



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 12 October 2021

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Tuesday 12 October 2021

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

LEAVE OF ABSENCE

Member for Clark - Ms Archer

Mr GUTWEIN (Bass - Premier) - Mr Speaker, I advise that the Attorney-General, Elise Archer, will be absent from the House today due to ill-health. I will be taking any questions on the minister's behalf relating to portfolios of Attorney-General, Justice, Corrections, the Arts, and Workplace Safety and Consumer Affairs.

QUESTIONS

COVID-19 - Preparedness and Ventilator Access

Ms WHITE question to MINISTER for HEALTH, Mr ROCKLIFF

[10.02 a.m.]

In Estimates hearings on 6 September, you claimed that Tasmanian hospitals have 267 ventilators in preparation for when we experience a COVID-19 outbreak, and a partnership with the Commonwealth will enable access to a further 100. How many of those ventilators, which are crucial to COVID-19 recovery, are currently sitting in storage in the state's hospitals? How many frontline health staff have been trained in the use of those ventilators to a level of life-saving expertise?

ANSWER

Mr Speaker, I thank the member for her question. The health and safety of all Tasmanians has been an absolute number one priority of this Government which the Premier, myself as minister for Health, and all ministers will continue. It has been a challenging 20 months through the COVID-19 pandemic. As a government, we have responded quickly to ensure we have the capability to respond to any future outbreak.

I commend the response of Public Health and other officials for the very good work they did in working through and tracing, and ensuring, to date, that all close contacts are negative, which is very good news. Given the nature of COVID-19, our health system, hospitals and intensive care units must be prepared to receive, care for and support the recovery of COVID-19 patients. A statewide COVID-19 ICU surge capacity plan has been developed. It aligns with other service-level escalation management plans and provides for a surge in ICU capacity for up to 114 beds statewide.

I am advised that Tasmania currently has 267 ventilators and all ventilators ordered early in the COVID-19 response have been received. As the member referred to, a further 100 Australian-made emergency ventilators are due to arrive soon, supplied in partnership with the Australian Government. When all ventilators are received, Tasmania will have

367 ventilators to support health services, noting that this figure may change slightly as equipment reaches the end of its life cycle.

As a government, we will continue to work on ensuring we are as prepared as possible and we remain committed to doing all we can to keep Tasmanians safe. To support the need, we have put in place multiple strategies to increase ICU capacity statewide, including measures to reduce routine demand, increase capacity infrastructure, increase associated equipment, ventilators, and increase the staffing and workforce requirements.

I have mentioned the partnership with the federal government and -

Ms WHITE - Point of order, Mr Speaker, standing order 45, relevance. The important question here is how many of our health professionals are trained in how to use the equipment the minister is referring to. I ask you to draw his attention to the question posed.

Mr SPEAKER - Obviously, I cannot do that. The minister is aware of the question. He has not concluded his answer yet and I cannot put words into his mouth.

Mr ROCKLIFF - Rather than the Opposition undermine the confidence of the health system and the very hardworking staff, when it comes to ICU ventilator capacity and required staff, training needs to be undertaken -

Ms White - So has it happened?

Mr SPEAKER - Order, Ms White.

Mr ROCKLIFF - It is crucial. We are as prepared as we possibly can be. Intensive and critical care is a speciality that addresses the life-saving and life-sustaining management of patients at risk of imminent death. An intensive-care bed space is defined as a ventilated bed space, staffed one nurse to one patient. It is important to note that ICU capacity will vary from time to time, based on the funding and operational factors, including staff. There are currently 34 operational, that is, funded and staffed ICU beds in Tasmania, comprised of 28 beds in the public system and six beds in the private system.

I commend the health team, the nurses and doctors who work so diligently and hard under very difficult circumstances throughout the last 20 months. Particularly, I commend the very challenging circumstances presented to the nurses and doctors on the north-west coast of Tasmania through the outbreak there and the work they have done. I have met a number of nurses who are still feeling the effects of the trauma associated with that time. I, as minister, and the department stand ready to support them in what are some very challenging times continuing.

COVID-19 - Preparedness and Trained Staff

Ms WHITE question to MINISTER for HEALTH, Mr ROCKLIFF

[10.09 a.m.]

You just said that, as a government, you are as prepared as you possibly can be. Yesterday, a senior health professional sent this message to the *ABC Mornings* program. I quote:

I am a senior nurse but cannot leave my name because of the public service consequences.

There is no way there are sufficient trained staff in Tasmania to care for an outbreak of COVID. The Health Department can have as many ventilators et cetera in storage but there are not enough trained staff to roster 24 hours a day to care for patients. ICU beds, hospital beds are full. Where on earth do these politicians get their information from? Certainly not from us working at the coalface.

The Premier has acknowledged that, and I quote: 'When we do reopen and travel again, Delta will arrive'. Do you stand by your claims that Tasmania is ready to treat patients and save lives when we experience a Delta outbreak of COVID-19?

ANSWER

Mr Speaker, in answer to the question: absolutely. The health team I work with, together in a team, from the secretary and the State Health Commander, Ms Kathrine Morgan-Wicks, throughout and across our health system keep our ears very close to the ground, particularly when it comes to capacity to deal with an outbreak of a pandemic.

The reason why we have been so diligent and fortunate in relation to COVID-19, particularly the Delta strain and keeping COVID-19 out of Tasmania as much as possible, is that we recognise the challenges to our health system should there be an outbreak. When you see what is happening in Victoria and New South Wales because of the pandemic outbreak, the hospitals in those states are at breaking point.

We recognise that the demand in our hospital system is increasing. That is why we have invested \$10.7 billion over the next four years in health to ensure we can cater for that increase in demand in ED presentations. We recognise there are challenges there. That is demonstrated through the Health dashboard, which we now release monthly to ensure that the community is informed of the challenges in the health system and to ensure we are accountable.

Included in that accountability is our elective surgery waiting lists. We are investing considerably more over the next four years than we committed to at the last election - \$200 million-odd more - with a plan for elective surgery that is patient-focused and clinically-led by the statewide surgical and perioperative team. We are planning not only for a COVID-19 outbreak but ensuring we have the capacity. I believe we have the capacity and I have detailed a number of -

Ms White - That is different from what this nurse said yesterday.

Mr ROCKLIFF - I am always willing to listen to health professionals. I have visited all four major hospitals and continue to engage with health staff. When they speak, I listen to them.

