including driver security screens across Metro Tasmania's fleet and CCTV upgrades and driver escalation training and established arrangements with Tasmania Police.

The timing of an expanded service, including transit officers exercising the additional authorised officer powers, will depend on the outcome of Building[TBC] Tasmania's

exploration of existing funding in the 2026-27 Budget. Safety on the buses is a priority, and I will be advocating through that budget process, and I would be happy to update the member on where the level of the CCTV security is also added in the near future as well.

Supplementary Question

[2.51 p.m.]

Ms THOMAS - Mr President, I appreciate the information provided by the minister; but I have a supplementary question for the minister for Transport. It's concerning that there was no budget allocated in the 2026-27 Budget for what was promised in 2023. Minister, can you inform the House how can the tender process commence when there's no budget allocated, and is this simply another broken promise by this government, something that was promised to Tasmanians in 2023?

Mr VINCENT - Mr President, I thank the member for the extra question. I certainly can't comment on why the funds weren't there for this, but from what I can understand, it was a timing situation. We're still working through those situations and, as you would be aware, the relatively new - or a bit over 12 months old now - CEO of Metro has been making a lot of significant changes and finetuning and understanding of what's needed on that, and we're constantly updated with those things around security. Therefore, that is certainly part of our upcoming budget talks, along with the capability of the new CCTV systems as well. So, when I have more information, I'm happy to let you know how and what's being handled in that area. Thank you.

Road Safety - McKays Road, Somerset

Ms LOVELL question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.53 p.m.]

Minister, you would be aware of a recent tragic accident between McKays Road and Doctors Rocks at Somerset. While the investigations of the recent collision must be properly investigated, there are ongoing community concerns about the safety of this road. The existing speed limit, blind corner and nursery entrance have been longstanding concerns within the local community, and the community are calling for a review of this section of road and identifying the need for interim safety measures and permanent solutions to fix the safety issues. Minister, will you acknowledge the community's concerns and commit to undertaking a review of this section of road and to implementing short-term and permanent solutions to fix the safety issues on this section of road?

ANSWER

Yes, we do and have acknowledged the concerns of the public, they are sometimes the best to know in those areas. Speed limits are certainly a matter for the Commissioner of Transport, at arm's length from ministerial and departmental things. Those sections of roads are examined, in some cases, on a daily, weekly, monthly basis and full reports are down on that, everything through from line of sight and the slipperiness and the wear of the road as the pebbles smooth off - all different aspects of that [INAUDIBLE 2.54.50]. I certainly can't talk on an active report that's going on at the moment, but we do play a big part, as the department,

in those reports on those unfortunate things and do work very closely with any immediate issues, anything that can be fixed in the medium term, anything that might have to be done as part of the corridor.

Mr President, if you will just give us 30 seconds, I will seek an update in case there's a bit more information I can add to that for the member.

Nothing new to add for seeking advice other than what I explained was correct. We're looking at a lot of areas. Nobody wants to see these sorts of tragedies and, as part of my role in road safety, I really am trying to eliminate as much of these locations that are creating problems, but sometimes you're not aware of it; they're just normal roads until something happens. If I could put it simply, the best - and we have road experts, it's not just road crews - looking at these sorts of things. Part of the road safety and part of what the department does, does have road safety experts on it, and the police are extremely knowledgeable in these areas.

Happy to take advice, happy to keep working with communities anywhere. We do have a lot of requests from people on various areas that don't feel safe. I guess that one of the issues over the last 20 years is the state's roads have become wider and bigger. It does highlight some other areas that might need attention. So, happy to continue the discussion and it is certainly on the radar for the department with our regular fortnightly catch-ups.

South East Traffic Solution - Update

Ms O'CONNOR question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.57 p.m.]

Minister, this is a subject I've asked you about before; it's the South East Traffic Solution project [SETS], particularly the proposed widening of the Tasman Highway at Cambridge. When I last asked you about this, we established that, what was then State Growth, now Building Tasmania, had spent more than $600,000 on consultancy fees in relation to that project, which we now know was to try to get around the *Environment Protection and Biodiversity Conservation Act* requirements. Are you able to give the Council an update on the progress of that project?

ANSWER

Mr President, it's fair to say, if anybody wants to volunteer, I'm going to put a road crew together out of Legislative Councillors to go down and start the job, but not this week.

Ms O'Connor - You have to talk to the golf course first.

Mr VINCENT - It is fair to say the SETS program has been going on for a while, but as we speak, we've got departmental people actually working closely with the landowner down there now, which had been missing.

Ms O'Connor - Is that what they are telling you?

Mr VINCENT - No, I must say my office has been involved. I've been down there with my chief for a meeting ourselves and we now have brought other people into it to clarify some of the points that mightn't have been agreed on for quite some time. The landowner down there has been extremely cooperative and has been - because I've known her for a long time through my mayoral duties - and we are several steps closer. We have learnt in recent weeks some of the other environmental complications with the first part of the causeway and some engineering things to do with that, even on the volume and the type of rock needed to do a crossing like that and to also allow for sea level rise and the ability to renew the freshness of the water flowing in, now the lagoon has some scientific things to it that I didn't fully appreciate over the last 10 or 12 years. Even though you understand it, when it's put in front of you, it's a totally different thing. So, there is still a lot of communications happening at the moment.

Obviously, the road has been moved more to the golf club side, which doesn't interfere with the property there as much now. But there are still some issues that need to be taken care of and that's why, instead of having departmental officials, we stepped it up to some more senior officials going down on my behalf to talk that through with the landowner. That's only just in the last fortnight. Thank you.

Ms O'Connor - Okay, thank you. I'll ask you more about that over the course of the next few days.

ANSWER TO QUESTION

Engender Services - Wait Times

[3.00 p.m.]

Ms PALMER (Rosevears - Minister for Education) - Thank you very much, Mr President. I have a response to a question that I took on notice for the honourable member for Nelson. The question was around new clients seeking assistance via Engender's therapeutic services. It was with regard to wait times. Wait times vary between providers and are influenced by service demand, workforce availability, service models and capacity. The Department of Justice monitors service delivery, demand and outcomes through funding agreements, reporting and ongoing engagement with funded specialist services.

In the last Engender Equality Report to the Department of Justice on 31 October 2026, it identified that there is a three-year wait time for one-on-one counselling for new clients in the south of the state, In northern Tasmania and the north-west 12 months and approximately one month for the statewide LGBTIQA+ family violence service. I'm advised, through triage processes, new clients awaiting one-on-one counselling are referred to alternate programs delivered by Engender Equality and other service providers.

Engender Equality reported, as of 31 of October, a decline in waitlist numbers of new clients of greater than 20 per cent in the south between June and October 2026 due to the introduction of the brief intervention program as well as a 0.8 FTE increase in councillor numbers from the previous period. Our government provided a one-off payment of $200 000 to Engender Equality to support continuation of its brief intervention pilot program in 2026-27 in addition to pre-existing funding allocations, long-term or time limited.

MOTION

Tasmanian Museum and Art Gallery (TMAG) Herbarium Cuts

Resumed from above (page xxx).

[3.02 p.m.]

Ms LOVELL (Rumney) - Thank you, Mr President. I was just concluding my remarks before the break, remembering the really special role that the Tasmanian Museum and Art Gallery played in the lives of my children, particularly early in their life like others have noted. I do also want to note that it's not just my own children, but I have very vivid memories of TMAG as a child myself. In fact, some of my most vivid childhood memories are of times that we spent at TMAG and particularly, I don't know if other members will recall but walking into that big hall that was sort of at the beginning of the museum that had all of the taxidermy animals.

You know, it was impressive and it stayed with me. I still remember it really vividly, so that speaks to how important as an institution TMAG is to Tasmanians, to all of us, and has been for a very, very long time. I support the motion and thank the member for Nelson for bringing it to the Chamber.

[3.03 p.m.]

Ms RATTRAY - Thank you very much, Mr President, and before I commence the government's contribution on this motion, I would also acknowledge the many representatives from the Friends of TMAG that are with us here today and have been since about 9 a.m. this morning, Mr President, when they provided a briefing to Legislative Councillors. I certainly thank them for their continued involvement in today's notice of noting this motion.

I do rise to respond to the motion brought forward by the honourable member for Nelson in relation to the Tasmanian Museum and Art Gallery, TMAG. The government acknowledged the genuine concerns that have been raised by members of this House and by the Friends of TMAG, by researchers, by cultural institutions and by members of the broader Tasmanian community. Mr President, we know we've even received an email from somebody from Ecuador, so there's been huge interest. It has been clear to this government that proposed changes to TMAG have elicited emotional and thoughtful responses, underscoring the very prominent place this institution holds in the hearts of Tasmanians, and even those around the world. Those sentiments inform the first four items of the motion, and the government genuinely acknowledges those concerns. TMAG is one of Tasmania's most important cultural and scientific institutions, its collections tell the story of our state's natural environment, our history, our people and our place in the world. The work undertaken by curators, researchers, educators, conservators and other specialist staff is highly valued and makes an important contribution, not only to Tasmania but also to national and international research and scholarship.

This government has proven that TMAG is an important part of Tasmania's cultural landscape by providing the institution and with over $13.5 million in its 2026-27 Budget, and this is on top of the 2025-26 budget allocation to TMAG where they received an additional $4 million over the forward Estimates to enable a museum to address operating issues, and to progress to a more sustainable operating model.

Ms O'Connor - And then the government just took that money right back.

Ms RATTRAY - In the 2023-24 Budget, an additional $2 million extra funding was allocated to address priority works on the TMAG building to ensure continued public safety, Government support of our arts and cultural sector extends beyond TMAG. The most recent budget included an additional $10 million over forward Estimates to assist in the delivery of programs that support Tasmanian artists, film makers, arts workers, screen and games professionals to develop their work and take it to market.

It's also of note, the concerns expressed in items 5 through to 9 of this motion. This relates to the protection and management of collections, the continuation of research partnerships, the fulfilment of statutory obligations and the retention of specialist expertise. While acknowledging these points, government does not agree that changes to staffing structures is inherently incompatible with the future success of TMAG. In an environment where governments are required to make careful decisions about expenditure, all agencies and institutions must examine how they operate and how services can be delivered in the most effective way possible. The government has been clear that it is committed to a contemporary, rightsize public service that operates as effectively and as efficiently as possible while meeting the needs of the community. That task is never easy, and it involves difficult decisions. Nevertheless, responsible government requires it to balance competing priorities and ensure that public resources are directed where they can achieve the best benefit for Tasmanians.

The picture presented in this motion does not fully reflect the outcome of the extensive consultation process that has occurred. New organisational structures were released on Wednesday and in designing those structures, careful consideration has been given to the continued delivery of core quality services for Tasmanians. During the consultation period, feedback was carefully considered. This was an authentic process and the feedback received had a genuine impact on the final organisational design. As a result, the final structure reflects change. Overall, five permanent positions have been removed, and I can confirm the following positions remain, and that's: the head of the herbarium, the senior curator of the vertebrate, zoology and palaeontology, and a fixed term manager for the Narryna Heritage Museum. The inclusion of these roles demonstrate an important point: the government listened. It's also important to recognise that organisational restructuring is more than individual positions; it's about ensuring institutions remain sustainable and effective into the future. The restructure has resulted in the creation of tourism events and Creative Tasmania, which incorporates TMAG and brings together related sectors in a way that seeks to maximise opportunities for collaboration, strategic planning and economic development.

Tasmania's tourism sector has experienced remarkable success over the past 12 months with record numbers of visitors choosing to experience our state. Those visitors are drawn not only to our natural landscapes but also our cultural institutions, our heritage, our arts sector and the unique stories that define Tasmania. Bringing these functions together with tourism, events and Creative Tasmania provides an opportunity to strengthen connections across these sectors and ensure that institutions such as TMAG continue to play a central role in Tasmania's cultural and visitor economy.

The issue before us is not whether TMAG is important; we can all agree that it is. The question is whether the organisation can continue to meet its obligations and deliver its core services through a revised structure that has been shaped by consultation, informed by

operational advice and adjusted to retain critical specialist expertise. The government's position is that it can.

Of course, change can create uncertainty and it's natural that staff, researchers and stakeholders will have questions about how new arrangements will operate in practice, but we should also acknowledge that institutions evolve over time. Structures and roles change.

This change is not evidence of a diminished commitment to an organisation's mission, and I note the government remains committed to ensuring TMAG continues to fulfil its legislative responsibilities, protect and manage its collections, support research activities, engage the public and contribute to Tasmania's cultural life. The government's objective is not to diminish TMAG but is to ensure that TMAG remains part of a modern, effective and financially sustainable public sector capable of continuing to serve Tasmanians well into the future. For those reasons, and while acknowledging the concerns reflected in this motion and the passion of those who have advocated on behalf of TMAG, our government is unable to support this motion in its entirety.

[3.12 p.m.]

Ms ARMITAGE (Launceston) - Thank you, Mr President. I thank the honourable member for Nelson for bringing this forward.

TMAG is one of Tasmania's most significant publicly owned cultural institutions. Obviously, I can't omit our QV-MAG in Launceston, but I think we all appreciate, what institutions like these bring to us. TMAG holding collections of immense cultural, historical, artistic and scientific importance belong to all Tasmanians.

Its staff are custodians of these irreplaceable collections and the knowledge, the expertise and the dedication they bring simply cannot be replaced. Despite years of what I believe is inadequate resourcing, staff have consistently gone above and beyond to maintain the museum's operations, deliver exhibitions and public programs, undertake research and care for collections that require constant attention.

Further staff reductions, in my mind, would risk far more than the loss of individual positions. They threaten the long-term preservation and security of collections, the quality of research, the digitisation and accessibility of material, the delivery of exhibitions and education programs and the relationships of trust that TMAG has built with the community, donors and benefactors.

Specialist expertise takes years to develop and once lost, may be impossible to recover. Staff are already stretched to the limit, and further cuts will inevitably diminish the museum's capacity to fulfil its responsibilities to present and future generations.

TMAG, to my mind, is not simply a building or a collection of objects. It's a living institution whose value depends on the people who care for, understand, and bring its collections and stories to life.

Cutting staff is ultimately cutting into Tasmania's cultural heritage and its future.

[3.14 p.m.]

Mr HISCUTT (Montgomery) - I don't have a prepared contribution to this, but I just wanted to rise to make a few notes. I recognise the budgetary situation that we're in and that operational efficiencies are required. I don't have the same story as some other members here. I did not grow up down south; we didn't take our kids to TMAG. In fact, I only visited it for the first time last year when I was down for mum's valedictory and then had to fill in some time with the kids and we had a great time there. But it's not the same experience that others have had. But it's not often that you get - as the member for McIntyre mentioned - emails from Finland, Spain, Ecuador and all sorts of places like that, and this has clearly invoked some passion around the world and that exemplifies the importance of TMAG in Tasmania.

My sphere was in industry, in manufacturing and those sorts of places. It wasn't within the arts; that's not my perspective that I used to participate in. But Hiscutts have a long generation of respecting the arts in our region, and I think we should do the same for the rest of Tasmania.

[3.16 p.m.]

Ms GLADE-WRIGHT (Huon) - Mr President, others have already spoken very well about the importance of TMAG and what the cuts will mean, but I want to just put on the record my personal reflection of TMAG and support, indeed, the important motion. For me, TMAG is a very special place. I've spent a lot of time there over the years, and particularly with my children when they were very little. When I was still in the pram stage of my parenting, which lasted quite a number of years, TMAG was a place that we would often choose to go to when the weather was wet or wild and we needed to get out of the house. It is a fantastic place for a playdate with another family. The kids can wander around in wonder while the parents can have a natter.

TMAG welcomes children so generously, often with free activities during holidays. A visit to TMAG gives children the opportunity to explore and be curious and to learn without necessarily realising that they are learning. Some of the loveliest family outings are actually the simplest ones, and being able to take your children into the museum, spend a few hours exploring the exhibitions together, and do that without having to worry about the cost is incredibly valuable and something that I'm very grateful for.