When you visit the emergency department in the Royal Hobart Hospital there are challenges. I have seen those challenges in operation. That is why we are bringing forward the expansion of the Royal Hobart Hospital emergency department. We are committed to

ensuring that we are as prepared as possible should there be an outbreak. We do not want to see the health demand challenges that have been experienced on the mainland.

We saw the impact of the pandemic on elective surgery. I come back to that again because non-elective emergency surgery was cancelled at the height of the pandemic to respond to the needs of the patients who contracted COVID-19. We must remember that 13 people died as a result of COVID-19 last year, which is an absolute tragedy. We want to prevent this in the future. That is why we have focused on developing plans to protect Tasmanians and meet the many challenges posed by the virus, including ensuring high levels of testing for COVID-19, effective contact tracing and quarantine capability, rapid response capability to plan for, prevent, manage and treat outbreaks, and promoting COVID-19 safety workplace and other strategies to reduce the risk of COVID-19.

We have done a tremendous job on the pandemic in this state. I commend the leadership of the Premier. I commend the leadership of the Health Commander, Kath Morgan-Wicks, and others throughout our health system who have worked so diligently. Their confidence needs not to be undermined by the Opposition that just wants to scare Tasmanians.

Minister for Resources - Approval of Mine Lease for MMG

Ms O'CONNOR question to PREMIER, Mr GUTWEIN

[10.14 a.m.]

Your Resources minister, Guy Barnett, has admitted he unlawfully approved a lease that allowed Chinese state-owned mining corporation MMG to block public access to public land in takayna. This illegal approval would have stayed in place and would not have come to light if not for the Bob Brown Foundation.

MMG had applied for a permit to mine gravel - clearly never the company's intention - yet your minister approved the lease nonetheless. Is it not true the reason your minister approved the permit was to collude with MMG to prevent people from exercising their democratic right to protest in defence of the Tarkine?

Why is the minister, so apparently casual about his obligations under the law and to act honestly and with integrity, still in your Cabinet?

ANSWER

Mr Speaker, I thank the leader of the Greens and member for Clark, Ms O'Connor, for that question. Another day, another Greens conspiracy. I know you have tried to get mileage out of it and you want to attack that mine at every opportunity and, in doing so, attack the people who work for that mine. That is the position you take and will continue to hold, regardless of what I say or anybody puts on the record regarding the facts.

Regarding the facts, MMG recently made application for a mining lease over an existing access track to its South Marion oak site under the Mineral Resources Development Act 1995. The application was assessed by Mineral Resources Tasmania, which provided a recommendation, advice, to the minister that he should accept that and sign, which he did. A lodging error in the application was then found by the department and immediate action was taken.

MMG's original application was made under an incorrect section of the act, section 78, and this error was not detected by Mineral Resources Tasmania. MMG subsequently submitted a new lease application under section 106 of the act, which is currently being assessed by MRT. The minister has expressed his disappointment regarding the oversight to the secretary and requested that a comprehensive review of the tenement application and assessment process take place as a result. That is already underway. Based on advice, the act allows for mining lease applications to be made to allow for access purposes. This is not uncommon practice.

The minister was provided with advice and he acted on that advice. A lodging error in the application was then found by the department and immediate action was taken. That is the end of the matter.

Liberal Party - Donations and In-Kind Support from Gambling Industry

Ms JOHNSTON question to PREMIER, Mr GUTWEIN

[10.17a.m.]

My question is very straightforward. I gave it to your office yesterday afternoon so that you had time to do the calculations. Over the past five years how much money and in-kind assistance has been donated to the Tasmanian Liberal Party and Liberal candidates, organisations, companies or individuals associated with the gambling industry?

ANSWER

Mr Speaker, I thank the Independent member for Clark for that question. Neither I nor my office are there to do your work for you. The Australian Electoral Commission has on its website the donations that have been received over the last five years. If you are serious about this and serious about being in this place, then you should do the work. That is on the public record. I advise you to have a look.

COVID-19 - Health Funding from Commonwealth Government

Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF

[10.19 a.m.]

Last week you said your Government supported other states in demanding your federal colleagues provide the states and territories with more funding to deal with the next critical phase of the COVID-19 response. You said the response from Canberra had been less than satisfactory. Since that less-than-satisfactory response, what further demands have you made on the Morrison Government to ensure the Tasmanian health system is ready and able to cope if there is an outbreak of Delta? What response have you received?

ANSWER

Mr Speaker, all state and territory ministers have written to the Commonwealth regarding additional support. We have received a letter from the Commonwealth which I am disappointed in, as would be many other state and territory ministers. All state and territory

ministers signed that particular letter. The acting health minister, Ms Courtney, signed it on my behalf with my very strong endorsement of what was expressed in the letter.

We will continue to lobby to receive additional funding relief for our health system, noting that the pandemic has created further demand challenges and the cost of healthcare has increased significantly through the COVID-19 environment, as I have already expressed.

I want to be very clear that we are as prepared as possible when it comes to a COVID-19 outbreak and that is not the issue here. What we are seeking is additional funding for hospital demand pressures and support for the management of COVID-19 cases in the community, noting that in states experiencing outbreaks, the bulk of COVID-19 patients are being safely cared for in the community through models of care such as Hospital in the Home. We are increasing our funding and commitment to Hospital in the Home. That was committed to at the 1 May election and is evident in the Budget as well. There is an example of where additional funds could be very well utilised.

Others include cost recovery for the care of all NDIS and aged care patients who exceed their date of clinical readiness for discharge, and funding for the recurrent cost of pop-up mental health crisis clinics given additional demand on mental health services.

It is Mental Health Week this week. The theme is 'awareness, belonging and connection'. I commend all members to the fact that it is Mental Health Week.

The pandemic is another example of increasing demand as a result of that, and that was reflected in the Premier's Economic and Social Recovery Advisory Council report. We will continue to advocate on behalf of all Tasmanians, as indeed all health ministers across Australia will continue to do, irrespective of which political party they belong to. We are prepared. Not only do we have the ventilator capacity, when it comes to the preparedness -

Ms White - No-one's trained to use them. Senior nurses are saying they're not trained.

Mr SPEAKER - Order, the member should be heard in silence.

Mr ROCKLIFF - We do have the staff capability as well, to assure the member. The Royal Hobart Hospital has 175 qualified and experienced nursing staff. The Launceston General Hospital has 95 qualified and experienced nursing staff, and the North West Regional Hospital has 33 qualified and experienced nursing staff. In addition to those nursing staff, there are other health professionals who possess transferrable skills in ventilation if needed in such areas as an emergency department, theatre, and anaesthetic recovery and retrieval.

If the question from the member is 'are we going to continue to advocate for more Commonwealth funding and support, given the pandemic environment', then, yes, of course we will. Every state health minister has been lobbying. I meet regularly with every state and territory health minister. I am getting an indication from other health ministers who have faced the crisis of the pandemic more acutely - in New South Wales, particularly, and Victoria - and the demand pressures that it is putting on their hospitals, in an increasing demand environment.

In the Budget, as demonstrated, we have \$10.7 billion-worth of investment into our health system over the course of the next four years. We do not want to have an outbreak and a crisis of a pandemic of any nature in Tasmania because that puts additional pressure on our

health system. We believe we have the capacity to cope with an outbreak in terms of staff, equipment and PPE and the like.

The cost of health, as a result of the pandemic, has increased. That is why we will continue to advocate for more funds from the Commonwealth on behalf of all Tasmanians.

COVID-19 - Vaccination Opportunities and Targets

Ms OGILVIE question to PREMIER, Mr GUTWEIN

[10.24 a.m.]

Can you outline to the House how this majority Liberal Government is delivering our plan to secure Tasmania's future, especially in relation to strong leadership in our response to the COVID-19 pandemic? Are you aware of any alternative approaches?

ANSWER

Mr Speaker, I thank the Liberal member for Clark, Ms Ogilvie, for her question and her interest in this important matter. On this side of the House we will not do what the Labor Party is doing, and that is playing politics with a pandemic.

With regard to COVID-19, we are providing leadership for all Tasmanians. While our systems worked well recently to detect that case in the north of the state, it also reminds us that COVID-19 remains and will continue to remain a risk to our state, our community and to our families. Our border restrictions and health systems can reduce but they cannot completely eliminate that risk.

Our best weapon to reduce the risk to all is to vaccinate. I say to all eligible Tasmanians, 'please roll up your sleeve and get the jab'. Our best protection is to get vaccinated and for every eligible Tasmanian to have the opportunity to be vaccinated. We are doing a number of things to provide every eligible Tasmanian with that opportunity. Vaccination teams have already visited our year 11 and 12 colleges, both government and independent. Vaccination teams will soon be going into a number of regional Tasmanian high schools to deliver Pfizer vaccines to students aged 12 years and over, as well as to staff and to parents.

This month, pop-up vaccination clinics are being planned for Bridgewater, Berriedale, Huonville, Oatlands, Ouse, New Norfolk, Scottsdale, Smithton, Wynyard and Risdon Vale. We will shortly be advertising the rolling-out of additional small town vaccination teams, targeting a number of areas where we need to lift the rates, such as Winnaleah, Beauty Point, Mole Creek, Railton, Redpa, Irishtown, Hamilton, Miena, Tullah and Strahan.

We recently achieved our first-dose target of 80 per cent for Tasmanians 16 years of age and over, and now more than 65 per cent of Tasmanians are fully-vaccinated. We remain on track to hit the 80 per cent fully-vaccinated mark in Melbourne Cup week. I say thank you to all Tasmanians who have rolled up their sleeve, but more need to do so. If we are going to reopen our border safely, we need to get the vaccination rate up.

I am aware that this period with COVID-19 has been a very real challenge for many Tasmanians, especially those who are separated from family and friends because of border

closures. I know this has been really tough for many people. Many people have written to me and I have spoken to many people about this - as I am certain that other members in this place have. It has been challenging, but we have been safe.

We remain on track to be in a position to open our borders before Christmas, subject to achieving our goal that all Tasmanians who are eligible have had the opportunity to get vaccinated, and reaching our vaccination target of 90 per cent for 16-year olds and over by 1 December with 12- to 15-year-olds also to be fully-vaccinated around the same time.

We will continue to learn from what is occurring in New South Wales which, while starting to reopen this week, still has more than 7000 active cases and is seeing about 400 new cases per day. Those new cases are expected to rise. We are keeping an eye on the deteriorating situation in Victoria where they have 19 000 active cases and are averaging about 1500 new cases each and every day.

Next week I will have specific modelling for Tasmania and we will release our plan to reopen our borders. Around the country at the moment, the conversation and the public discourse is about reopening, and about Victoria and New South Wales reopening. They are reopening their communities. They are a long way from where we are at the moment with regard to how we go about our daily lives. The density limits in New South Wales are twice what they are here in Tasmania. That means that only half as many people can go to a pub, a club or a restaurant. They have limits on funerals and weddings, and on how many people can go to your home. We are so far in front and they are doing everything they can to catch up to where we are, regarding the way that we go about our way of life.

The challenge for Tasmanians is to ensure that we get our vaccination rate up. I have made the point on many occasions that Delta will arrive here. It almost did 10 days ago but our systems stood up and Tasmanians were kept safe, but we need to be wary. Once the borders reopen, even with a high level of vaccination, we are going to see Delta arrive. We need to do everything we possibly can to ensure that we are prepared, which is exactly what we are doing on this side.

The most important thing, and my key message to Tasmanians today, is to get vaccinated. If you are having difficulties getting vaccinated, make contact so that we can ensure we can provide a pathway for you. We want to ensure that all Tasmanians have that opportunity because it is important. It is the one thing that will save lives. It will ensure that fewer people will get seriously ill. Importantly, it will enable us to reopen our borders and ensure we can have a more normal type of Christmas again, which I know many are looking for.

I was asked about other options. We have seen a display from the other side this morning -

Ms O'CONNOR - Point of order, Mr Speaker, standing order 48. I have resisted telling you how long he is speaking for but this Dorothy has gone on for six minutes. The first part was important; sledging the Opposition not so much.

Mr SPEAKER - There is no point of order.

Mr GUTWEIN - Mr Speaker, it is important that I contrast and compare. The first thing I would say to Ms White this morning is good job on getting your lot into the parliament sitting

next to each other today. After what has happened with the state conference, having to call that off and federal intervention on the basis that they cannot put Labor Party members in the same room together is simply extraordinary. Somebody compared it to the *Squid Game*, which is one of the most awful games that has ever been put on television, but there are many similarities in what is going on on that side.