TMAG is a really peaceful place. You can slow down there, you can wander around at your own pace, and almost always you can find something that makes you stop and have a closer look. I love that you can go back many times and have a different experience each time. There are the wonderful exhibitions that come and go, but also those important permanent displays that tell us something about Tasmania, about our history, our natural environment, our culture and the people who have shaped this place, which is why, for me, TMAG is much more than just a collection of objects or exhibitions.

I feel very fortunate that I've been able to grow up with TMAG and that my children have been able to grow up with a place like TMAG available to them, and I think that it's something that Tasmanians, we should all be very proud of and continue to value.

It was very distressing actually, to hear in those briefings this morning that the cuts mean that perhaps the museum might even have to close. That is what we heard in the briefings this morning, and that would be a very sad day if that were to occur, and so, of course, I will be supporting this important motion.

[3.19 p.m.]

Ms FORREST (Murchison) - Thanks, Mr President. I rise to support the motion and thank the member for Nelson for bringing it on. I also acknowledge the similar motion put forward from the member for Hobart as well. In making these comments, I do so in full appreciation of the precarious state budget position. It is in a serious state, and we do need to rein in spending. The government has to find savings, and I do not stand here pretending otherwise, but the question before us is not whether savings are needed, it is whether these savings make sense.

It is whether cutting skilled people from an institution with a legal duty to care for more than a million items in the state collection is a real saving, or is the cost moved off this year's budget onto another one or onto the collection itself?

I do not think the government has made the case for the proposed cuts. TMAG is an incredibly important institution in and for our state. Arts, culture and heritage absolutely must not be seen as luxuries or low hanging fruit that can be pruned to fix the budget problem. A problem made by this government, not by anything TMAG or the broader arts sector have done.

I do reflect on the member for Montgomery's comments about personal experience. I never went to TMAG a child. My children never went to TMAG. Our best outing was the Pioneer Village Museum; do you remember that?

Mr Hiscutt - That's a good one!

Ms FORREST - Yes, many a trip there. I never set foot in this place until I was an elected member. A girl from the country without many resources didn't come to the city very often, but I absolutely value the arts in every sense. The Pioneer Village Museum was a treasure to behold. One of my kids was in a men's choir, he was the littlest man - only that big - and he started off when he was about six in the choir and kept going with all men, and a female - the late Helen Jones, a remarkable woman - who led that choir. They used to perform Christmas carols in the Pioneer Village Museum every pre-Christmas. He's the same age as you - you should know who I'm talking about -

Mr Hiscutt - I can imagine.

Ms FORREST - He was at school with the member for Montgomery. Yes, and he used to love that, and he used to love the whole place. I had to be very watchful of him to make sure he didn't go into the exhibits and duck in under the ropes to go and visit the rooms that were so tempting. But it really was lovely, and it was really well attended every year.

We all have our own personal experiences, but it all feeds into the collection, what it means to the state and the treasures that are stored there. I've also had many interactions with TMAG since. I've attended many functions and events at TMAG since being an elected member. I've worked pretty closely with TMAG to get the Marion Sticht's necklace up to Queenstown to have it on display at significant events regarding centenaries and other celebrations in Queenstown. Marion Stitch was the wife of the first mine manager, Charles Stitch.

Ms O'Connor - She had a tragic life, I thought.

Ms FORREST - Yes, but it was the most incredible necklace. It's back with TMAG now, but it was a bit of a challenge to get it out of there, I say. It was sold to a woman in Brisbane who eventually realised what it was and then offered it back to TMAG when TMAG bought it off this particular woman. These are the things they hold and they're massive and really important pieces of our history and real treasures. It's so unique, it will never be recreated.

Like other members, I've received a large volume of correspondence on this. It has come from local scientist, interstate and overseas, overseas universities and research institutions, historians, artists, volunteers and ordinary Tasmanians who care. One such e-mail was from a Tasmanian historian and author who is now the president of the History Council of New South Wales, the peak body for history in that state. He made the important point that goes right to the heart of this motion, when he said: Museums are not decorative cabinets for static objects watched over by administrators. They are research institutions. Researchers build knowledge over decades and curators record the work and translate it for the world. They are not management roles, and they cannot be collapsed into one another.

I haven't quoted to precisely what he said, but that's along the lines and part of what he said. The writer also reminds us of TMAGs history, the Royal Society of Tasmania is the foundation of the museum, which is Australia's second oldest. For 30 years, TMAG has work with Aboriginal people on how it holds and interprets their cultural material and the remains of their ancestors. Few institutions anywhere have done that work as seriously, and we need to ensure that cannot be lost or diminished. That historian also says their own bestselling book could not have been written without TMAG or the Queen Victoria Museum and Art Gallery staff. That's the point. The collection's value is not only in the objects, it's in the people who know what the objects are and what they mean.

So other voices have said much the same. Ian Terry, a former senior curator, told a public rally that the head of the Tasmanian herbarium is among the positions slated to go. [Inaudible 3.25.05] our senior exhibition officer, a graphic designer, the librarian and scientists who advise on matters including biosecurity. He also said exhibitions are ageing and change less often, and galleries have closed at times because of staff shortages. And it's unacceptable that members of our community and visitors to our state can't see the things that we have there because they just don't have the staff or the resources to display them. Wildlife scientist Sally Bryant said there are many living collections actively used, not things sitting in dusty drawers.

The CPSU says staff were told 19.7 full-time positions would go by the end of this financial year, close to 30 per cent of the workforce - 30 per cent of the workforce, how could anyone think that was reasonable? The union has asked the government to slow down because decades of specialist skills will be lost - not only slow down, almost halt, I'd suggest. Almost 6000 Tasmanians have signed a petition to this parliament asking that the positions be kept. The Friends of TMAG passed a motion at their public meeting on 8 October, which this motion notes, and I acknowledge the presence of some of their members in the Chamber.

Now to what the government has said. The Deputy Premier has rejected the 30 per cent figure. The Minister for Arts has said that there is no direct formula to work out TMAG's share of the Building Tasmania savings target. The government confirms cuts will be made at TMAG; it has not said how many or which roles. That's very comforting, isn't it?

That's not good enough. If the union figure is wrong, and God hope it is, tell us the right one, tell us what it is. Staff, researchers and the public are left to fill the gap with rumour or guessing, and that does its own damage. Talented people may fear and not wait to find out whether their job survives and may leave to find alternative occupation elsewhere. And it won't be in this state.

I know the Leader's already spoken, but I do ask - and I'm sure the member for Nelson will follow this and probably the member for Hobart as well, at other times - but how many FT positions at TMAG are to be cut and by when? Which positions and is the head of the herbarium one of them? What savings in dollars are those cuts expected to deliver? How much are we expecting to save? Like seriously? What assessment has been made of the impact on the collections and on TMAG's statutory obligations, before the target was set?

Mr President, paragraph (4) of the motion matters most in many respects. I mean, it all matters, but I think that's really important. It says,

> Collections management is not a passive administrative task. It needs skilled continual high-level research, classification and maintenance.

I agree and that's not just an opinion of mine; it is the law this parliament passed. Section 5 of the *Tasmanian Museum and Art Gallery Act 2017* sets out TMAG's institutional objectives. They include caring for and developing the collections, acquiring material of relevance to Tasmania, and exhibiting and sharing the collections and information about them. They also include supporting education and research in history, the arts, natural science, technology, archaeology, and Aboriginal cultural heritage. The board must have 'constant regard' to these objectives. The board have a fiduciary responsibility. It's also the steward of these collections, their care, development, display, interpretation and research. Those are duties in the act, they're not aspirations. A board cannot meet a duty to research a collection without researchers. It cannot interpret a collection without curators and educators. And it cannot promote one without the people who design and present the exhibitions. If the government was going to remove the capacity to meet those duties, it should come back to parliament and change the act and be open and honest about what they're asking. It should not let the objectives wither through a staffing target no-one will name.

Take the Tasmanian herbarium. It holds more than 300,000 preserved plant species, the most complete record of Tasmania's flora there is. Among them are type specimens, the original reference specimens against which a species is defined. Lose those or let them degrade, and the loss is not to Tasmania alone, it's to world science, and they cannot be replaced. The herbarium is not a museum of dried leaves either. Its staff identify plants, weeds and pathogens for biosecurity, agriculture, forestry and environmental management. It supports the work of the Australian Antarctic Division and of IMAS at the University of Tasmania. When a farmer, a council weed officer or a quarantine inspector needs to know what they're looking at, the answer often comes from that building. As the member for Nelson said, the research at stake spans agriculture, biosecurity, biodiversity and medical science.

The same is true across the natural sciences, history and art collections. Specimens and objects go on loan and come back. Research partners rely on access and on people who can answer their questions. Pests may get into storerooms. Climate control may fail for a range of reasons outside any single person's control. If you don't have people looking after it, that can be devastating. Every one of those things needs a skilled person paying attention. Take the

people away and the collection is at risk. It deteriorates slowly and quietly until someone notices, but by then it's too late. The TMAG collections are public assets sit in the state's accounts at significant value. We would not buy a building of that value and then sack the people who maintain it. We would not own a fleet or stop servicing a fleet of vehicles, a fleet of ships, buses, anything. Tasmanians would rightly ask how we plan to protect their asset, our asset. The same question applies here.

The government's stated aim is to rightsize the public service with about 1800 positions to go by 2032. I understand the maths, but a headcount target is a very blunt instrument applied without regard to what each role does. It takes the same cut from a place where duplication can be removed as from a place where one person holds knowledge that no-one else in the country has. The minister told us there is no direct formula for TMAG's share, then how was the staff number that was given arrived at? Was any assessment made of what each person contributes and what it would cost to rebuild that capacity later? Specialist taxonomists and curators are not easily recruited, funnily enough, and some of that expertise takes a career to develop. Once it walks out the door, it may not be available to Tasmania at any price.

There is also the revenue side. TMAG had more than 2800 visitors in 2024-25. About half came from interstate and almost a fifth from overseas. Visitors came for exhibitions that change and galleries that are open. A museum with ageing displays and closed rooms is a weaker drawcard. And in a state that leans hard on its visitor economy and its cultural brand, this needs to be considered. The savings may show up in one line in the budget one year while the costs show up somewhere else later and are harder to trace and become cumulative. And the risk of damage is not shared evenly; savings can be found again next year; a degraded type specimen cannot be restored. When the downside is permanent and the upside is modest, good financial management urges caution and that's all this motion asks for - caution. Because the cost of doing what is suggested could be far more than any money that'll be saved.

Nor is this an institution with fat to trim. A member for Clark in the other place last year described buckets in the foyer catching water from a leaking roof. That does not suggest an over-resourced museum. You'd think that would be one of the things that would be fixed to protect what's in the building. Mind you, this place leaks from time to time too - from water through the roof, possibly other things as well.

Some may say this is a Hobart issue. It's not. TMAG holds the state collection. It holds the natural history of the north-west and west coast as well. The herbarium contains records of our flora and its work on weeds, pests and plant diseases matters to farmers, foresters and fishers of my electorate as much as anybody else's. Our agricultural resources rely on good biosecurity. Good biosecurity relies on being able to tell what a thing is quickly and correctly. TMAG can provide incredibly important support to UTAS's Tasmanian Institute of Agriculture.

Our regional museums, historical societies and the Queen Victoria Museum & Art Gallery in Launceston also lean on TMAG's expertise, its loans, and its advice. When the state's flagship institution loses capacity the regions feel it too, even if we were the last to be told.

The motion asks the government to do four things. Reverse the intended cuts; keep the skilled staff; commit to secure long-term funding so TMAG can meet its public, cultural, scientific and legal responsibilities; and put that commitment in the 2027-28 Budget and forward Estimates. These are reasonable asks. They do not say TMAG should be exempt from

scrutiny or from the need to spend well. I would welcome a proper transparent review of what TMAG needs to meet its obligations under the act, done in the open, before more positions are slated to go. What I cannot support is a cut that has not been explained, applied to an institution where losses cannot be undone. TMAG holds the film of the last known thylacine pacing its cage; the letter from the historian described this film as a reminder of the damage done by people who act on assumptions. We should not make the same mistake with the knowledge this institution holds. I thank the member for Nelson for bringing this motion to the House, and I support it.

[3.36 p.m.]

Ms WEBB (Nelson) - Mr President, I thank all the members very much for their contributions on the motion. It has been, I think, a really resounding message that we're sending out to the community from this place in relation to this motion and some really important reflections. It's particularly lovely to hear some of the personal reflections and anecdotes about interactions with TMAG and I think that is something shared. Even for those members from other parts of the state who perhaps didn't interact with TMAG in a Hobart sense, it puts me in mind of the importance, therefore, of digitising the collections at TMAG because that's one of the crucial ways that we can work to ensure that the collections of TMAG are a genuine statewide accessible resource for us, for our young people and for our communities. Of course, it's incredibly distressing to think about the fact that these cuts, as they're posed and even as still described by the Leader in the government's contribution, of losses, for example, for the photographer who had a key role in making the digitisation possible for these collections. Of course, that now may come to a grinding halt if there's no photographer there to do that. So, all of these things I think, really give us pause for thought and I think it's been very clear that members have been made quite aware, and in and of themselves were quite aware, of this dreadful impact from the cuts proposed.

I'd also like to acknowledge the really active advocacy on this issue by a whole range of MPs in this place and the other place, and particularly the Greens and some other independent MPs who have been really at the forefront of helping this be discussed in this place and in the community. Particularly also the advocacy of those community members, the Friends of the TMAG group and others involved who have really actively, respectfully and politely but persistently kept this at the forefront of discussion this past month or two.

It's probably not surprising - I was familiarising myself when people were commenting on the upswell of sentiment in the Tasmanian community in support of TMAG and contemplating what might be behind that. I was thinking about it, and Tasmania does have the highest concentration of scientists per capita of all states, and Hobart has the highest concentration of scientists per capita of every city in the country. So, it's not surprising on the scientific side. We also have the highest participation outside the Australian Capital Territory in cultural engagement - 42 per cent of Tasmanian adults engage in cultural and creative activities and that's up 10 per cent on the national average of 32 per cent. I just thought I'd share that. So, it's probably not surprising that we've seen such a wonderful upswell.

I won't speak any further really, other than to note, of course, I'm not surprised that the government's not supporting the motion; I think none of us would be surprised at that. It was a careful contribution from the government, I think attempting to be respectful of the fact that there's a very strong sentiment on this in the community. However, it was incredibly disappointing because, I think, it's really quite insulting - as gently and as carefully as you say it, it's quite insulting to suggest that careful decisions about expenditure are being made. In this

instance, they're not. This announcement of cuts was not a careful decision about expenditure; it was a blunt instrument with no evidence behind it and no demonstration of what impact it would genuinely have on functioning for this crucial public institution. Talking about difficult decisions and competing priorities is really quite insulting when you haven't actually done the work to inform a decision in the first place, and it's not on the Leader in this place who's delivering the government response, but seriously, that's just outright insulting in this instance.

The final structure that was described as being made public just today, I think, regarding some of the crucial leadership positions having a reprieve, but then five permanent positions still going I think was what I heard in the description, and that's untenable. Just because you've held on to the leadership positions, which I'm pleased about, it doesn't mean that the functioning of these institutions can continue, and so it's unacceptable. If we have a head of herbarium, that's wonderful. But if that means that the positions that sit behind that role and support it and help do things like maintain the international relationships and do all the collaborative work behind the scenes, help the functioning of the senior roles, we're of course going to still see an incredibly negative impact.

Organisations and structures do change over time, as mentioned in the government contribution. Of course, they do. But taking an absolute scythe to them through budget cuts - it's all very well to point to things you've spent in the past, but the cut of 27 per cent that falls off a cliff in the next budget is absolutely unacceptable.

I'm glad that the support seems to be here for this motion, and we'll see in a moment, but I'm really glad that that's a clear message sent to the government, and should be taken into consideration when it is looking at its budget next year. It's the future of this institution continuing to be able to operate under its legislated purposes. So, thank you to members and I commend the motion.