Ms White's focus should be on assisting the Government to ensure that we get people vaccinated. It should not be trying to spread fear in the community. It should be working with the Government at this important time because Tasmanians have one of the best lifestyles in the country right now and we are doing everything we possibly can to ensure that continues.

Mr SPEAKER - Premier, you need to wind up.

Mr GUTWEIN - What we need to do is to get our vaccination rate up to those targets of 90 per cent. That will be our best chance to ensure we can reopen our borders safely and return our lives to somewhat closer to normal.

Poker Machines Bill

Ms O'CONNOR question to PREMIER, Mr GUTWEIN

[10.33 a.m.]

That was a seven-and-a-half minute Dorothy.

Premier, the story of poker machines in Tasmania is a tale of twin tragedies: the deep corruption of successive governments and the untold harm to tens of thousands of people. While premiers, treasurers and ministers have made backroom deal after dodgy backroom deal to line their donors' pockets, everyday Tasmanians have suffered the consequences. Pokies have directly caused financial ruin, homelessness, family breakdown, crimes of desperation and suicide.

The evidence is clear that taking pokies out of pubs and clubs will save lives and livelihoods but you have made your position clear: you value political power and gambling industry profits over people.

With the introduction of your proposed pokies legislation today, you will join the sizeable club of Tasmanian politicians who have let the promise of money and favours overwhelm the public interest. Regardless of anything else you do, your legacy will include the continuation of untold pain and suffering inflicted on Tasmanians. Are you proud to be the new author of indefinite pokies corruption and harm in Tasmania?

ANSWER

Mr Speaker, I thank the Leader of the Greens, the member for Clark, Ms O'Connor, for that question.

It is important that I put some facts on the record. Backroom deals? The legislation that will be in the parliament will be there for all to consider. It is extraordinary that you would make the claims you have.

In terms of support for others, that other premiers over time may have provided, we have just taken \$20 million off Federal Hotels and we have smashed the monopoly. That is what this legislation will do. It will smash the monopoly. It will put the future of small pubs and clubs in the owners' hands. It will enable them to invest and employ more people.

The other point that the Leader of the Greens walks away from - and I was hoping I would have some of these facts but I do not - but, from memory, I can tell you: the last social and economic impact study (SEIS) showed that the number of Tasmanians who gamble had come down. It demonstrated that the amount people were gambling had come down. It made the point that those who were at serious risk had come down. The harm minimisation measures are working. It is a fraction of a per cent - you know that - a fraction of a per cent of the number of people seriously at risk.

The Leader of the Greens ignores all these facts. Her policy position is that she wants to put all the pokie machines in the casinos, which is extraordinary, which would increase the casinos' revenue. Those who want to continue to gamble would simply turn up at the casinos. The Greens policy is ridiculous.

I reject very firmly the assertions made in the Leader of the Greens' question. I absolutely reject them. The legislation we introduce will provide a fairer system. It smashes the monopoly, it ensures that pubs and clubs do better, it ensures that the state government does better, and it ensures that we double the investment in harm minimisation as well.

I thought the Leader of the Greens could support these things but she remains wilfully blind to the fact that the harm minimisation measures we have in this state are as strong as anywhere in the country, if not stronger, and, importantly, are working.

I will finish by saying that I reject all of the assertions contained in that question.

Poker Machines Bill - Harm Minimisation

Mr STREET question to MINISTER for FINANCE, Mr FERGUSON

[10.37 a.m.]

Can you update the House on the majority Liberal Government's election commitment to implement our gaming policy and how the Government can strengthen gambling harm minimisation measures?

ANSWER

Mr Speaker, I thank the member for Franklin for his question. The Government will be implementing the commitments we made and that were voted for by the people of Tasmania, and we will be taking further steps in gambling harm minimisation.

As members would be aware, the Government took our Future of Gaming in Tasmania policy to the 2018 state election. The enabling legislation will soon be introduced to this House - indeed, today. The future gaming market policy is primarily about the structural changes we need to see in the gambling sector and smashing the Federal Group monopoly. Those who vote against it will be voting to protect that monopoly.

The policy means more money for essential services such as health and education, certainty and security for jobs in pubs and clubs, particularly in our regional areas and, as the Premier has just said, more support for problem gamblers and, ultimately, less for the Federal Group.

The Gaming Control Act 1993, currently in place, already sets out the framework for how harm minimisation in our state is managed. That includes the mandatory code of practice. It also establishes the independent Tasmanian Liquor and Gaming Commission, which is the police officer. It enforces and reviews the mandatory code on an ongoing basis.

I have previously reported to the House that the fifth SEIS into gambling in Tasmania has shown that key metrics continue to trend in the right direction. That is, the proportion of problem gamblers is down; expenditure on gambling is down; and player expenditure on pokies - electronic gaming machines - is also trending down. The Premier just said so.

Here are the figures: the prevalence of gambling in our state has continued to decline from 71.7 per cent in 2008 down to 58.5 per cent in 2017 and, most recently, down to 47 per cent in 2020. Tasmania has the lowest per capita expenditure on gambling of all the states at \$733 per adult compared with the Australian average of \$1277 - a big margin. I am pleased to see the trend down on problem gambling. An estimated 0.4 per cent of adult Tasmanians were classified as problem gamblers in that SEIS in 2020, based on the Problem Gamblers Severity Index, down from the previous report, where it was 0.6 per cent.

The Government's harm-minimisation strategy is working but there is always more that can be done to ensure the metrics continue trending down. The Government's future gaming market policy provides for big increases to the community support levy. This will double the funds available. The increased community support levy, which can only be achieved by passing the legislation, provides opportunities to explore new ways to enhance our harm-minimisation framework.

The Government has been engaging with industry, including the THA, as well as other key stakeholders in the community sector and churches on how we can further reduce gambling harm. The Government will be directing the Tasmanian Liquor and Gaming Commission to investigate further harm minimisation measures. Specifically, I will be directing the commission to provide a report, including options, costs and benefits, and implementation mechanisms for: first, facial recognition technology in hotels, clubs and casinos in support of the Tasmanian Gambling Exclusion Scheme; and second, a smart card-based client identification system for electronic gaming machines in hotels, clubs and casinos. I will also ask the commission to include in the report, after consulting with industry and the community sector, advice on potential options for the smart card-based client identification system to enable a pre-commitment system for users. This would allow for setting limits on gaming losses in advance. For the benefit of members, I table a copy of the draft direction.

The Government is looking to emerging technology to make a real difference. I am advised that facial recognition technology has already been deployed in New Zealand casinos, Adelaide SkyCity Casino and in South Australian venues with 30 or more EGMs. In our own state an enhanced card-based pre-commitment gaming model was implemented on 1 September for the premium player program operating in Tasmania's two casinos. Our state is looking to be nation-leading in gambling harm minimisation and areas that will work and support people who need that support.

The Government is providing strong leadership in gaming reform. We are implementing the policy that we took to the election and was voted for. We have also listened to the consultation and we will do even more to improve harm minimisation. The challenge and the test for members of this House, and the other place, will be will they respect the decision of Tasmanian voters? Will they support the Government's increase in the CSL, providing more funding for the community and problem gambling? Will they support the Government's plan to further reduce harm and problem gambling?

COVID-19 - Funding from Commonwealth Government

Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF

[10.44 a.m.]

You have asked the federal government for help to get Tasmania through the next stage of the COVID-19 pandemic but the Prime Minister has been clear that the ball is in your court. Scott Morrison said:

The pandemic has been running a long time now. The work that needs to be done, frankly, should have been done for the last 18 months.

In other words, he is not going to help. You say you are talking to the other state health ministers but have you spoken to federal health minister, Greg Hunt? Have you explained to the Prime Minister that our hospitals are in crisis already without COVID-19 and that without additional resources they will be stressed to breaking point if there is a COVID-19 outbreak?

ANSWER

Mr Speaker, if you want to see an example of hospital systems in crisis, look no further than New South Wales and Victoria. We are experiencing increasing demand pressures in our hospitals, which is evident through the recent dashboard, thanks to emergency department presentations and other pressures on our health system.

All state health ministers are united in seeking cooperation and collaborative action from the federal government to address demand pressures across a range of areas. Emergency funding from the Commonwealth to assist with hospital demand is an example, noting the recent expiration of the multi-lateral funding guarantee which provided a 50/50 contribution to hospital-based care. This needs to be extended for all states and territories. Consideration of other funding options, such as pausing the funding cap, would also provide a means to address several of the cost and demand issues that have been identified by all states.

I mention the funding for the community COVID-19 care including Hospital in the Home, which we are investing in, and increased support for general practitioner care for community COVID-19 patients is also being sought. These initiatives play a critical role in caring for COVID-19 patients and are funded entirely by the states. There is no Commonwealth contribution. This needs to change.

We have invested very heavily in the resources we need to ensure that Tasmania's capability and capacity to rapidly identify, respond to and manage any outbreaks -

Ms DOW - Point of order, Mr Speaker. Standing order 45, relevance. The question to the minister was about his correspondence to Greg Hunt and the Prime Minister following the state health ministers' correspondence. He has not answered the question.

Mr SPEAKER - That is not a point of order. Using points of order to repeat the question is disorderly and interruptive. The minister has the call.

Mr ROCKLIFF - In response to the Prime Minister, we have responded well and we are well prepared for the COVID-19 pandemic. We are seeking greater cooperation and collaboration from the federal government on these matters.

The key pillars of Tasmania's health system's preparedness are - and I would say this to the Prime Minister - ensuring high levels of targeted testing for COVID-19, maintaining public health capacity, including effective contact tracing and quarantine capability, maintaining rapid response capability to plan for, prevent, manage and treat outbreaks, and ensuring our hospitals are resourced, equipped, with staff trained and ready to provide the best clinical care we can for COVID-19 positive patients while maintaining other services, including emergency and elective surgery.

This includes assessment of health capacity to provide business-as-usual health services, surge capacity to respond to an outbreak, hospital bed capacity including reconfiguration plans for hot and cold emergency department areas, COVID-19 wards and ICU surge capacity and stockpile levels of PPE ventilators, blood products, medications and medical consumables.

Every state health minister is united in working with the Commonwealth, seeking the Commonwealth and advocating for additional resources for the Commonwealth.

Ms White - Have you talked to Greg Hunt? You said the response was less than satisfactory.

Mr ROCKLIFF - I do not know what the member is trying to play at here apart from undermining confidence within our health system. It needs to stop. An enormous amount of work has been done over the past 20 months to prepare for an outbreak of the COVID-19 pandemic.

I commend all our health professionals and all people within our department for the diligence, the hard work and dedication that they have displayed over the course of the past 20 months, which continues and will have to continue.

COVID-19 - Tourism and Hospitality Business Support

**Mr ELLIS question to MINISTER for TOURISM, HOSPITALITY and EVENTS,
Ms COURTNEY**

[10.49 a.m.]

Can you update the House on how the Government is securing Tasmania's future by providing strong leadership and support for Tasmania's tourism and hospitality businesses as we move from COVID-19?

ANSWER

Mr Speaker, I thank the member for his question. Tourism and hospitality businesses have experienced significant pressure through COVID-19. That is why this Government has provided more pandemic-related financial support per capita than any other state or territory.

The most recent of these is a \$70 million supercharged business support package that has already seen in excess of \$31 million being allocated in the first round to more than 2000 businesses, with a second round to follow in November.

In addition to this, the latest rounds of the highly successful and popular travel vouchers have seen in excess of \$3.4 million of value in accommodation and tourism experiences claimed, with a significant number of claims expected to be submitted in the coming weeks for travel during the school holiday period. This latest round, along with the previous two, has seen many Tasmanians exploring their own backyard and making themselves at home, which has generated tremendous support for our tourism and hospitality businesses throughout the state, through what has been a difficult period.

Tasmanians are enjoying their own state but also, on the mainland, Tasmania remains arguably the nation's most desirable destination, a mantle we have held for discerning travellers since before the onset of the pandemic, and all indications are that we will rapidly reclaim this standing. This will be aided by a number of factors, not least being the confidence that the three major airlines have shown in the state with a commitment to capacity, particularly on direct routes to both Hobart and Launceston.