Motion agreed to.

MOTION

Midwives Homebirth Professional Indemnity Insurance Exemption

Ms FORREST - Mr President, I move -

(1) That the Legislative Council notes:

(a) the exemption that enables privately practising midwives to attend homebirths without professional indemnity insurance ends on 31 December 2026;

(b) the only insurance product available is for endorsed midwives, and fewer than five per cent of midwives are endorsed;

(c) every homebirth needs a second midwife, and that midwife is usually not endorsed, so up to a third of Australia’s private midwives who offer homebirth, may leave the profession;

(d) that Tasmania is the only state without a publicly funded homebirth program, so private midwives are the only option for Tasmanian women who want to give birth at home with registered health professionals; and

(e) losing these midwives will limit women's birthing choices, especially in rural and regional areas, and increase the risk of birth without a registered health professional attending.

(2) That the Legislative Council calls on the Tasmanian Minister for Health to urge the Australian Government to urgently extend the exemption so registered midwives can keep attending homebirths as second midwives from 1 January 2027, and to put in place a permanent, affordable insurance solution by the end of 2027.

I would also like to acknowledge Rowena Shakes in the Chamber with us today, a homebirth midwife who is endorsed, who was actually the midwife for my daughter, didn't quite make the birth, but that's how it happens sometimes. So, she's a very special part of our family I must say.

Where and how a woman gives birth is one of the most personal and important decisions she will ever make. As members will be aware, before I came to this place, I worked as a midwife, a profession I absolutely loved. As a mother myself, I know how much it matters to a woman to feel safe, respected and in control of that decision.

A bit of history for those who would not recall this - some of you, because you would not have been born at the time. I was an active member of the Australian College of Midwives for some years before my election in 2005. I was the Tasmanian branch President and national delegate, and I was granted a fellowship with the college in 2001 and named Tasmanian Midwife of the Year in 2003.

In my role with the college, we fought for professional indemnity insurance for midwives and for access to Medicare to enable midwives to provide care to childbearing women. There was a point in my lifetime when I was practicing as a midwife where you could buy professional indemnity insurance, and then suddenly it was no longer available, and even if you had a million dollars, you couldn't buy a policy. That was before the Endorsed Midwives existed. It meant that qualified midwives who worked outside the hospital setting could no longer get professional indemnity insurance at all. In hospital, midwives are covered by vicarious liability. Outside it, the only protection opened to highly skilled and qualified midwives was to make sure they had no assets. That was it. Hardly a workable solution.

The college worked hard with the then-Australian government and the Royal Australian New Zealand College of Obstetricians and Gynaecologists (RANZCOG) to develop clinical practice guidelines and consultation and referral guidelines so that women could have continuity of care with a known midwife under these arrangements. Whilst RANZCOG is pretty protective and conservative in their in their approach, we did make some real progress over that time.

An exemption from the need to hold professionally indemnity insurance was put in place. It has been reviewed many times because, until recently, no government-supported professional indemnity insurance product was ever developed.

I will share some more of the history because Tasmania has been there before and I know and we know how it works. In 1989, the Hawke government established the Alternative Birthing Services Program, allocating a total of $6.4 million over four years for alternative birthing services. That sounds like a paltry mountain now, but gosh, it made a difference. That

is to provide midwifery care inside and outside of traditional hospital settings under different models of care. Through it, the Commonwealth funded the states to widen women's choice in how and where they gave birth. It recognised midwives as primary carers, treated pregnancy and birth like normal life events, which they are, rather than illnesses, and encouraged state services to trial different methods or models of care.

A senate inquiry later reported that dissatisfaction with the medical emphasis on hospital birth and continuity of care were major factors driving consumer demand. That was very close to what is driving this demand today, I might say. History may not repeat but it does look very similar at times.

The funding was used in a variety of ways around Australia. It paid for birth centres; it paid for caseload models of care in the public system for midwives attending home births or in birth centres, and for outreach and antenatal services. It also funded home-birth pilot programs in some states, which paid for independent midwives' fees for low-risk births. It also supported Aboriginal and Torres Strait Islander services such as the Alukura Birthing Centre in Alice Springs and the Koori Birthing Support Service in Ballarat. Commonwealth funding from 1989–1990 and 1996–1997 totalled $15.4 million. From 1997–98 the funding was moved into general public health funding, under the Public Health Outcomes Funding Agreements. Successful projects were meant to continue with state funding, but this was not uniform. The Senate Committee noted that no state had taken up ongoing funding for home-birth services.

Here we are again after the initiatives were put in place that perhaps haven't been followed through, because after all it is the state who is responsible for the delivery of birthing services.

The senate inquiry recommended that the Commonwealth keep funding midwives to attend low-risk home births and concluded that the program has been an important catalyst but that much remained to be done. That recommendation of publicly funded home births has not been acted on in Tasmania, which is the only jurisdiction not to do so. I'll come back to that.

There are two important Tasmanian stories I wish to share on this. The first is the Launceston Birth Centre. It asked for $64,909 to widen access and to upgrade its premises and equipment, and it received $43,770, but still they made it go a long way. The Birth Centre midwives, working as a midwives' collective, also applied for funding to pay midwives' fees in a pilot study of the safety of home births and the Launceston Birth Centre for women with uncomplicated pregnancies. They sought $130,000 and were granted $93,000. Funding began in July 1992, and it paid for the care of 198 women in the pilot.

The pilot concluded that planned births outside of hospital were as safe as planned hospital births with high satisfaction among women and families. This was no surprise at all to us midwives, none at all.

It staggers me at times that we have to keep repeating this, but I will.

When the money stopped, client numbers at the birth centre fell sharply because many families could no longer afford the cost of its care, so it became only available to the women who could afford it, and that is not fair and not reasonable.

When the Commonwealth handed the money to the states to distribute, the rules changed and the Launceston Birth Centre's funding ceased.

That was an out-and-out tragedy**.** The birth centre continued however, but with the midwives often not properly paid and relying on the generosity of families, friends and supporters. My own daughter gave birth to her first baby at the Launceston Birth Centre in 2019 and had a beautiful, planned home birth in with her second in 2024 as I mentioned, and it was very beautiful.

Mr President, the second story is far more personal to me. Well, that's pretty personal, I must say, but this is even more personal in some respects. With funding from the first round of the alternative birthing services program funding, my midwifery colleague and dear friend, Marge Foley, and I established a caseload model of care at the Northwest Private Hospital in Burnie. It became known as the Know Your Midwife or KYM scheme. The idea was simple; a woman with an uncomplicated pregnancy was cared for by one primary midwife throughout a pregnancy, labour and birth and the early weeks with her baby.

If complications arose, her care was shared with the hospital doctor. She didn't lose access to a continuity of care; she just had a shared care arrangement with the hospital doctor. This is a private hospital, Mr President. Keep this in mind, it's a private institution for women with private health cover. The doctor was always available when he was needed and we had the support of obstetricians and I do need to mention my former colleague, Dr Ray Jensen, an obstetrician and gynaecologist that worked at Burnie, he's now retired.

He was such a strong supporter of and advocate for this model. He really went in to bat for us, particularly against the college at RANZCOG at times and other committees that thought we should perhaps do more epidurals and do more forceps delivery so that interns and the medical students could learn how to do them.

Ms Webb - Ugh.

Ms Forrest - Yeah. Well, he wrote a letter to the Joint Consultative Committee initially saying they ought to get out of their armchair consulting positions and actually come and see what we're actually doing and perhaps the doctors could learn something from us. It was a beautiful letter. I've still got a copy somewhere hidden away in my filing cabinet because he really came out and supported us and said don't be ridiculous.

This model was built on a partnership between the woman and her midwife. A relationship of trust with the woman at the centre and making the decisions. Before that, before this funding was available and before even before the private hospital was built, working as a midwife in the old North East Regional Hospital, which is now Harvey Norman and Spotlight in Burnie, where I and many others were born - not the member for Montgomery. He was born up the hill.

Mr Hiscutt - No, my brothers were.

Ms FORREST - You would've been born up the hill, yes?

Mr Hiscutt - Yes, I was.

Ms FORREST - That's right. I worked in a similar model. That one was kept going by dedicated midwives who cared for women and if they're outside their rostered hours, we did it in our own time and without pay. It showed that the demand was there. It showed that a model built on goodwill alone wasn't really sustainable. I decided, when we found we there wasn't a bucket of money to perhaps try and formalise this, that I would never suggest any midwife ever offer her services free of charge again because we deserve to be paid. It's a skill that very few have.

It is completely unreasonable to expect highly-skilled health practitioners to work for nothing. The KYM scheme was different because it was properly funded and well-organised. It received further funding in the second round of the program. When the Commonwealth funding ended, the private operator - then Healthscope - chose to keep funding it from its own budget. That's how cost effective it was to a private institution.

A private hospital does not keep paying for something that doesn't work or doesn't return value to them. It's all about the dollars. So that decision told me that model was not only safe, but it was valued by the by the women, it was cost effective and it worked for a private hospital. The scheme served women right across the north west and west coast, public and private patients alike. Around 30 per cent of the hospital's maternity clients chose it.

It was accepted and supported by women, midwives, administrators and obstetricians. I worked in it for many years and I was also a client of the service, with Marge as my midwife. Mr President, the lesson of that era is clear; when the Commonwealth backs midwifery continuity of care, Tasmanian women benefit and good models take root. Then, when that support is withdrawn, women who cannot pay lose access. Today, we face something worse than withdrawn funding. A Commonwealth insurance rule that could shut down, within weeks, the one continuity of care option for Tasmanian women wanting to have a home birth with a known midwife. More than 30 years ago, the Commonwealth helped open the doors for Tasmanian women and now I'm asking them not to close one.

For context, under the National Law, every registered health practitioner must hold professional indemnity insurance - and I'm not arguing against holding that, to be really clear. In the past, privately practicing midwives attending home births have been exempt from that requirement for the simple reason that no insurance product existed for them. From 1 January 2027, the exemption for non-endorsed midwives - these are still midwives who are fully qualified; I'll get to the requirements to be endorsed in a minute - but that exemption ends and every midwife in private practice will need insurance. That's not just the primary carer, but also the second midwife, the backup midwife, if you like. The one that assists the primary midwife, the Endorsed Midwife.

The Commonwealth has funded a product through the Medical Insurance Group Australia (MIGA), and since 1 July 2025 - took a long time to get there; remember, I was working on this with the college in the mid-90s - it has covered the full cost of eligible claims against Endorsed Midwives who provide home births. I acknowledge that is a really genuine and welcome step. Of course, the college welcomed it and celebrated. It was a massive step forward after years and years of trying. The problem is who can get it. The product is only available to Endorsed Midwives, and fewer than 5 per cent of Australian midwives are endorsed.

It is worth being clear about what endorsement involves. Under the Nursing and Midwifery Boards registration standard, a midwife seeking endorsement must already be registered - so the midwife has already done their Bachelor of Midwifery or their Bachelor of Nursing and Midwifery, so they're a fully qualified, fully trained, competent midwife. They're already that. Then they must have 5000 hours of clinical practice as a midwife, the equivalent of three years fulltime within the previous six years. Now, as we know, a lot of midwives are women who often having babies of their own. So, it's a really onerous task if you're wanting to have children in those years yourself after you've done your degree and are a fully competent and qualified midwife.

Then, not only that - the 5000 hours - they must then complete an approved postgraduate prescribing qualification at graduate certificate level, such as a Graduate Certificate in Midwifery Diagnostics and Prescribing, which takes between 6 and twelve months. There's no argument with that because one of the reasons that you got endorsement is so that you can order diagnostic tests and prescribe within a formula of prescribed medications. A midwife who's just graduated from a three-year Bachelor of Midwifery needs another three years, at least, of full-time practice and then up to a further year of study before they can be endorsed. Doctors are trained in less time. That is close to seven years from starting that the midwife's degree. For a midwife working part-time, as so many do because of balancing young families and working in regional areas, it takes longer still. None of the registered midwives who currently act as the second midwife can close that gap in the few weeks left before 1 January.

There is work to be done to enable the endorsement to be granted to other midwives more readily without having to go through quite that pathway, and that is on foot, I'll mention that in a minute, but there's still this void that can't be filled within a short space of time that we're left between now and 1 January. That means that none of the registered midwives who currently act as the second midwife can close the gap.

I want to explain why the second midwife matters. In hospital, two midwives attend a birth. You have the primary midwife who's in charge of the birth, if you like, and the other midwife is there to assist if something goes wrong or to assist with the baby if the baby needs a bit of assistance. Same as in the home birth or birth centre birth. In Australia, a planned home birth also requires two qualified practitioners, a primary midwife and a second midwife. The primary midwife is required to be endorsed now; the second midwife usually is not.

Sitting suspended from 4.00 p.m. to 4.30 p.m.

Resumed from above (page xx).

Ms FORREST (Murchison) - Mr President, I was just talking about the importance of a second midwife, so I'll just repeat what I said to lead into the next bit. In Australia, a planned homebirth requires two qualified practitioners, a primary midwife and a second midwife. The primary midwife is endorsed, and the second midwife is usually not. They are, however, as I said previously, a fully registered, fully qualified midwife who supports the birth and responds alongside the primary midwife when something goes wrong.

The nursing and midwifery boards own guidance on the scope and practice of midwives makes this plain. A registered midwife without endorsement is already qualified to provide antenatal care including clinical observations of mother and baby and risk assessment; monitor and support a woman and her baby through labour, including medication management; birth

the baby; identify variations to normal birth and to escalate to specialist staff when needed; manage medication and IV therapy for within midwifery practice; manage the third stage of labour and carry out perineal assessment and suturing - the third stage is the delivery of the placenta - support breastfeeding and the early care of the newborn.

What endorsement adds is ordering and interpreting pathology and imaging, prescribing, scheduling medications, admitting women to hospital on the midwife's own authority should hospital admission be required; referral to obstetricians and paediatricians; and access to the Medicare Benefits Scheme and the Pharmaceutical Benefits Scheme. Those are the functions of the woman's primary carer. A registered midwife acting as a second midwife does not need them to do her job properly.

As the Australian College of Midwives' Chief Midwife, Kelley Lennon, has pointed out an endorsed midwife and a registered midwife have the same ability to respond to an emergency in the home. Absolutely the same ability. Endorsement is a prescribing qualification. It is not a test of whether someone can act as a second midwife at a birth, they can. As yet, from 1 January, that registered, fully qualified and competent second midwife will have no insurance available to them and a no exemption, so they cannot lawfully attend and risks their registration if they do.

So, the second midwife can't turn up, which means the endorsed midwife can't attend either. Even the endorsed midwife can't attend because the endorsed midwife won't have a second midwife. What may look like some sort of minor administrative requirement - and that's why I've given the full history lesson here, so you actually understand what we're talking about - therefore threatens to bring private homebirth services to a halt. In January - 1 January. Do you know how many pregnant women are out there that have already made arrangements with their homebirth midwife and they've secured the second midwife? You don't get pregnant today and have the baby tomorrow, I'm sure you all know that. It will be rural and regional women, like so many of our women across Tasmania, who are hit the hardest. There may be two endorsed midwives in the city, but there sure as hell aren't in the rural areas. It takes away a choice that women should have where it is safe to do so.

The Australian College of Midwives estimates that up to a third of Australia's roughly 500 privately practising midwives could leave the profession and that two thirds of its members are considering reducing their caseloads or closing their practices because you can't operate like that. You have to have that second midwife. Homebirth Australia surveyed its community on what would happen if the government doesn't act; 88 per cent of non-endorsed second midwives said they would have to stop attending homebirths, while 60 per cent of primary private midwives, the Endorsed Midwives, said they'll have to stop offering homebirth without an insured second midwife.

This is happening while demand is growing. According to the Australian Bureau of Statistics, homebirths more than doubled between 2019 and 2023, from 923–2081. The ABC has reported what this means on the ground. This is in a recent ABC article, I'm not quoting it, I'm just summarising it: In the Shoalhaven area on the New South Wales south coast, the only full-time home-birth midwife is endorsed, but none of the six midwives she works with are. She takes on the primary care load, and she has six other midwives who support her in that work. She expects to halve her caseload and raise her prices, putting this option out of reach for many families. In Mackay, an Endorsed Midwife who can currently call on a registered midwife, nurse, doctor or paramedic - and there are doctors who do back-up endorsed

midwives, and paramedics, they're qualified as well - as her second practitioner, says that it will no longer be possible from 1 January. A registered midwife who works with her estimates it would take her around six years to become eligible for endorsement. We've only got six weeks.

Tasmania is the only state without a publicly funded homebirth program. Work has begun on a public model, but even once it's established, the eligibility criteria will mean many women who plan to birth at home still cannot use it. For many Tasmanian women, private midwives will remain the only option for giving birth outside hospital with registered health professionals. They are also the only way a woman can be sure of a known care provider, the same midwife right throughout pregnancy, birth and the weeks after. As I understand it, there are just seven Endorsed Midwives providing home birth in Tasmania. That's for the whole state. If the registered midwives who work with them as second midwives can no longer attend, those seven simply can't carry on. Either they pair up with each other across the whole state, or they stop. For women in rural and regional Tasmania who already live far from the major centres, that creates even more barriers. Homebirth in this state depends on registered midwives acting as second midwives; they keep home birth pathways open and make sure women are cared for by experienced maternity care providers. Take those away and the whole service is put at risk. For the homebirth community in Tasmania, that would be devastating.

I absolutely do not argue against the principle that midwives should be insured. Insurance protects women and families and it protects the practitioners. The Department of Health, Disability and Ageing says the requirements provide support and safeguards, and I agree, they do. The Nursing and Midwifery Board says the change is not about limiting homebirth, and I do accept that that's the intent. But we must look at the likely effect. Women who have decided to give birth at home will not choose hospital instead, by and large. Homebirth Australia's survey found that 59 per cent of women would consider freebirth - if you don't understand what freebirth is: it's birthing without any registered health practitioner present. Sure, it works sometimes and things are fine, but they're doing it on their own and that is the most unsafe thing any woman can choose. Well, she might not choose to do it, she may be forced to do this some - some do choose it; it's certainly not recommended by midwives, I can assure you of that, or any other health professional - but they're being pushed into this position. What do they do? They may have had a terrible experience in a hospital. They have a fear of hospital for a whole range of reasons, not necessarily just because of a previous birth. They know that giving birth is a normal-life, healthy event. It's not an illness. They can't access a homebirth midwife. What do they do?

This is not a theoretical risk. In a 2025 position statement, Safer Care Victoria reported an increase in freebirths in Victoria. Some have ended badly for mothers and babies, with severe bleeding for the mother and breathing problems or other problems for the baby, leading to long-term health problems and occasionally, tragically, even death. Freebirths are not officially recorded in Australia, so we do not actually know how many there are.

Last week - or it might have been the week before - a coronial inquest opened in Lismore in northern New South Wales. It is examining the deaths of four babies, three born in freebirths - three born without any registered health professional there - and one in a home birth in the Northern Rivers region between 2022 and 2024. The court heard that one mother had a deep distrust of hospitals, and at 43 weeks she was urgently advised to go to the hospital because her baby was seriously compromised - 40 weeks being the normal gestation, so it was a fair

way over. She gave birth at home with no one there with medical training and her baby died early the next morning. A tragedy.

Professor Hannah Dahlen, a midwife, told the court that what a midwife adds is the clinical knowledge to read the signs, recognise when something is going wrong and act. Counsel assisting the coroner told the court why women are turning to unregulated freebirth: traumatic or coercive experiences - and I've seen that in my practice over the years - fragmented care, a lack of trust in clinicians, a lack of available clinicians, and a lack of services in regional areas. That's why they choose freebirth. Those things should not be a reason for anyone to have to make a choice. It's hardly a choice.

That is a list of the very gaps that continuity of care from a known registered midwife are designed to fill. Take those midwives away and we push more women towards exactly what that inquest is examining. A freebirth has no insurance, no clinical oversight, and no one trained to recognise a haemorrhage or other emergency or to resuscitate a baby. A change meant to make birth safer could make it less safe.

The New South Wales Health Minister, Ryan Park, has warned of exactly this perverse outcome and said that the federal government needs to rethink the changes. This motion calls our state minister to act similarly. I know she is concerned about this.

We should also be honest about why many women choose home birth. Women have been telling us for years that, for too many of them, hospital-based maternity care has been a source of preventable harm. As a former midwife, I know that women who have had a distressing experience in hospital - not only around birth itself but hospital generally - can find the hospital a deeply unsettling, uncomfortable place and quite confronting. For some women, a hospital is simply not a place where they can feel safe enough to labour and birth.

Safer Care Victoria recognises this, too. It acknowledges that the decision to freebirth can be shaped by complex and deeply personal factors including past experiences and the lack of access to care.

There are volumes of evidence that women and babies have better outcomes when they have continuity of care from a known midwife. There are multitudes of evidence. We've known it for decades - probably centuries, actually. It reduces medical intervention and shortens hospital stays without compromising safety, and it supports breastfeeding and the adjustment to parenting.

Of course, we don't birth high-risk women at home. The majority of women aren't high risk. The Australian College of Midwives note that women who receive continuity of care are more likely to have a normal birth and to breastfeed their babies, their babies are more likely to be born healthy at term, and it costs the health system far less. A Cochrane review found that women in midwifery-led continuity models are more likely to have a spontaneous vaginal birth and slightly less likely to have a caesarean or instrumental birth than if the same woman was in a hospital.

On planned home birth, Professor Hannah Dahlen notes that for low-risk women attended by competent midwives who are well connected to the hospital system, outcomes are as good for the baby and better for the mother with fewer interventions. Private home birth midwives provide exactly this model, continuity from a known midwife tailored to each

woman, with collaborative referral pathways into hospital and to other medical care when they need it.

To be really clear, most women will continue to choose to give birth in hospital. That's true. If that's the right choice for them, that's absolutely the right choice. But it is essential we provide safe options for those who do not feel safe to do so and are low-risk women.

Take away the homebirth option and many women will be left choosing between a hospital birth they do not want and an unassisted free birth, and that is not a choice any woman should be forced to make. The good news is that the fix is within reach.

The Nursing Midwifery Board consulted early this year on its endorsement standard, including a proposal to remove the 5000-hour clinical practice requirement. That's really welcome news. We're talking about midwives who are already fully qualified and competent. The College of Midwives has been pressing for insurance to be extended to register midwives. These are the right conversations to be having, but the Nursing and Midwifery Board of Australia, as I understand it, won't have made a decision on this, and even if they do make a decision today there are still additional qualifications an endorsed midwife needs to obtain for prescribing and diagnostic rights.

This is why the exemption must be extended. The only solution at the moment is an extension until those rules are changed so that there can be enough endorsed midwives who are already registered midwives but can undertake that postgraduate prescribing qualification or whatever it is that we decide they need to do to be that second midwife. That is why the exemption must be extended as a bridge, so that women are not forced into a hospital birth they do not want or into free birth without the care of any registered health practitioner and all the risks that brings.

An extension doesn't create any new risk at all. It continues an arrangement that's been in place for well over a decade for a defined period, while a proper, permanent and affordable insurance solution is put in place, hopefully by the end of 2027. It enables other midwives to become endorsed if it is decided that they all need to be endorsed to receive coverage under the insurance that is available to endorsed midwives. This is where Tasmania has a role. The Commonwealth has said that any decision on indemnity insurance under national law requires the agreement under the state and territory ministers. Our minister for Health has a seat at the table and this motion asks the minister to use it and to use it swiftly.

I note the member for Rumney has some amendments to my motion to further expand the second part of what we call on the minister to do. I have had communication with the minister, and I'll probably speak briefly on the amendment on this, but there is a national Health Ministers' Meeting on 11 December. I have challenged the minister on that [INAUDIBLE 4.48.08] that's okay. I got her to confirm whether it's legislation or the regulations because with national law everyone has to agree. If it's legislation, the host jurisdiction of that legislation needs to change it and if it's regulation, the host jurisdiction of the regulation has to change it and they're in different jurisdictions. I understand it's a regulatory change that sits with Victoria. Well, this weekend Victoria's having an election, in case you haven't noticed. It could be quite interesting. Aside from that, they can do it in caretaker period, but it has to be very urgent. Well, it is very urgent, but there's no guarantee of that. The ideal outcome would be - well, that additional change in the member for Rumney's amendment is to put this on the agenda so that it can be discussed. Hopefully, because of the urgency of the matter, the urgent powers under

the Victorian Regulation Making Framework under Caretaker Convention can see it done and that will fix the problem, but it does rely on a lot of ifs.

I have communicated with our minister, Mrs Archer, and I'm really hopeful that, if that's not the solution that can be achieved by 1 January, another mechanism is found just for the interim until that can be done by the Victorian parliament, even if it's covering the cost of the insurance for the non-endorsed midwives currently as the second midwife to ensure they're covered. The endorsed midwife can continue to practice and the registered midwife, who's the second midwife, can continue to attend.

In closing, Homebirth Australia's coordinator Katelyn Commerford, put this as an issue of the government's own making and only the government can fix it and I acknowledge that. That's why we're calling on the minister and the federal government particularly, to do this because it is in their court, but it has to be changed in Victoria as I understand it.

Last Saturday, 21 November and today, in Canberra - a shame I had to come back today really because I would have attended the rally up there, but anyway - on Saturday, I went to the rally -

Ms Rattray - You could've spoken up there.

Ms FORREST - Yeah. It would have been lovely to be with all those mums and babies and pregnant tummies. I must say it is beautiful and they'll all be on full display because it's very warm up there. Anyway - women, families and midwives gathered at St David's Park in Hobart and the member for Nelson was also there and it was one of 24 rallies held around the country ahead of the national rally today at Parliament House in Canberra. So many midwives and families absolutely understand the urgency of this matter. The homebirth community has written to us, as I suspect other members are aware, asking for support. They acknowledge the people who have written to us that the remedy sits with the federal government, but they also know the change will only come with support from every angle and from every Health minister around the country, which includes us.

Other Tasmanians have written to me, too. One described this as like an insurance cliff, where we could just fall off the edge. They pointed out that if the private pathway collapses, the women most at risk of being pushed toward free birth are those who are living outside our major centres. They're not asking for anything radical, they are asking that women who choose to birth at home can continue to do so with qualified registered midwives beside them.

We have a moral obligation to the women and babies, to their families and to the midwives who provide this care. Those midwives must be able to keep doing what they've been doing safely, lovingly and legally. That matters most to the women who are due to give birth in January, February, March, April, May, June, July and for the women who come after them. We must not leave these women in the lurch. This is an extremely worrying time for them not knowing. They need certainty and they need it now. No woman should be forced to make a choice that may put her and her baby at risk because the government has failed to act. This motion is about a deadline. On 31 December this year, just weeks from now, the exemption will end unless the Australian Government acts. Many women in Tasmania and throughout Australia will lose the option of giving birth at home with qualified midwives beside them. This is simply unacceptable.

As I said, if we take away the homebirth option, many women will be left choosing between a hospital birth they do not want and don't feel safe in, and an unassisted free birth. This is not a choice any woman should be forced to make. It is a matter with a simple, low-risk remedy that I urge the minister, Mrs Archer and her fellow state ministers for Health to advocate strongly for and for the Australian Government to act as a matter of urgency.

I look forward to other members' contributions. I will support the member for Rumney's amendment, and I appreciate working with her to put the additional bit in. I commend the motion.

[4.53 p.m.]

Ms GLADE-WRIGHT (Huon) - Mr President, another brief one from me. This motion is really about something very simple, which is for women who have uncomplicated pregnancies that are low-risk having a genuine choice about where they give birth. For some women that will absolutely be in a hospital and for others, after considering their circumstances, the place where they feel safest and most comfortable is in their own home, and the comfort and familiarity of home should absolutely be part of the mix of choices available to women.

I'm a homebirther, and without going into too much detail, I can say that both my births were very, very profound experiences and I could not have had them without the care and guidance of my midwives and I'm grateful that I was able to choose the comfort of my own home. In Tasmania, where we do not have a publicly-funded homebirth program, losing privately practising midwives would effectively remove that choice altogether for many women, particularly those living in rural and regional communities. We should not allow an insurance problem to become the reason that a legitimate birthing choice simply disappears. Women choosing a homebirth should be able to do so with appropriately qualified registered midwives supporting them.

For those reasons, I support the motion and the call for an urgent extension of the exemption while a permanent and affordable insurance solution is put in place.

[4.55 p.m.]

Ms LOVELL (Rumney) - Thank you, Mr President. I thank the member for Murchison for bringing this motion to the Chamber for us to debate. I also acknowledge and welcome Rowena, who's here to witness this as part of long, ongoing advocacy on this issue, along with many other midwives and Homebirth Australia, and I'm pleased that Rowena can be here for this debate. I'll speak to the motion. I do foreshadow for members that, as circulated, I will be moving an amendment, and I'll speak more to the reasons for that and what that amendment will do should it be supported.

This motion is really about making sure that, as a top priority, women, particularly here in Tasmania, have safe and affordable homebirth options. As has been outlined by the member for Murchison, that is so critical. Birth and pregnancy is such a vulnerable time for women, and we know through extensive research, through lots of anecdotal evidence, and through the recent parliamentary inquiry into maternal and reproductive health - the evidence heard by that committee, which I'll note is on the notice paper for us to debate further next week, has heard so many stories of why this is so important to have as an option for women that there are many women who, as the member for Murchison outlined, hospital is not a safe place for them to give birth. Feeling safe and being safe is such an important component of having a safe labour and a safe birth for your child.

This needs to be something that we do look at further in Tasmania because at the moment - and even if this were to be extended, this insurance exemption, if we can solve the problem here today - we need to remember that there are women for whom this is still not an option in Tasmania to have a homebirth, because there is a cost associated with that, because Tasmania is the only jurisdiction that doesn't have a publicly funded homebirth service. I know there will be restrictions around eligibility for women; it won't be an option for all women if we were to have publicly funded homebirth services. But at the moment it's not an option for all women already, because there are many women for whom the cost of this is an obstacle that they can't manage.

I think this motion is part of what needs to be a really ongoing conversation about how we ensure that we are providing for women, here in Tasmania, as many options as we can. That's what this is about. It's about choice. It's about choice of safe options and affordable options. I'll talk through a little about the motion and why I'm moving an amendment, and then I'll go to the amendment and what it actually will do.

As outlined by the member for Murchison, the background of this motion is that Health ministers around the country, 18 months ago, agreed that there would be an end to the temporary exemption for private midwives requiring professional indemnity insurance, and that that exemption would end on the 1 January 2027. That was agreed to 18 months ago, and that was on the proviso that an affordable insurance option would be made available.

On the one hand we do have an affordable insurance option made available to midwives who are endorsed, and that is a huge step forward; that should be acknowledged and should be recognised for what it is because that is a really important step forward for midwives. That's why it's been so widely welcomed, including by the Australian College of Nurses and Midwives. However, we do know that there is a gap that this scheme has left, and as the member for Murchison has explained, the insurance that is available now is only available to Endorsed Midwives, and to achieve endorsement there are a number of criteria that need to be met.

Again, highlighting and agreeing with what the member for Murchison has said, the purpose of professional indemnity insurance is to protect both women and the practitioner. It's a requirement for all registered health practitioners to have professional indemnity insurance. There is no arguing here that that is a requirement, and it's a requirement for good reason. It is about ensuring that both the patient, in this case the mother and the baby, but also the practitioner, the midwives, are protected. We support that as a principle.