To support the greater visitation to our state, I announce today that we are launching a new Tassie Holiday voucher initiative that will be offered to residents of South Australia, Western Australia and Queensland to encourage travel during the months of November and December to meet the immediate needs of the Tasmanian visitor economy industry. We will have more than 10 000 vouchers to the value of \$300 distributed through a ballot process, providing recipients with \$200 towards accommodation and \$100 towards attractions or tours. The voucher program is a collaboration with the federal Liberal Government which has provided \$3.054 million from the Recovery for Regional Tourism Program. The vouchers will be valid for travel between 4 November and 31 December this year.

Tourism Tasmania will be managing this initiative and we expect that up to 700 Tasmanian businesses will be involved in this activity. Tourism Tasmania will be communicating with industry, seeking their involvement with businesses able to register their participation from 18 October. It is projected that based on the 2019 visitation figures for November and December of that year, this activity will generate a spend of around \$25 million into our visitor economy during the travel period.

We will continue to provide strong leadership through our support for the tourism and hospitality industries which employ thousands of Tasmanians. This is in stark contrast to the other side. We know they have a leader in name only. They are in chaos. On this side of the House we continue to deliver for Tasmanians, continue to make sure we are delivering the policies we went to the election with, and on the other side we simply see a party that cannot govern itself.

COVID-19 - Emergency Departments and Increasing Demand

Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF

[10.53 a.m.]

Staff in Tasmania's emergency departments face calamity each and every day. The latest health dashboards released by your Government show that in August, less than half of all emergency department patients statewide were seen within the clinically recommended time frame, the worst it has ever been.

At the Royal Hobart Hospital, only 36 per cent of patients whose conditions were assessed as imminently life-threatening, were seen on time. Only 19 per cent of patients whose conditions were potentially life-threatening, were seen on time. Four out of five people who sought help at the emergency department with potentially life-threatening conditions, were not seen on time. This data shows our health system is already failing at a time when the Premier has acknowledged that when we do reopen and travel again Delta will arrive.

Last month you said these problems were the result of increases in demand. If we cannot cope with current demand, how will our emergency departments cope with a further surge in demand as a result of COVID-19?

ANSWER

Mr Speaker, I thank the member for her question. The data she read in her question is data which was presented in the monthly dashboard. We used to have to extract some of this information from RTI processes, including patient waiting lists, for example. I remember, as shadow health minister, having to RTI outpatient waiting lists, if memory serves me correctly, which points to the transparency of the previous government, the Labor-Greens government, which saw -

Ms White - Irrespective of how you source the data, it shows people's lives are being impacted because you are not doing anything.

Mr SPEAKER - Order, Ms White.

Mr ROCKLIFF - a nurse a day sacked for nine months. No wonder they were not transparent when it comes to the health system back then. We are being transparent. We are prepared to be held accountable for the investments we make and held accountable for the data that an increasing demand on our health system presents.

I have a long memory when it comes to the devastation of the health system between 2010 and 2014, a very long memory -

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - because as shadow minister for health I was acutely aware of the impact of sacking a nurse a day for nine months. I will tell you who also has a long memory when it comes to the health cuts, particularly in 2011: Tim Jacobson. Tim Jacobson has a long

memory and the Health and Community Services Union (HACSU) has a long memory of 2011. It was quoted in the *Mercury* on 29 September from Mr Jacobson, as I understand.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - I know you are sensitive about it because you should have long memories too.

Ms White - What about patients right now? Four out of five cannot get seen on time. You know the stories that are coming out of that hospital.

Mr SPEAKER - Order, Ms White.

Mr ROCKLIFF - You talk about a crisis; when your mob was in charge it was a crisis day in, day out. It has taken us eight years to continually invest, employ more nurses and employ more doctors to address the devastating consequences of what happened between 2010 and 2014. I have a long memory of that. You should have a long memory of that. Mr Jacobson also remembers that when he says:

The [parliamentary Labor Party] has failed workers over and over again in the time since our affiliation: at its worst in 2011 with health cuts and sackings, but at its most disturbing ...

Ms White - What about the 2014 cuts?

Mr SPEAKER - Order, Ms White. Members should cease their interjections.

Mr ROCKLIFF - The health cuts and the sackings back in 2011, which we are still recovering from. We are investing some \$10.7 billion into our health system including our focus on emergency department presentations; data which is there to hold us all accountable.

Mr Speaker, I recognise that from the period 1 July 2020 to the 30 June 2021, 170 000 people across the state presented to emergency departments in our public hospitals compared with 162 000 presentations for 2017-18, 165 000 for 2018-19 and 153 000 in 2019-20.

During August this year, which I believe is the data the member refers to, there were 14 889 presentations to emergency departments in our public hospitals compared with 14 738 in July and 14 675 in June. We also have a growing and ageing population and relatively high rates of chronic disease; more people are presenting with complex issues and more people coming in to our emergency departments are needing admission to our hospitals. In August, across our hospitals, 100 per cent of people presenting with an immediately life-threatening condition were seen on time across all categories and 49 per cent of people were seen on time in our emergency departments.

Clearly, there is some very challenging data when it comes to this and we need to do more. Across our hospitals we are investing in hospital-based strategies to improve patient flow, take pressure off our emergency departments -

Mr SPEAKER - Minister, if you could wind up, please.

Mr ROCKLIFF - including patient admission and discharge processes. This is in recognition that our emergency departments are affected by how the hospital system is functioning. We have a patient flow manager electronic information system, Medtasker, an integrated operation centre, HubSupport, improved communications and safe, efficient and effective management of access in patient-flow throughout the hospital on a 24-hour and seven-days-a-week basis. We have also introduced Hospital in the Home Tasmania, Community Rapid Response Services. I have spoken in this place and in Budget Estimates about secondary triage for Ambulance Tasmania to ensure triple-0 callers are provided with clinical advice or are redirected to alternative care providers when an emergency response is not required.

There are innovative solutions to complex challenges. There is no greater challenge for our health system when a government, like the one between 2010 and 2014, sacked a nurse a day for nine months, closed wards and put hospital beds in storage. That is what leads to a crisis in our health system.

COVID-19 - Pressure on Ambulance System

Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF

[11.01 a.m.]

Our ambulance system has been in crisis for years. Ambulances are ramped daily at our major hospitals. Response times are the slowest in the country and have increased by nearly a full minute since the election. Our hardworking paramedics are burning out. The Premier has acknowledged that when we do re-open and travel again, Delta will arrive. What measures are in place to ensure our ambulance system will be able to cope if there is a COVID-19 outbreak in our community?