But what has happened here is that, with this insurance product being available to Endorsed Midwives only, it does leave a gap for those midwives who have not been able to achieve endorsement. With the current requirements to achieve endorsement including 5000 hours of service and a number of other criteria that the member for Murchison outlined, there are midwives for whom that will never be an option. If you're a midwife in a regional area - and I talk about Tasmania because I think Tasmania is disproportionately affected in this scheme, with this change, because we don't have a publicly funded home birth service; we do have a smaller population and a regionally dispersed population, which means we don't have those concentrations necessarily of women giving birth that other states might have, even in regional areas.

If you're a midwife on the west coast, for example, or the far north-east, you might only attend a few births a year; there's no way you can achieve - what was it, 5000 hours over three years in the last six years? It's just not achievable.

It also means, as I understand it, there is an option for private midwives who are not endorsed to take out their own professional indemnity insurance. I stand to be corrected if that's not the case. That's the advice I've been given. But it obviously comes at a cost, and that cost can be between $1200 and $2500, is the information I've been given. While people might argue that that's just a cost of business and midwives can pass that on to their patients, again, if you're only attending a couple of births a year, you're not going to be able to pass that on to your patients in a way that makes it affordable for them. I don't think that's a really practical way of dealing with this.

I understand that the requirements for achieving endorsement are under review, and I welcome that. I hope and I know they are looking at a number of these things that have been raised, including and particularly the 5000 hours' service and I think that would be a very good change. But it is taking a lot of time. It's taking quite some time for that review to be undertaken, so it would be good to see that happening more quickly.

I note also - because I think this is an important thing to note, the member for Murchison has noted in her motion that the insurance product that is available for Endorsed Midwives, and fewer than 5 per cent of midwives are endorsed - that midwives working in the hospital system don't require endorsement, is my understanding.

Ms Forrest - That's right, because they are covered by vicarious liability.

Ms LOVELL - When we say 5 per cent of midwives are endorsed, to get a real picture of the scale of the problem I think we need to take out of those numbers, the number of midwives working in the hospital system that don't require endorsement. I don't have those numbers. I can't tell people what that is, but I understand we're talking about quite a small number of midwives.

I don't say that to say that the scale of the problem is so small that it shouldn't be dealt with. The reason I outline that is to show that the scale of the problem is not of a scale that it can't be remedied quite easily. There are only a relatively small number of midwives who are in this situation. Therefore, the solution for this only needs to deal with those small number of midwives, which should mean, if anything, that it's easier to find a solution.

That brings me to my amendment, which has been circulated. I'd ask members to only look at the hard copy because I did circulate a version via e-mail before the lunch break. There has been a subsequent change, which was as a result of further conversations I've had with the member for Murchison and her conversations, as I understand it, with the Minister for Health, so I'll go through that.

I'll move -

> My amendment to the motion is to paragraph 2, and I will read it out now.
>
> *Leave out* all of the words after '(2) that the Legislative Council calls on the Tasmanian Minister for Health to'

Insert instead ':

(a) Urge the Australian Government to find a temporary solution to ensure registered midwives can keep attending home births as second midwives from 1 January 2027 without unmanageable additional costs;

(b) Work with the Nursing and Midwifery Board of Australia to reduce barriers to obtaining endorsement so that more midwives can access the Midwife Professional Indemnity Scheme as soon as practicable;

(c) Implement a public home birth program for Tasmanian women;

(d) Ensure that permanent practical solutions are in place by the end of 2027 to maintain and improve access to safe and affordable home birth services for Tasmanian women; and

(e) bring this matter to the agenda for urgent discussion at the Health minister's meeting scheduled for 11 December 2026.

So, the reason for moving this amendment is not to change the ultimate aim or the spirit of this motion. The reason I'm moving this amendment is because I have been advised that the call in the original motion is not practically possible, or is highly unlikely at the very least to be practically possible, because as I understand it in order for the government to extend the exemption, it would require the agreement of all of the state and territory health ministers and it would require legislative or regulatory changes the member for Murchison has outlined, and we know, with the Victorian election taking place next weekend and the ministerial meeting happening in early December, Victoria might not be in a position to be able to facilitate that. We all know too well how long these things can take.

Ms Forrest - And the polling would suggest it may not be 'clear cut.'

Ms LOVELL - It might not be clear cut, correct.

Ms Forrest - It might be, too.

Ms LOVELL - Correct, and we are running out of time. So, I've moved this amendment so that we're not being quite as prescriptive about what the solution might be. We can acknowledge that a solution needs to be found, but we're not being specific about what the solution might be, because if that solution can't be achieved, then we're no better off than we are now.

So, what my amendment will do is send a message that the Legislative Council is supporting a solution. There might be multiple solutions. There could well be several solutions that could contribute to solving this problem without being prescriptive about what that might be. So, I've aimed to protect the spirit of the motion, call for the same ultimate goal. The ultimate aim of this is that second midwives can keep attending home births after 1 January without having to spend a lot of money on their own personal private indemnity insurance.

That's our ultimate goal and that is our goal because what we're trying to achieve here is to maintain access to safe and affordable home birth options for women here in Tasmania and around the country, but particularly here in Tasmania. So, I hope members will accept that amendment and also support the motion. Obviously, the Leader is yet to respond on behalf of the government and particularly in relation to my amendment, but I make the point that this is something that ministers have known about for 18 months.

This was agreed to by all state and territory health ministers 18 months ago, including ours, so they have known this is coming. It is unfortunate that we are here now, in a position just mere weeks before this change takes place, debating this in the Legislative Council where we can debate this motion. We can send our support to midwives and we can send a message that we want this to be fixed, that we recognise there's a problem that needs to be addressed, but it's disappointing that it's come to that because there could have been something done sooner.

In saying that, I want to acknowledge that there could have been something done on a state level sooner, too. Extending this exemption is important, absolutely, but it's not the only solution and there are things that could have been done much sooner to address this problem and work through the issues with midwives to make sure that, from 1 January, that Tasmanian women will not be disadvantaged by this change, because that's really the bottom line here.

I want to acknowledge also the advocacy of Homebirth Australia and midwives around the country, the rallies that took place around the country on Saturday and the rally taking place today in Canberra, the grandmother of all rallies, I think it was called. I couldn't attend unfortunately. I wished I could have been there but I was unable to be there though I know other members did attend, and those rallies were really well attended because I think people recognise that this is an important issue.

Ms Forrest - It was called the 'grandmother of all rallies'. That's why I was there, as a grandmother.

Ms LOVELL - Yes. Grandmother of all rallies; it was.

People value midwives because they recognise how important they are to supporting women and their babies to not only have a safe birth experience but a really lovely birth experience. I know that's not the case for everyone. It breaks my heart when I hear some of the stories of women and their experiences of birth. I've been incredibly fortunate with my two births to have really well supported beautiful experiences and that largely came down to the midwives who were in the room with me, and I think Australians and Tasmanians understand that and value midwives because we all have experienced it at some stage. We've all been born, haven't we? We've all probably had contact with a midwife at some stage in our life. Some of us more often than others but most of us at least once.

With that, I do thank the member for Murchison for bringing this motion before us. I hope members will see fit to support my amendment and the motion.

If I could seek clarification I don't think I get a response to the amendment. I'm not sure people speak on the amendment, just to be clear.

Mr PRESIDENT - No, you don't get a response.

Ms LOVELL - Do we vote on the amendment now and then I finish my contribution on the motion, is that right?

Mr PRESIDENT - Yes or finish your contribution.

Ms LOVELL - And just sit down.

Mr PRESIDENT - Yes.

Ms LOVELL - Okay. I can do that.

I have finished my contribution, so I hope members will support the amendment.

I look forward to other contributions and more importantly, I look forward to a solution being found for midwives and for Tasmanian women.

(seeking advice)

Mr PRESIDENT - We put the question that the amendment be agreed to.

Ms LOVELL - Sorry, a further point of clarification. Other members don't get to speak to the amendment, do they? They just vote?

Mr PRESIDENT - They do.

Ms LOVELL - Okay, thank you.

[5.12 p.m.]
Ms WEBB (Nelson) - I rise to very briefly say that I support the amendment and then I'll make my further contribution on the motion subsequent to that once we've dealt with the amendment issue.

I think it seems like it's been well negotiated with the member for Murchison. It's a practical change to make to ensure that there's applicability in what's being called for under the motion, so thanks to the member for Rumney for putting forward the amendment and I'm glad that the member for Murchison's worked with the member for Rumney to make sure that it fits with the intent of the motion.

[5.13 p.m.]
Ms FORREST (Murchison) - I was hoping the Leader might have said the government was going to support the amendment. I'll speak anyway.

Ms Rattray - I'm interested in the honourable member's response.

Ms FORREST - I appreciate the work the member for Rumney's done on this, also having some discussions with the minister, mostly by text.

There could be more than one solution. I acknowledge the challenge in Victoria right now with their election. It is coming into the end of the year as well.

If the necessary regulatory change can't be made to extend the exemption for a period to enable a more permanent solution to be put in place, then there does need to be some sort of bridging solution found and that could be a range of things. I don't think the solution is that registered midwives who aren't endorsed should have to take out a very expensive insurance policy if indeed they can get it to provide a backup service for which they are qualified without the prescribing and diagnostic rights and requirements that an endorsed midwife has for the reasons that he or she are undertaking that role just for a short period until the solution's found. So, either those costs are underwritten by the federal government, perhaps. Maybe they might do that.

Ms Webb - Easy solution.

Ms FORREST - There's a small number we're talking about, so that's one solution. Another solution is fixing the regs or whatever legislative mechanism needs to occur but that's problematic because of the situation in Victoria. There may well be other solutions that we haven't thought of that could be put into place but whatever happens, there needs to be a solution before 1 January, because any woman who's booked in to birth her baby with a homebirth midwife anytime around that time - they might be due in December, but they might birth in January - they need to be sure that their plans aren't going to be thrown out the window and then they've got to face an unwelcome choice of birthing unassisted or going to a hospital where they may not feel safe, because they're already low-risk uncomplicated pregnancies. That's why they're there in the system. It's not like we're suddenly going to have a whole group of high-risk women; it's the women who are already in the system. I hope the government will support it, and this amendment is supported unanimously, because we do need to find a solution, and there may be another one we haven't considered. I thank the member for Rumney.

[5.16 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Thank you, Mr President. Just a couple of points the government would like to make in regard to this is that the suggestions by the honourable member for Rumney, and I acknowledge that there's been some work between the honourable member for Murchison, but it is apparent that the federal government are the ones who hold the levers to extend the exemption, and while the government understands the federal government are claiming it's too late, the minister is currently seeking legal advice on the current exemption in the regulations and whether it can be extended with the agreement of all states and territories, acknowledging that Victoria are doing something pretty important over the weekend.

It's also clear that to do this it would need discussion at the national level and thankfully there is a national Health minister's meeting scheduled for the 11th of next month, as has already been stated. The minister will put this matter on the agenda for discussion with the states and territories to seek agreement to extend the current exemption so that these important matters can be worked through properly in consultation with midwives across the country. Again, acknowledging that it is time sensitive.

The government notes the additional clause, the amendment to the amendment, clause to this amendment and further notes that the Minister for Health, Mental Health and Wellbeing will pursue this matter again at the Health ministers meeting on 11 December 2026, which is only a couple of weeks away, so certainly there's some work to do, and the minister has committed to doing that.

Amendment agreed to.

[5.18 p.m.]

Ms WEBB (Nelson) - Thank you, Mr President. I rise to speak on this motion, and I'm very thankful to the member for Murchison for bringing the motion to the Chamber for debate and for the other contributions made on it. We've had some really detailed and worthwhile contributions on the motion, and I'm not going to go into that same level of detail with mine, mindful of time and not wanting to necessarily repeat those same things. I really appreciated the member for Murchison's detailed explanation that walked us through this motion and the issues that it relates to, and I appreciate other members for also reflecting on that.

The other thing I want to recognise is the advocates who've been involved in bringing this issue to public attention, and to parliamentary and political attention, both here locally and also at a national level. It's great to have Rowena in the Chamber with us today. I met Rowena at the rally on Saturday where there was an absolutely beautiful gathering of lots of families, lots of little kids, many of whom I'm sure were born at home, and some that were imminently probably going to be, some lovely growing families there. I appreciated hearing at that rally speeches from both midwives and then also women and families who'd had support for homebirths from midwives, and reflecting on the importance of that choice.

This is something that is a highly personal matter for many people, but also such a fundamental part of our lives. So many of us are parents - not all of us, but many of us are parents - and the time of being pregnant and giving birth is an incredibly crucial, important, forming part of a woman's life. I don't typically speak about family matters here and personal matters, as a matter of choice, in the Chamber, but this is a matter that is a personal one for me and so I will put on the record, as the member for Huon did, all three of my children were born at home and so this is particularly pertinent. My children were born in very different circumstances. The first home birth of my eldest daughter was back in 1995, and that was at a time that Tasmania was having a publicly funded trial of home births in the state. I was lucky enough - thank goodness - as a young mum who wouldn't have been able to afford a home birth at that time, to be able to access publicly funded home birth in Tasmania, and that gives me a very clear perspective on exactly why we should be putting in place a publicly funded model here in this state.

It's appalling that we do not have one. Absolutely appalling. Because it does become a barrier if the only people who can actually choose to access this important service, and it should be an option to have your baby at home if that's your choice, the only people who can choose to do that are people who could afford it. Absolutely wrong, and I can attest to that as somebody who, in the first instance, had that option because of a publicly funded trial.

Later, my other two children were not born under a publicly funded trial, sadly, so we did have to go through that process of out-of-pocket expenses. At that time, there was a kind of dodgy situation around insurance, quite frankly - and certainly not two midwives; all my births were with one midwife each time. It's quite a difficult proposition.

What we're looking to ensure here and what this motion speaks to is to ensure that every woman who wants to make the choice to have a safe, affordable home birth can do so either through a publicly funded option or through a private option, that that birth can be attended by two wonderful, qualified, appropriate midwives, and they support each other and the mother,

and that we can ensure that that's not a bandaid solution, but a long-term, proper solution to this issue.

Clearly, we've known about this issue for a long time. When we've known for 18 months that this deadline was looming, why does it take an 11th hour desperate stretch to find some apparent bandaid solution to maybe get us past this crushing deadline and into a feasible way forward? I don't know, the fact that it's a women's health matter might be some clue to it. All too often, we find that women's health matters don't get prioritised and don't come to the top of the list when it's time to be sorting out regulatory barriers, for example.

I take the member for Rumney's point; Tasmania is probably particularly affected here because of our regional nature and the fact that we have a smaller population and our midwives are probably not being able to accumulate the hours required for some of these requirements as readily as in other states.

I'm so frustrated that we find ourselves here at this stage. I hope that the government is doing all it can to help find a way forward that gets us past this 31 December deadline and puts a solution in place to carry us forward until something permanent can be done about this.

Quite frankly, why wasn't it done already? Why wasn't the minister putting this on the agenda much earlier than 11 December meeting that's upcoming? Maybe she was, I don't know, maybe she wasn't, but if not, why not? This was a known deadline.

That's really the contribution I want to make. This is a matter of fundamental women's rights. It's about bodily autonomy. It's about choice and control over your options, your health options at an incredibly important, fundamentally forming time in your life, when you're pregnant and going to be giving birth. I do believe that we need to make sure all options are open for women. I find it quite disturbing to see that there's still plenty of people who want to tell women how they should give birth at a time that, quite frankly, we're seeing probably the highest levels of birth trauma ever, actually. So many women who do have a hospital birth experience go through intense birth trauma and come out the other end of it quite harmed with PTSD and the like. It's important that, for women who wish to and can be supported to, we make sure that options are there if they wish to choose something other than a hospital birth.

With that - that was a somewhat chaotic contribution - but I'm really pleased that we're debating the motion. The member for Murchison's put so much on the record about it and that this sensible amendment's been made to it, and I fully support the motion.

[5.25 p.m.]