ANSWER

Mr Speaker, I appreciate the member's question. I commend our hardworking Ambulance Tasmania staff, our paramedics and the good leadership being demonstrated by the chief executive, Mr Joe Acker, who presented at Budget Estimates and the Public Accounts Committee. I commend Mr Acker on his innovative approach to what are very challenging demand circumstances.

There can be significant demand, which is why we are committed to ensuring our health services have more of the resources they need. That includes resources for Ambulance Tasmania within the \$10.7 billion of investment that we are making in our health system over the next four years. That is \$900 million more than over the last four years in terms of last year's budget.

We are making significant investments into supporting Ambulance Tasmania services across Tasmania. There is \$135.8 million towards Ambulance Tasmania services this year. There has been an increase in staff at Ambulance Tasmania. I commend my predecessors, Mr Ferguson and Ms Courtney, for their diligence and their investment in supporting our paramedics and Ambulance Tasmania services across Tasmania since 2014. We have 170

additional FTE in Ambulance Tasmania services since 2014: more paramedics and more dispatch officers in our services delivering more services.

During the recent campaign we committed to further boost numbers with an additional 48 paramedics in the first two years. Leading to the next two years following that there is a workforce scan being done to see what other investments we can make in addition to that. Twenty-four of these additional paramedics will form crews in Hobart and Launceston, while the other 24 will be based in rural and regional areas of Tasmania, including Sheffield, Dodges Ferry, Campbell Town, New Norfolk, St Helens, the West Coast, the North East, Swansea, Miena, and Bruny Island.

The recruitment process for additional staffing is under way. Paramedics have already been placed at Sheffield and Dodges Ferry. I also commend our volunteer ambulance officers and our paid paramedics. Our volunteer ambulance officers are the lifeblood of many regional communities.

Regarding emergency department presentations and ramping that the honourable member mentioned, I can mention again the secondary triage innovation that we have been rolling out since February this year. I have been to Ambulance Tasmania headquarters and seen how that works by diverting people who ring triple zero into other areas of clinical need, which might not have to be an emergency department. This enables pressure to be taken off our emergency department.

We are also looking at innovations regarding people experiencing severe mental ill-health. I look forward to the emergency co-response team initiative commencing late this year in which clinical staff, paramedics, police and others work with a person who is experiencing a severe episode of mental ill-health and ensuring they get the care they need. This does not need to be necessarily in an emergency department. This innovation is one of three in the world. There are examples elsewhere, I believe in the ACT, where this has worked extremely well. It is called the PACER program and has helped reduce presentations to our emergency departments of people experiencing mental ill-health. Not only are we innovating, we are also investing in 48 new paramedics over the next two years.

COVID-19 - Workforce Shortages in Health System

Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF

[11.07 a.m.]

Tasmania's health system suffers from severe and persistent workforce shortages. As we saw in the north west last year, the COVID-19 outbreak can take large numbers of staff out of the health system, placing even more pressure on the remaining workforce.

In June, the Premier announced that you had begun recruiting 180 additional staff for our health system as part of your 30-day plan. The Premier has acknowledged that when we do reopen and travel again, Delta will arrive. How many of these 180 new positions have been filled? What other measures are you taking to ensure that there are sufficient staff in our hospitals if there is a COVID-19 outbreak in Tasmania?

ANSWER

Mr Speaker, I appreciate the question. Part of the answer to the question is the health recruitment workforce task force that we have set up since the election. This was a commitment from the election. That task force has met at least three times with representatives from unions, such as HACSU, the ANMF and the AMA as well. They are all working collaboratively on workforce challenges, not sniping from the sidelines and undermining the confidence within our health system as the Labor Opposition is intent on doing.

We are actively recruiting. I was aware of an article online today as part of a Senate inquiry. The person, Peter Barns from HR+ was talking about recruitment of health professionals from the mainland to Tasmania over the course of the last 12 months, even during the pandemic. There are positive numbers there, if I am correct in what I have just said, and I believe I am, having read that article this morning.

It points to the fact that while we have challenges, we are also investing in new wards within our health system which, of course, have to be staffed. I point to the Royal Hobart Hospital's Ward 6A, the Trauma and Acute Surgical Unit. We are committed to some 24 extra bed capacity there. They have to be staffed. My most recent numbers are that 16 beds of those are open, possibly more at this stage, and open because we have the staff to fill them.

Recruitment is ongoing and the workforce is ongoing, in terms of the taskforce's commitment to look at the areas of recruitment where we can be more competitive in attracting our health workforce -

Ms DOW - Point of order, Mr Speaker, standing order 45, relevance. The minister has not gone near the crux of the question, which was how many of those 180 staff have been recruited?

Mr SPEAKER - It is not a point of order but I will head the minister to the numbers talked about. I cannot put words in the minister's mouth. Over to you, minister.

Mr ROCKLIFF - Thank you. I was detailing some of the work of the taskforce where we have key stakeholders representing employees, representing doctors on that taskforce looking at recruitment, retention and attraction of staff to our workforce. That work is ongoing.

I also point the member to the recently released 2040 Workforce Plan. I point to the fact that we are investing \$15.7 million also on culture within our workforce because we want to ensure that our workforce is attractive, we want to ensure people within our workforce are safe, respected and also have pathways to great opportunities within the health workforce as well. There is a lot happening when it comes to health recruitment, Mr Speaker.

Ms White - Why don't you answer the question?

Mr ROCKLIFF - I have answered the question. There is a lot happening when it comes to recruitment. The taskforce has met at least three times, sitting down, working with people. I know how many people we committed to at the last election and that recruitment will continue. I also know how many people the Labor government sacked in 2011 as a result of the most horrific health budget ever experienced in the state of Tasmania, where we saw a nurse a day sacked, where we saw beds closed, where we saw wards shut, beds put in storage. It has taken this Government to get those wards open, beds out of storage and building a capacity

within our hospital system, including recruitment of staff. We have employed hundreds of staff over the course of the last seven years and we will continue to do so.

I am very proud of each and every one of the staff we have employed and who have been working in our health system, public or private, across our health system in an increasing health demand we are experiencing.

Police Recruitment

Mr TUCKER question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mrs PETRUSMA

[11.15 a.m.]

Can you provide an update on the majority Liberal Government's plan to secure Tasmania's future and particularly a recruitment of 308 additional police officers to keep Tasmanians safe?