Ms ARMITAGE (Launceston) - Mr President, I too thank the honourable member for Murchison for bringing forward the motion. I'll just make a few brief remarks.

Birth and birthing choices are all extremely personal journeys, and they require mothers and families to seriously consider what they want and what choices are available to them. Giving birth and delivering babies takes an enormous toll on a woman physically, mentally, emotionally and, in many cases, financially, whether they occur in a hospital or healthcare setting, at home, or even in other places, which might be significant. To this end, the services of privately practising midwives are often highly valuable, valued and sought after. Their knowledge, their skills and experience have an enormous impact on the birth experience of a

mother and baby, and a good outcome. A baby being delivered safely, healthily and happily is typically due, in no small part, to the incredible work that midwives do.

As the honourable member's motion states, the exemption that enables privately practising midwives to attend homebirths without professional indemnity insurance ends on 31 December 2026, just over a month away. As I mentioned, much depends on the safe and healthy delivery of babies and the wellbeing of mothers, no matter what setting they occur in. With a major health and life event like giving birth, there are inherent risks and receiving the best care possible, having attention paid to emotional and mental wellbeing, is also of utmost importance.

I noted recently, the experience of Lauren Ford, as reported in the *Examiner* newspaper. Her experience after having her first baby in a conventional hospital setting was, as she describes it, traumatic, and had a significant effect on her wellbeing and that of her first baby. Ms Ford recalls being passed around doctors for weeks during her first birth experience, which affected the continuity and, therefore, the quality of the care she felt she received. The experience was such that she opted for a homebirth for her second child and stated that each birth really affected how she went into motherhood. The second time she went into it really positively and felt like she had a lot of support and care. Clearly, having the option of a homebirth can have significantly positive outcomes for mothers and babies, and this can affect the start of life care for little ones and their families.

The federal government changes will require that there are two midwives present at home births, and from January both will need to be endorsed through extra training and 5000 hours of work if they are to qualify for professional indemnity insurance. Secondary midwives had previously been exempt from the requirement. As the honourable member for Murchison's motion notes, the only insurance product available is for endorsed midwives, and fewer than 5 per cent of midwives are endorsed. Additionally, given that every homebirth needs a second midwife and that midwife is usually not endorsed, up to a third of Australia's private midwives who offer homebirth may leave the profession. Many are arguing that this will leave expectant mothers and families with far fewer options for birthing arrangements. These choices for mothers are deeply personal, and removing them entrenches disadvantage for many women, babies and families here in Tasmania.

This is policy failure. Again, as Ms Shakes, an endorsed midwife, states in the *Examiner* article about Lauren Ford,

> If someone is choosing free birthing as their first preference, that really is their responsibility. But if they are choosing it because there is a lack of available options, or all the other modes of care are not accessible to them, then I believe that is a failure on the part of our health system.

I therefore note the honourable member's motion, and I concur that losing these midwives will limit women's birthing choices, especially in rural and regional areas, and increase the risk of birth without a registered health professional attending. I thank the honourable member for bringing this important motion forward, and I believe this is an important discussion to have for Tasmanian mothers, babies and families.

[5.29 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President. First, I'd also like to begin by acknowledging all our wonderful midwives in Tasmania who do an incredible job delivering maternity care across the state. The government acknowledges the member for Murchison and appreciates the opportunity to speak on this important matter by bringing forth this motion. It is an important matter of Australian Government's changes to national professional indemnity insurance arrangements and their implications for privately practising midwives. The Tasmanian government recognises the important contribution privately practising midwives make to continuity of care, maternity care choice and positive experiences for Tasmanian women and families. It's been interesting to hear of individual members experiences as they have provided a contribution to this debate. I won't share any of mine at this point in time. This issue has implications not only for Tasmania's privately practising midwives, but also for the women and families who rely on them for safe, continuous, personalised maternity care.

It is our understanding that the Commonwealth changes will mean that 1 January 2027 all privately practising midwives working in private homebirth will need to demonstrate appropriate professional indemnity insurance arrangements for their practice. However, the only existing professional indemnity insurance product in Australia is via the Commonwealth Supported Midwifery Practice Insurance scheme and is limited to endorsed midwives with the National Midwifery Board of Australia. While the intent of these reforms is acknowledged and supported, the effect may be the unintended reduction of the private homebirth workforce. We've certainly heard that highlighted here during the course of the debate. Stakeholders have raised concerns that the cost of available insurance may be disproportionate to the income generated and may potentially impact their capacity to continue. They've also highlighted that the current implementation timeframe has not provided sufficient opportunity for the workforce to transition successfully. In particular, Tasmanian stakeholders have identified challenges, particularly for midwives attending birth in a secondary midwife capacity. This cohort plays a crucial role in supporting safe homebirth services.

Midwives in homebirth traditionally work in pairs and many second midwives provide this care on an occasional basis and are not endorsed midwives. This means that second midwives will not be able to acquire professional indemnity insurance. Of particular concern is the impact these changes may have on the future pipeline of endorsed midwives. Currently, many endorsed privately practising midwives provide mentorship to less experienced midwives through the second midwife attendance, and midwives who have not yet met the clinical practice requirement of 5000 hours for endorsement may no longer be able to participate in this mentorship model. It is for these reasons that the Australian College of Midwives has called for a further 12-month extension of the exemption for professional indemnity insurance. This will provide additional time to address workforce readiness, training and insurance arrangements without compromising access to care for women and families. A further 12 months would allow more midwives currently working toward endorsement to meet the necessary requirements, maintain critical mentorship arrangements and support the profession, while broader views of endorsement pathways and practice-hour requirements continue.

I can confirm the Minister for Health, Mental Health and Wellbeing wrote to the Assistant Minister for Health and Aged Care in early November requesting the federal government consider an extension to the professional indemnity insurance arrangements. I'll take the opportunity to read that letter, and it is addressed to the Honourable Rebecca White MP,

Assistant Minister for Health and Aged Care, Assistant Minister for Indigenous Health and Assistant Minister for Women,

Dear Assistant Minister White,

I'm writing to highlight concerns raised with me about the upcoming cessation of the Professional Indemnity Insurance (the PII) exemption for midwives providing intrapartum care on the 31 December 2026. This follows concerns raised with me by Tasmanian privately practising midwives, the PPMS, and the Australian College of Midwives, the ACM, about the potential impact of this change on access to private home birth services in Tasmania.

I acknowledge the Australian Government's significant investment in supporting the private midwifery workforce, including the expansion of the Midwife Professional Indemnity Scheme (MPIS) to cover home birth, improved access to Medicare benefits schedule items, and improved Pharmaceutical Benefits Scheme (PBS) arrangements. These initiatives, together with the introduction of scholarships to strengthen the primary healthcare workforce, represent important progress in enabling midwives to practice to their full scope and improve women's access to maternity care.

While these initiatives are welcome, Tasmanian stakeholders have identified challenges associated with the transition to the new PII requirements, particularly for midwives attending home birth in a secondary midwife capacity. Many provide this care on an occasional basis and are not endorsed midwives. For some endorsed midwives providing second midwife care, the cost of available insurance is disproportionate to the income generated and may potentially impact their capacity to continue. They also highlight potential unintended consequences on workforce development as some experienced PPMs provide mentorship to less experienced midwives through the second midwife attendance. Midwives who have not yet met the clinical practice requirement of 5000 hours for endorsement may no longer be able to participate in this mentorship model. The availability of second midwives to attend private home birth is an important consideration in the service model and enabling access is important in avoiding any potential increased risk of freebirth, where women give birth without a registered health professional in attendance.

The ACM has indicated that a further 12 months will provide time to address workforce readiness, training, and insurance arrangements. Your consideration to grant a further extension to the exemption will assist midwives with the transitional arrangements required and mitigate potential unintended consequences for access to private midwifery and private home birth services. Thank you for considering this matter.

Yours sincerely,

Bridget Archer, the honourable Minister for Health, Mental Health and Wellbeing

Mr President, I thought that was important to have that on the public record. In addition, an extension would allow governments, regulators and the profession to continue working together to build a strong and sustainable privately practising midwifery workforce for the future. I understand this would need discussion at the national level and, therefore, the Minister for Health will be adding this to the agenda for urgent discussion and resolution at the Health Minister's meeting scheduled for 11 December 2026.

In the meantime, the Tasmanian Government's focus remains on strengthening and growing Tasmania's midwifery workforce, which includes supporting more midwives to obtain endorsement. This includes developing endorsement pathways, growing continuity of care models, providing scholarship opportunities for midwives seeking to become endorsed, supporting workforce development initiatives and actively engaging in national reform processes relating to midwifery practice and regulation. The Department of Health has also consulted on a new Tasmanian public home birth program, with a discussion paper released last year, and work is underway on the next steps, which is also a long-term action in Midwifery Matters Tasmanian Midwifery Workforce Strategy 2025-2030.

In closing, while professional indemnity insurance arrangements for privately practising midwives sit with national regulatory and funding frameworks. The government does agree that a 12-month extension is warranted and have already engaged with the Commonwealth advocating for this, which is in line with this motion. This would support continuity of care for women and families, maintain access to safe and regulated homebirth services, enable more midwives to become endorsed and provide time for workforce development initiatives and ongoing national reviews to be completed. The Tasmanian Government will also continue to engage with professional bodies and the midwifery profession to ensure Tasmanian women have access to safe, high quality and appropriately supported maternity care options. The government thanks the honourable member for Murchison and notes the motion.

[5.40 p.m.]

Mr GAFFNEY (Mersey) - Thank you and just a brief contribution, and it was pointed out to me by a person who I've been involved with the firearms bill and he actually sent me an article, a media release, that Phillip Bigg, independent, with Kelly Hudson and midwife Rowena Shakes released last week to support the honourable member for Murchison's notice of motion, and it is with some pleasure that I'm able to contribute here, and I'm just going to quote a bit because I don't want to go back over information that we've already heard, but it was quite pertinent because he said,

> Removing the registered midwife does not stop a woman deciding to birth at home, it just removes the qualified person who could otherwise be there.

And then this is what resonated with me.

> It is disappointing that males in politics almost never advocate for women's reproductive health. I'm determined to change that. I've been raising midwifery access, rural maternity and birth rates for years because it hits families in places like the Derwent Valley. Failures here are part of why fewer people have children, ABS 2025 for Tasmania's fertility rate at 1.568, highest in the country, still well under the 2.1 we need to hold our own. Better

> options, less trauma and real continuity are the practical way to give people confidence to start or grow a family.

Just a little bit more, it says,

> Bringing back the postgraduate Diploma of Midwifery at UTAS is a step, it's only for registered nurses who already have a degree and must be employed in a midwifery unit while they study. Other states have a direct Bachelor of Midwifery; we still do not. If we want more midwives, we need that pathway, just not the postgraduate option for nurses.

And I thought it was important to put that on the record, and whilst Mel and I were not fortunate to have children, I do have three nieces and nephew and they're doing quite well with three grand-nephews and five grand-nieces. So, thank you Phillip for reminding me that as a male in this place we need to also support the reproductive health and maternal instincts of our other parts. Thank you.

[5.43 p.m.]

Ms FORREST (Murchison) - I want to thank honourable members for their contribution. I appreciate the Leader's contribution and the letter that the minister has written. I think it just helps; public advocacy is really important in this space. I've been doing it for more years than I want to remind people, well before the member for Montgomery was born, and I think these things often get brushed over and pushed down and there's, in many people's views, much bigger issues, but this is a critically important matter, and for any woman who is pregnant and planning a homebirth and has their birth due anytime around the end of December, right through the next few months into 2027, needs that comfort, and I hope, sincerely hope, that this will - not this motion itself - but there will be action on this. But I think it's important that we play an active and public role in this, and I look forward to perhaps some information from Rowena soon to say that it's been sorted. Because I certainly hope it has, because I know she'd have women in her care at the moment who are feeling very anxious.

So, I appreciate the support of the motion.

Motion, as amended, agreed to.

STATEMENT BY PRESIDENT

Adviser to be Present During Committee Stage of Bill

Honourable members, before we proceed with orders of the day, by the authority of the Chair during the Committee stage of the member for Hobart's Bill, I allow an adviser for the honourable member for Hobart onto the floor of the Chamber.

CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

In Committee

Clauses 1 to 3 agreed to.

Clause 4 -
Interpretation

Madam CHAIR - There are two separate matters here, so we will do the first amendment and then the second one separately.

Ms RATTRAY - Certainly, on your advice, Madam Chair.

I move amendment to clause 4

First amendment, page 10, subclause 1

Definition of 'injury' -

after paragraph B, *remove* text of 'definition' before 'whether temporary or permanent'

insert instead 'that is serious or substantial'

In speaking to that, Madam Chair, before I begin my contribution, I acknowledge the opportunity to be able to present these amendments, and I acknowledge the honourable member for Hobart who has been exceptional in working with me to allow me to provide some feedback on amendments. I want to put that on the record before I begin. I know that she's been admirably supported by Thomas, so thank you.

The reason this amendment is intended to require injury to be serious or substantial, whether temporary or permanent is that it reflects the Tasmania Law Reform Institute's findings concerning severe and lasting harm from conversion practices, and supports the bill's protective purposes by focusing provisions that depend on injury on significant physical or psychological harm. The threshold makes clear that minor or trivial effects are insufficient.

Further, I acknowledge that these amendments have certainly been brought to me by members of my community who have some concerns around the bill, so I agreed to progress some of these. I think it's important that we acknowledge this in this particular arrangement.

Again, including the words 'serious' or 'substantial' in the definition provides an important safeguard, ensuring the bill appropriately catches abusive and coercive practices that cause genuine harm, while maintaining a proportionate approach to criminalisation. It's also important that the legislation is sufficiently clear about the nature and degree of harm required to engage the criminal law, particularly given the broad definition of practices captured by the bill. I have a few more things to add to that, but I look forward to other contributions on the amendment, so I'll leave it at that for now.

Ms O'CONNOR - Thank you, Madam Chair. We're quite comfortable with the definition as it stands, as was the House of Assembly. It's been informed based on evidence and diverse, extensive feedback from consultation. The offences in this bill have been constructed largely based on the offences in Victoria, where there have been no prosecutions in five years of operation. The offences are considered to already be a high bar, and we're not persuaded the bar needs to be raised even higher than that. For comparison for colleagues,

Queensland does not require injury to be demonstrated, nor does the Australian Capital Territory. New South Wales only requires mental or physical harm. South Australia requires serious harm for their harm offence but do not require any harm for their offence of taking a person outside of Australia for the purposes of conversion practice.

In short, the honourable member for McIntyre's amendment - and I appreciate that you have been approached by constituents and stakeholders and you are representing your community - but we're concerned this amendment would make Tasmania have the most barriers in the country for a prosecution. As we understand it, there haven't been any prosecutions thus far in Australia, so setting a higher bar than every other state is not justified.

I also note the amendment is intended to change the threshold from 'injury' to 'serious or substantial injury', but instead of replacing this term, amends the definition of injury to reflect a serious injury threshold. While we don't support the intent of this amendment, we note that we don't think it's a good approach to implementing the intent anyway, as it will lead to confusion. Again, I note that the amendment wasn't supported in the House for these reasons.

Ms LOVELL - Thank you, Madam Chair. I want to make a few comments. Again, I appreciate the member for McIntyre has made it clear where her amendments have come from her community and that she's putting forward that view and I respect that, but I won't be supporting the amendment. I think the level of injury, the level of harm is very subjective, isn't it? Who would get to decide whether it was serious or substantial? What is serious or substantial to one person might seem quite trivial to someone else, and I don't think anyone should be making that decision other than the person who's been impacted by the practices.

I also think, to a degree, it shouldn't matter whether there's any harm caused. We're sending a message to say those practices are unacceptable, whether or not there is any injury or any harm caused at any point, to me, doesn't matter. Any level of harm is unacceptable to me; whether or not there is harm is irrelevant. I won't be supporting the amendment.

Ms WEBB - Thank you, Madam Chair. I prefer to put my rationale for the way I'm voting on amendments on the record whenever I can in this place. I'm going to rise to say quite similar things to the member for Rumney, and that's that I thoroughly object to this amendment and won't be supporting it. I think it's quite clear that there's a very distinct proposition in the bill that for something to be a criminal offence there must have been injury that occurred. I don't think it is the degree of the injury that connotes whether it's a criminal offence or not. I think it's the fact that injury potentially has occurred. Clearly, it's a high bar if it hasn't actually come into play in Victoria at this stage. It's not something that is invoked willy-nilly and ends up with prosecutions going through the court system there. I don't think we would expect that to be the case here. The message in making it a criminal offence is to say it's entirely unacceptable to engage in conversion practices and to act as a deterrent for people for doing that. So, from my point of view the amendment misses the point and in fact again, probably comes from a place of people wanting to be allowed to continue to undertake conversion practices to some degree, and as I spoke about in my second reading speech, and I won't reprosecute here, but I'm pointing to it, any watering down of what's in this bill that allows people to continue to engage in conversion practices is entirely against the intent of the bill, it's against the human rights of the people who are being targeted by these practices and it's unacceptable and that's what we're saying with this bill.

Ms RATTRAY - I'm appreciative of honourable members placing on the record their thoughts in regard to this amendment and just to reiterate a couple of points, but certainly not labouring them in any way, because I absolutely believe that none of us in this place want to see Tasmanians subjected to abusive and coercive or harmful practices. So, it was an attempt to achieve a clear threshold that would help ensure the legislation operates as it's intended and is applied in a fair and proportionate way. So, I'll certainly be at the will of the House.

Amendment negatived.

Ms RATTRAY - I move the following amendment -

> Second Amendment, page 12, same subclause, after the definition of statutory authority, insert the following definition:
>
> > Suppress in relation to a person's sexual orientation or gender identity means to cause, or seek to cause, the person to deny, conceal, repudiate, or cease experiencing their sexual orientation or gender identity, but does not include of itself, a person's decision to refrain from sexual conduct or the fact that a person does not engage in sexual conduct.

In speaking to that particular amendment, this amendment is to again provide clarity and specificity to what is a broad and potentially ambiguous definition, and it's important that legislation creating criminal offences clearly identifies the conduct that is intended to capture. I acknowledge that the honourable member for Hobart had provided an extensive range of responses to the matters that were raised during the course of my contribution to the second reading debate and again this is at the request of those people in my community who were looking for clearer definitions and some clarification around those particular matters that they raised, and that I had the opportunity to speak to during the course of my contribution. So, I look forward to any contributions in regard to the proposed amendment.

Ms GLADE-WRIGHT - Look, I understand the concern being raised, but I'm not convinced that there is a problem here that needs fixing. Other jurisdictions have used the concept of suppression in their conversion practices laws without needing to define it in the way proposed here. If we begin defining 'suppress', the obvious question is why that word and no other ordinary concepts used in the provision. Ultimately, the bill is concerned with conduct undertaken for the purpose of changing or suppressing a person's sexual orientation or gender identity. I have not seen evidence that this wording has caused any kind of confusion elsewhere that would justify Tasmania departing from that approach.

Ms WEBB - Again, I put on the record that I won't be supporting this amendment. It is unnecessary. Unfortunately, I think the confusion here isn't about the definition or clarity of definition around 'suppress' or 'suppression', it's a lack of understanding of sexual orientation as a term. We again had a bit of this discussion during second reading contributions where people were mistakenly conflating 'sexual orientation' with 'sexual activity'. 'Suppression' here is about activities or practices designed to try to get people to suppress their sexual orientation, that is who they're attracted to, rather than sexual activity, trying to not engage in sexual activity which could be in relation to anybody that you might be attracted to. So, this is an unnecessary amendment.

Conversion practices are quite clearly defined here as being directed at changing or suppressing someone's sexual orientation: who they're attracted to, not their sexual activity: what they do with their attraction, so I won't be supporting it.

Ms O'CONNOR - Thanks to the mover and to the members for Huon and Nelson for their comments on this amendment.

We don't support this amendment for the reasons that were laid out very well by the members for Huon and Nelson.

'Suppressed' is not a complex term. In fact, I looked at the Cambridge dictionary definition and it simply means to 'end something by force; to prevent something from being seen or expressed or from operating the way it was intended to', so it's not a complex term, and much like 'change' or 'eradicate', it doesn't require a definition to appropriately interpret, and there's been no move for 'change' or 'eradicate' to be defined to any extent that there's confusion. It doesn't appear to be based on the misunderstanding of the word 'suppression' but rather not reading the word in the context of the other elements of the definition. Conduct has to be directed at a person on the basis of their sexual orientation or gender identity and for the purposes of suppressing a sexual orientation or gender identity. Suppression of forms of expression that are for a reason other than suppressing a sexual orientation or gender identity are not captured. The exclusion of a person's decision to refrain from sexual conduct or the fact that a person does not engage in sexual conduct, the inclusion of it, is problematic and it goes much further than clarifying the matter, and that's in line with the member for Nelson's comments. While we acknowledge there's a qualifier of itself, this is insufficient protection. For example, suppression of a person's sexual conduct, if done because the person is gay, to prevent them from being gay, can certainly of itself be a conversion practice. Under the bill as it stands suppression of sexual conduct is not captured in so far as it is not for the purpose of suppressing a sexual orientation or gender identity. The definition in the amendment potentially goes significantly further and might allow for the suppression of sexual activity for the purposes of suppressing a sexual orientation or gender identity, and we can't support this as it would have the effect of fundamentally undermining prohibiting conversion practices.

I note that to the extent that there's an intent to clarify that sexual conduct generally isn't captured we are prepared, as I've indicated to the honourable member for McIntyre and Leader for Government, that we are prepared to support a foreshadowed amendment to sexual orientation but, hopefully, will clarify matters for anyone who's concerned.

Ms RATTRAY - Obviously, I'm pretty good at reading the room and appreciate the opportunity to have that put on the record and certainly the contribution by the honourable member for Hobart, I think, really articulates for those who may be listening and to understand why there isn't any support for the amendment moving forward.

Amendment negatived.

Clause 4 agreed to.

Clause 5 -
Meaning of *conversion practice*

Mr GAFFNEY - Thank you, Madam Chair. In raising this issue, it was something I spoke about in the second reading speech, and with any piece of legislation, we're here to try and strengthen a piece of legislation or a bill. I want to put that on the record. I did raise the question, if you look at:

> (1)(b)(ii) inducing the person to change, suppress or eradicate their sexual orientation or gender identity.

I did raise this in my second reading speech, and I likened it to a stick-and-a-carrot effect. The carrot being inducing somebody to change, the stick being coercing. Inducing, according to the definition - I'm pleased the honourable member for Hobart went there - inducing is to cause something to happen or to persuade someone should do something, so it's the carrot.

Coercing is to force or pressure someone to do something against their will, using threats, authority, or manipulation. When I was reading this, I was thinking to myself that perhaps if (1)(b)(ii) said 'inducing or coercing the person to change, suppress or eradicate their sexual orientation or gender identity' may in fact have strengthened this clause. For the record, I know that that's been considered, and I'll just put that out there because I thought there is a difference in my mindset between an inducement and coercion.

Ms O'CONNOR - Thank you, Madam Chair. I thank the honourable member for Mersey for raising that question again. I did respond to it in the second reading reply. It's quite a reasonable question, but the way that the two paragraphs in clause 5 work is that, in 5(b)(i), in some ways, that's where the word 'coercion' might fit a bit better, because it's a direct act of trying to change, suppress or eradicate a person's sexual orientation or gender identity. That's a person or an institution targeting an individual on the basis of doing that. That would be coercive practice. 'Inducing' was chosen quite carefully because that's where a person might identify someone on the basis of their sexual orientation or gender identity and suggest, for example, they go off to a prayer group that, they're told, has very good history of 'praying the gay away'.

It's about how a person, in that inducing part, might in fact use some quite subtle psychological techniques to induce, to persuade a person that they need to go and fix themselves because they're wrong or they're sinful on the inside. We quite deliberately separated them out and chose the word 'inducing' because we think it's suggestive of 'let me take you to this place' or 'here's an address' or 'there's a number you can call and there's a priest who'll answer your call or a person who will pray with you to pray the gay away.' I don't know if that answers your query, but we're quite comfortable with the way they're set out in those two paragraphs.

Mr GAFFNEY - Thank you. I just wanted to have that for the record. I agree, I think 'inducing' means to manipulate the person in a friendly way, and I was just thinking situations where somebody in a position of authority could coerce, and I was hoping that that may have been in that, one I see as a carrot, and one I see is a stick. But if you're comfortable with it, I'm fine with that. I've raised it on the floor of the place and all good.

Ms RATTRAY - Thank you. I'll seek some guidance here.

Madam CHAIR - If you move the first amendment first, and then two and three together, because they're joined.

Ms RATTRAY - Thank you.

Madam CHAIR - I knew what you were going to ask, I could read your mind.

Ms RATTRAY - So, clause 5, first amendment

Page 12, subclause 1, after 'means a',

leave out practice or conduct,

insert instead sustained practice or course of conduct.

Obviously, this amendment is intended to ensure that an isolated conversation, prayer, act, or pastoral care, or other single interaction, does not by itself constitute a conversion practice, and the Tasmanian Law Reform Institute expressly adopted a course of conduct formulation, because a sustained series of acts or statements would ordinarily be required. Observing that a single statement is not likely sufficient for a practice; it's recommended criminal offence likewise defined a conversion practice as a course of conduct, and provided that conduct is a course of conduct where it is sustained or occurs on more than one occasion. Requiring sustained conduct therefore brings the bill more closely into line with the TLRI's recommended approach and provides a clearer threshold between conversion practices and isolated interactions. I'm happy to listen to contributions.

Ms O'CONNOR - Thanks, Madam Chair. We don't support this amendment, and I believe that there'd be a number of people with the lived experience of conversion practices who wouldn't support this amendment either. In our briefings the other day we, had the Uniting Church Rev Dr Liena Hoffman, who was very clear with us. It doesn't matter if it happens just once or it happens ten times or it's a pattern of conduct; just one instance of a person being told that they were born wrong, that there's something wrong with them, that they're full of sin. Just one instance of that can, and I'm sure has, caused lifetime harm. The Australian Capital Territory uses the language, 'a treatment or other practice'; Queensland refers to 'a practice'; Victoria uses the phrase 'a practice or conduct'; New South Wales uses the term 'a practice, treatment or sustained effort', and; South Australia uses 'a practice, treatment or sustained effort that consists of more than one event or occurs on more than one occasion'. I, personally, believe that the South Australian legislation is highly deficient.

On the TLRI report, great work that was initially undertaken, but that report was some years ago now, and this reform has evolved and we've got an opportunity here to have the best, and most reasonable and effective conversion practices prohibition in the country. The TLRI recommended a course of conduct with the qualifier -

> A person pursues a course of conduct if the conduct is sustained or the conduct occurs on more than one occasion.

The proposed change to the definition isn't reflective on any existing model. There's also no guidance on what makes a practice 'sustained' or conduct a 'course' of conduct, whereas South Australia and the TLRI recommendation made it clear that the conduct only needs to occur more than once, this could potentially be interpreted to go further than even that. Our definition is based on Victoria's, where there have been 16 reports in the past five years since

the legislation was enacted, zero investigations and zero prosecutions, which we think demonstrates that the definition does not capture an excessive range of conduct.

Madam Chair, these matters aside, we see no reasonable justification to give a free pass to a conversion practice on the basis that it only occurred once. We're not aware of any other illegal conduct that a person can commit against an unlimited number of people, so long as they just do it once.

Also, in respect of a criminal offence, the conduct needs to be intentional, it needs to cause injury and the person needs to be negligent as to whether or not they cause injury. The proposed requirement in the amendment is a bit like giving a person one free punch for an assault, a free pass they can use against an unlimited number of people.

The relevant factor is the injury, the negligence and the intention. How many hours or sessions they took to cause the damage is not relevant.

Given that intentionality, injury and negligence need to be demonstrated for an offence to meet the criminal standard, it's not plausible that a mere passing comment, a bit of ambiguous conduct or a very brief and limited conduct is going to be able to come anywhere near meeting all of this evidentiary burden and, as we know, no prosecution could occur under this bill should it pass without the consent of the Director of Public Prosecutions, so I strongly and with the greatest of respect kindly urge members to not support this amendment.

In some ways because we have the education and prevention framework in this bill, the amendment is counterproductive to that. It would mean that a person could be provided with an educative response or a facilitation process. Until that they couldn't, until they'd engage more than once in a conversion practice and that is not going to stem those behaviours, so we think that's fundamentally contrary to education and prevention and we would encourage members not to support this amendment.

Ms WEBB - I rise to put on the record that I won't be supporting this amendment, and I thank the member for Hobart for that very comprehensive response that sums up my objections to this amendment also.

The thing to remember here is that, yes, one instance can cause considerable harm. We only have to listen to survivors of conversion practices to know that. And on that note, I would like to take a moment to recognise in the Chamber with us today Renée Elliott who has been a strong, persistent advocate and is a survivor of conversion practice and has brought that lived experience voice. Thank you for being with us here in the Chamber today and for all your advocacy over many years on this matter.

Members - Hear, hear.

Ms WEBB - We only have to listen to the voices of lived experience survivors of conversion practice to know that you shouldn't be allowed that one punch essentially and then be able to take a second before you pulled up on it. And quite frankly, as I've said in numerous other times during this debate on this bill, this is just a back doorway to allow conversion practices to continue. This is just a way that people who engage in conversion practices, probably as a sustained practice or a pattern of conduct or behaviour, want to continue to be able to do that just because they might be able to pick off people one by one and do it once is

an abhorrent idea actually. Absolutely, we should shut the door on this right now and not follow the path of South Australia but follow the more indicated path of Victoria and other states who have not required a sustained practice or course of conduct, so I won't be supporting this amendment.

Amendment negatived.

Ms RATTRAY - I move -

That the Second Amendment, Page 13, Subclause 4,

Leave out - 'for the avoidance of doubt the'

Insert instead 'the'

That the Third Amendment, Page 13, Subclause 4,

After 'does not'

Leave out 'of itself'.

Speaking to those amendments: in the promotion of this bill it has been frequently asserted that there are protections for prayer, preaching and parental conversations, however the use of the avoidance of doubt construction is suggested that it undermines this assertion, and this means that the listed protections for prayer, religious teaching, pastoral care, parental guidance and other activities are not substantive exclusions from the definition of conversion practice. If those activities are found to satisfy the substantive definition in subsection 5(1), subsection 5(4) does not provide an exemption. The amendment therefore converts these provisions into genuine statutory protections so that conduct that parliament has expressly identified as protected is actually excluded from the definition of conversion practice.

Furthermore, in speaking to the next amendment, this amendment removes the limiting words of 'itself', which leave uncertainty about whether otherwise protected conduct may become conversion practice when repeated, and again, the Tasmanian Law Reform Institute and I acknowledge that the honourable member for Hobart made some comment about it being an older report.

> (I) Emphasise that reform should not affect legitimate statements and expressions of faith or interpretations of religious doctrine and separately recognise the importance of protecting conduct legitimately and principally pursued in the exercise of protected rights

and the fact that a prayer occurs twice should not make it any less protected. So, again, I appreciate the opportunity to have those amendments put forward and for the opportunity to speak to them, put a suggested pathway on the public record, and also appreciate the opportunity that members have to make a response to those.

Ms GLADE-WRIGHT - My statutory interpretation skills are starting to get better and I thank Rodney Croome for helping me out with this one. So, I'm opposing this amendment because the words 'of itself' are important to the operation of this provision. They make it clear

that an individual prayer, sermon or expression of religious belief does not, simply by occurring, constitute a conversion practice but that should not mean that the same conduct can never form part of a conversion practice when we look at the circumstances as a whole.

Removing the words 'of itself' risk turning this protection into an absolute exemption, rather than requiring us to look at the purpose, context and overall course of conduct. The context and purpose still need to matter and removing those words would risk taking that nuance away. I do not think that is what the bill should do, and for that reason I cannot support the amendment.

Ms O'CONNOR - Thanks to the honourable member for McIntyre. Look, we'd argue that there are strong protections for prayer, religious teaching, pastoral care, parental or guardian conversations in this clause so long as those practices of themselves are not undertaken with the intent to change, suppress or eradicate the person's sexual orientation or gender identity. I thought it was very well explained by the honourable member for Huon and on the inclusion of 'itself', that's been talked about a number of times through the debate on this bill, but just for the benefit of the honourable member for McIntyre's understanding, the Tasmanian Law Reform Institute report did not recommend the inclusion of the words 'of itself.'

What they recommended were the words 'conduct that amounts to no more than.' So it's a slightly wordier way of saying the same thing in the TLRI's report. So we don't support these amendments obviously. The provisions in Clause 5 of the bill are intended to provide qualified avoidance of doubt and the proposal to turn these into outright exemptions would potentially, and in fact almost certainly, allow for a wide range of conversion practices to occur.

The paragraphs were drafted based on the opening phrase, which includes 'of itself' and 'for the avoidance of doubt'. The paragraphs are just not fit-for-purpose with the proposed amendments. For 'outright exemptions', a clear indication of specific criteria would need to be identified. The broad and large list of conduct in clause 5(4) is not specific enough to serve this purpose. The lack of any qualifier would make this clause go considerably further than intended and create the potential or the risk for this clause to create outright exemptions to verbal conversion practices in religious settings or from guardians. This would go considerably further than any legislation in the country and we believe it would fundamentally alter and undermine other bills, so we encourage honourable members not to support this amendment.

While I'm on my feet, Madam Chair, and thank you to the honourable member for Nelson for shouting out to [INAUDIBLE 6:26:04] who's here. We also have, joining [TBC] in the Chamber today, [TBC's] wife Claire Elliott, [TBC] and Claire's support person and friend, [INAUDIBLE 6:26:04]. Of course, we have the wonderful Rodney Croome in here and Amilie Courtney, and I apologise to the people who I haven't named, but I don't have my spectacles on. You all look fantastic, by the way, but I couldn't possibly know you all at this point. But maybe we'll fix that before the end of the committee stage of the bill.

Anyway, I encourage members not to support these amendments to clause 5 because they'll fundamentally alter the bill really, to the extent that it would be a bill that provided for ongoing conversion practices. So, we encourage members to not support the amendment.

Ms WEBB - Madam Chair, just for consistency, I rise to say I won't be supporting the amendment. It fundamentally changes the whole intent of the bill, as the member for Hobart has just said to us. In fact, it just leaves a back door wide open for conversion practices to

continue to be undertaken under those particular circumstances. The words 'of itself' are the absolute crux of this particular clause. For the avoidance of doubt, those things of themselves aren't conversion practices, but if they're done in alignment with the definition under 5(1), they will be and we must ensure that that is clear, which I think the bill achieves very well. I won't be supporting the amendment.

Amendment negatived.

Clause 5 agreed to.

Clauses 6 to 8 agreed to.

Clauses 9 to 11 agreed to.

Clause 12 -
Offence of engaging in one or more conversion practices that cause injury

Ms RATTRAY - Clause 12, first amendment

Page 20, subclause (1), paragraph (c) after 'the person'

Leave out 'is negligent'

Insert instead 'intends to cause injury to the recipient by engaging in the conversion practice or is reckless'

Second amendment

Same page, subclause (2), paragraph (c) after 'the person'

Leave out 'is negligent'

Insert instead 'intends to cause injury to the recipient by engaging in any or all of the conversion practices or is reckless'

Speaking to those amendments, Madam Chair, this amendment raises the fault requirement for the criminal offences from negligence to intention or recklessness. As drafted, a person may commit an indictable offence without intending injury or consciously disregarding a known risk or injury. The Tasmanian Law Reform Institute recommended a substantially higher threshold with criminal liability reserved for serious conduct where the person knew or was reckless as to the risk of serious harm. The amendment, therefore, better reflects the level of personal culpability appropriate to a serious criminal offence and brings the provision closer to the TLRI's recommended model. And again, it's an opportunity to place those on the public record and have the honourable member respond and even have honourable members who have taken very good advice from people we know well and have that on the public record as well.

Ms O'CONNOR - Madam Chair, we don't support this amendment. A lot of thought has gone into the language, particularly in this provision, because it relates to criminal offences. So, 'recklessness' requires that a person has an awareness of a relevant risk, whereas

'negligence' is a standard based on whether a reasonable person would be aware of a relevant risk. Part of the nature of conversion practices is that practitioners often refuse to accept the evidence of harms and the risks of conversion practices. I've no doubt that some people who undertake these practices tell themselves they're doing a good thing, but they're not. They're causing harm; therefore, a recklessness threshold, in our view, would not be appropriate for a conversion practice offence. In the same way, we don't think it likely that people who undertake conversion practices do so with the belief that it will cause injury. The proposed amendments from the honourable member for McIntyre effectively give people a free pass to conduct a conversion practice and to cause injury merely because they falsely believe that their conduct was not injurious. In our view, this is not justifiable and I'd encourage honourable members not to support this amendment. This also threshed out downstairs, Madam Chair, so I hope that this amendment is not supported.

Ms RATTRAY - Madam Chair, just a point of clarification. I know the honourable member for Mersey often gets up and says in this place we've got a lot of people potentially watching and it's good to have something fully explained, so I appreciate the honourable member for Hobart's response, but I'm just interested: The original draft of the bill adopted a recklessness standard and it's unclear why that threshold has subsequently been lowered to negligence. So, if the honourable member would be of a mind to respond to that, again, I think for completeness, that would be useful.

Ms O'CONNOR - Madam Chair, thanks to the honourable member for McIntyre for the follow-up question. To be clear, that recklessness requires an understanding that the conduct will cause injury. Our original drafting of the bill did indeed have 'recklessness' in it, but it was one of several standards that could be met, and they were joined by 'or,' now they're joined by 'and.' We took some advice from the Office of Parliamentary Council as well as feedback from stakeholders on the whole offence section here and we thought it was appropriate to reflect the Victorian offence and mirror Victoria's legislation.

I mean, if this amendment was accepted by the Council, it would actually make obtaining a prosecution for a conversion practice under this act prohibitively difficult. So, given that the Victorian legislation has been in place for five years, it uses the language that we use in this one, we think that we've struck the right balance.

Ms WEBB - Briefly, I rise to say I won't be supporting this amendment. Thank you to the member for Hobart for the very good explanation there, particularly around why things changed from the draft version of the bill to this final version of the bill. To me, it's quite clear that using the word 'negligent' requires that the person take responsibility for their actions. It requires that they be informed about the action they're taking and the likely evidence-based impact that it's going to have on the person that they're directing the activity to.

So, I'm very comfortable that we have negligent as the standard rather than reckless because, as the member for Hobart has said, if the person doesn't accept that what they're doing is a harmful practice in the first place, they cannot be found to be reckless in engaging in it. So that's a very good change from the draft to the final bill and I'm pleased that consideration was given to it. I won't be supporting the amendment.

Amendment negatived.

Clause 12 agreed to.

Clause 13 agreed to.

Clause 14 -
Offence of taking person from Tasmania for conversion practice

Ms RATTRAY - I won't be putting this amendment forward because I've also taken some Office of Parliamentary Council advice and obviously Clause 14 contains the fault elements equivalent to those in Clause 12 and I'm not here to be obstructionist, I'm here to put on the record some concerns that were raised and legitimately raised. So I won't be proceeding with the amendment to Clause 14. Thank you.

Clause 14 agreed to.

Clauses 15 to 18 agreed to.

Clauses 19 to 22 agreed to.

Clauses 23 to 25 agreed to.

Clauses 26 to 29 agreed to.

Clauses 30 to 33 agreed to.

Clauses 34 to 37 agreed to.

Clauses 38 to 41 agreed to.

Clauses 42 to 44 agreed to.

Clauses 45 to 47 agreed to.

Clauses 48 to 51 agreed to.

Clauses 52 to 55 agreed to.

Clauses 56 to 59 agreed to.

Clauses 60 to 63 agreed to.

Clauses 64 to 67 agreed to.

Clauses 68 to 71 agreed to.

Clauses 72 to 75 agreed to.

Clauses 76 to 80 agreed to.

Schedule 1

Ms RATTRAY - I move -

Page 84, Schedule 1, Amendments to the *Anti-Discrimination Act of 1998*, subclause 1(A)(a),

leave out 'or intimate or sexual relationship with'

and subclause 1(A)(b),

leave out 'or intimate or sexual relationship with'

And by way of explanation -

Madam CHAIR - Just a moment.

Ms Webb - I think we've got a different version.

Ms RATTRAY - I've only ever had version number one.

Ms O'CONNOR - 11.10 a.m., 17 November?

Ms RATTRAY - I've got 12.43, 16 November.

Madam CHAIR - I've stopped the clock. Could you just bring your amendment to the table, please?

Ms RATTRAY - We always are thankful for the Clerks.

Madam CHAIR - Just do it again, if you wouldn't mind.

Ms RATTRAY - We're always thankful in this Chamber for our Clerks. So, I very much appreciate that, and I occasionally get ahead of myself, and I think I might have done then. So, I will start again.

First Amendment

This is Schedule 1, Page 84, amendments to the *Anti-Discrimination Act 1998*, Item 1, proposed new definition of sexual orientation, Paragraph A,

leave out 'or intimate or sexual relationship with'

Second Amendment

Same page, same amendments to the *Anti-Discrimination Act 1998*, same item, same proposed new definition, Paragraph B,

leave out 'or intimate or sexual relationship with'

And speaking to that, I apologise to honourable members, I had the original amendment that was sent with my explanation on it to OPC, and it came back looking a little bit different. They are the experts, and I will always go with that.

This amendment removes 'intimate or sexual relationship' from the proposed definition of sexual orientation, so that sexual orientation is defined by a person's attraction rather than by the relationships they enter into or refrain from entering into, including relationships with the definition risks collapsing the distinction between a personal sexual orientation and their decision about sexual conduct or relationships. That distinction is particularly important where a person chooses celibacy, faithfulness within marriage, or other forms of sexual restraint. Such choices concern conduct and relationships, not the existence of the person's underlying sexual orientation. Removing this wording therefore provides a clearer boundary between protecting a person's orientation and discussing conduct relating to sexual relationships. That's put forward, and I believe, and it may not still be the case, but there is some support for this amendment, but I'll certainly leave that to the honourable member for Hobart to clarify that.

Mr HISCUTT - Thank you, Chair. I appreciated the response from the member for Hobart in her second reading response to part of my speech. I think that justifies how it has been written but I also think that this amendment may make it that little bit clearer and I appreciate the member's answers given when this amendment was proposed.

I will be supporting this amendment as well.

Ms O'CONNOR - Madam Chair, as I've indicated, the Greens will support this amendment.

It was discussed throughout the second reading debate, and I did indicate that we would be supporting it through that debate. I want to provide a brief background again. Given the attention to this matter, I want to put some clear details on the record as part of this debate to provide for interpretive guidance in the event that the amendment either passes or does not, but I think it will pass.

The definition of 'sexual orientation' in the bill, paragraph (a) of the proposed definition reads:

> A person's emotional, affectional and sexual attraction to or intimate sexual relationship with persons of a different gender, the same gender, or more than one gender; and,

Paragraph (b) reads:

> A person's absence of emotional, affectional or sexual attraction to or intimate or sexual relationship with any person of any gender.

The construction of the definition makes it clear it's not talking about whether or not a person is in an intimate or sexual relationship, but what that person's sexual relationship is with a particular gender or genders. In other words, it refers to a person's sexual preference based on gender.

Likewise, the reference to 'gender' in paragraph (b) is a contrast to its parallel in paragraph (a).

I note similar interactions between definitions occur in Victoria where interpretive issues haven't arisen. In order to be interpreted contrary to how we've described it in the bill unamended, a court or tribunal would have to effectively interpret the definition to be trying to say that it covers any sexual relationship if a person happens to have a gender, and this would be, clearly, a counter-intuitive interpretation. If that was the intent of the definition of this bill, it would merely read, and I said this in my second reading reply, sexual relationship with a person as the phrase 'a different gender, the same gender, or more than one gender' would just be a long series of what would become functionally redundant language, and it would mean that the paragraph (b) 'of any gender' would also be redundant.

If there's any potential ambiguity, a court or tribunal will have regard to the purposes and objectives of the bill as well as the extrinsic material, including this debate, for example, describing what the bill will do.

I note that it's not the preference of some stakeholders for the phrase, 'intimate or sexual relationship with' to be removed, and I really respect that perspective. The Greens respect that position, and we've given considerable weight to it, so our support for the honourable member for McIntyre's amendment is informed by several matters.

First of all, we've been informed by discussions with honourable members prior to the debate on the bill, and during the debate, and we've taken those views on board which has been the way we've tried to deal with this bill from the very beginning.

We've also considered the definition in detail and are of the view that the removal of this phrase would not exclude any sexual orientation from the definition, particularly as sexual attraction remains a central element of the definition.

It is not the Greens' intention in supporting this amendment to in any way diminish the intimate or sexual relationship, or lack thereof, of any person of any sexual orientation, nor is it our understanding or intention that this would functionally change the operation of the definition.

We are, however, very aware of the need to avoid any potential for misinterpretation by ordinary members of the community. That's been a really important consideration for us during the process of this bill's development and the debate. We understand how potential misinterpretation could arise, and appreciate some of the explanations of why this misinterpretation is not the case can be quite complex.

For the purposes of clarity and simplicity, we're supportive of this amendment. It simplifies the language so that we avoid any, hopefully, potential for misinterpretation. I thank the honourable member McIntyre for bringing this amendment forward, and we're comfortable supporting it.

Ms RATTRAY - I'd just like to acknowledge the honourable member for Hobart and the Greens party for considering the amendment and the discussions that were had with honourable members during the course of bringing this bill to the House, and also the discussions that we've had with stakeholders through the course of preparing these amendments as well.

I very much appreciate the honourable member for Hobart, and acknowledge the rise and support by the honourable member for Montgomery. Very much appreciated. When you're a lone voice in this Chamber, it's not always easy, so it's very much appreciated. Thank you.

Ms O'Connor - Doesn't happen to you very often, though.

Amendments agreed to.

Ms RATTRAY - I just want to advise honourable members that I won't be proceeding with any further amendments. I very much appreciated the opportunity to put forward what I felt was important. I mean, we sometimes put forward amendments that have been suggested by other people, but at the end of the day, the honourable member who puts forward those amendments has to also believe in them and has to support them. I'm not progressing with any further amendments, and I acknowledge the honourable member for Hobart. Again, the work of her great support, Thomas, and the appreciation to all honourable members of this Chamber who have allowed me the opportunity to progress these amendments on behalf of the people who I represent.

Schedule 1, as amended, agreed to.

Schedule 2 agreed to.

Title agreed to.

Bill reported with amendments.

[6.54 p.m.]

Ms O'CONNOR (Hobart) - Before I do this, I thank everyone in this Chamber for what's been an excellent thoughtful and kind debate. I want to thank the people who've joined us from the community. I want to say what a great day this is for a kinder Tasmania and note that Dr Woodruff, my friend and colleague, is also in the Chamber.

Mr President, I move -

> That consideration of the bill as amended in Committee be made an Order of the Day for tomorrow.

Motion agreed to.

ADJOURNMENT

[6.55 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I support the honourable member for Hobart in the words she's just shared with the Chamber.

Mr President, I move -

That at its rising the Council adjourn until 11.00 a.m. on Wednesday 25 November 2026.

Motion agreed to.

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That the Council do now adjourn.

The Council adjourned at 6.56 p.m.