ANSWER

Mr Speaker, I thank the member for Lyons for his question and his interest in this matter. Over the forward Estimates, the Tasmanian Liberal Government has committed more than \$348 million to Tasmania Police as part of our plan to keep Tasmanians safe. This Government has a strong track record for rebuilding our police service. On top of the 258 police officers the Government has previously committed, we are now providing \$9.4 million in this Budget to commence recruiting an additional 50 police officers over the next five years, bringing the total to 308 additional police officers under this Liberal Government. This will take Tasmania Police to by far the highest establishment it has ever had - 1428 police officers, which is a 30 per cent increase since 2014 and will deliver on our plan to make Tasmania one of the safest places in which to live and raise a family.

Tasmania Police continues to actively recruit in line with the commitments of this Government. This year alone we have already had 70 new police officers graduate from the police academy, providing more police officers to the front line to protect our communities. These police officers have been posted to Hobart, Glenorchy, Bridgewater, Launceston, Devonport, Burnie and Kingston stations.

In June this year I was privileged to attend the graduation of 17 police officers of the largest accelerated training program that Tasmania Police has ever undertaken. These police officers bring vast experience from other jurisdictions around Australia. The fact that we have police officers from other jurisdictions wanting to join Tasmania Police demonstrates that Tasmania is a state and employer of choice, as we are attracting highly qualified police candidates from right around Australia to live and work in Tasmania, and to protect our communities.

I also attended the graduation of another 26 recruits in the academy in September. On top of these graduations, 24 recruits who commenced on 9 August will be graduating in March next year and a further course of 24 recruits is scheduled to commence training on 1 November, graduating in June 2022.

I am pleased to announce that Tasmania Police is today launching a new satellite recruit training course based in Launceston. This innovative approach means that Tasmania Police recruits will be able to complete their training in the north of the state for the first time ever, with a satellite recruitment course to kick off in Launceston in April next year. We are excited about the great opportunity that this new initiative presents to people in the north and the north west of Tasmania who are keen to join Tasmania Police but may have been hesitant about moving to Hobart or to Rokeby for 31 weeks, away from their family, friends and local communities. The best thing about this satellite course is that it will now allow recruits to remain living in northern Tasmania during their 31-week training and, even better still, they will be able to be stationed in their home districts when they graduate as constables.

This is a fantastic initiative which provides more opportunities to undertake a career in policing while not having to move far from their home. Wherever people live in Tasmania, if they want a truly rewarding and exciting career, they should get in touch with Tasmania Police today at recruitment.police.tas.gov.au.

While speaking about the north of the state, I congratulate our police officers in Launceston for their fantastic results in tackling crime with Operation Coat. As a result of this operation, in conjunction with the Australian Federal Police, 20 people were charged, \$140 000 in cash, together with illegal firearms and drugs, were seized after a major five-week operation targeting Launceston criminal networks. This is evidence of the impact that the Liberal Government's investment in Tasmania Police is having; catching criminals and taking drugs and illegal firearms off our streets.

This Government has a strong plan to rebuild our police service after Labor cruelly cut the police force by 10 per cent. There were less police when Labor left government in 2014 than there were when they came to government in 1998. That was Labor's legacy. On this side of the House, we support our police officers because we want to make Tasmania one of the safest places in which to live, work and raise a family, in contrast to those on the opposite side, which has to be the least safe place in Tasmania right now.

They are so busy fighting amongst themselves. They have factions and union powerbrokers fighting each other, battling for control. They are in utter chaos, to the extent where they had to bring in the national executive to exert martial law.

TABLED PAPERS

Estimates Committee A - Additional Information

Mr Street presented additional information from Estimates Committee A by the Minister for Primary Industries and Water; Minister for Energy and Emissions Reduction; Minister for Resources and Minister for Trade.

Public Works Committee - Reports

Mr Tucker presented reports of the Public Works Committee on the following references: Bass Highway Upgrade - Wynyard to Marrawah; New Bridgewater Bridge; and

Royal Hobart Hospital Intensive Care Unit Expansion Project and Paediatric Outpatients Relocation Project, together with the evidence received and the transcripts of evidence.

Reports received and printed.

FOOD AMENDMENT BILL 2021 (No. 27)

Bill agreed to by the Legislative Council without amendment.

APPROPRIATION BILL (No. 1) 2021 (No 36)

APPROPRIATION BILL (No. 2) 2021 (No 37)

Bills agreed to by the Legislative Council without amendment.

**GUARDIANSHIP AND ADMINISTRATION AMENDMENT
(ADVANCE CARE DIRECTIVES) BILL 2021 (No. 14)**

Bill agreed to by the Legislative Council with amendment.

**GAMING CONTROL AMENDMENT
(FUTURE GAMING MARKET) BILL 2021 (No. 45)**

First Reading

Mr SPEAKER - The question is that the bill be now read the first time.

The House divided -

AYES 19

Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ellis (Teller)
Mr Ferguson
Ms Finlay
Mr Gutwein
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff

NOES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

Mr Shelton
Mr Street
Mr Tucker
Ms White
Mr Winter

Motion agreed to; Bill read the first time.

**TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
AMENDMENT BILL 2021 (No. 46)**

**TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
(CONSEQUENTIAL AMENDMENTS) BILL 2021 (No. 47)**

First Reading

Bill presented by **Mr Ferguson** on behalf of the Attorney-General and read the first time.

MOTION

Leave to Move Motion Without Notice - Motion Negatived

[11.31 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens - Motion) - Mr Speaker, I seek leave to move a motion without notice for the purpose of moving the suspension of Standing Orders to debate the following motion -

That the House has no confidence in the Minister for Resources for the following reasons -

- (1) On 10 August 2021, the minister approved a mining lease application made by Chinese State-owned company, MMG Australia, over five kilometres of Helilog Road and an area of rainforest near Rosebery.
- (2) MMG Australia's application specified its purpose as mining for gravel.
- (3) The company's intention for the area subject to the minister's approval was not to mine gravel.
- (4) MMG was undertaking testing works for its plan to pump mine tailings across the Pieman River into a cleared rainforest gully off Helilog Road.
- (5) The application approved by the minister had the effect of preventing public access to public land in takayna, including beekeeping sites and the Forest Walk tourist site.
- (6) Between early May and late July, prior to the minister's mining lease approval for MMG, 71 peaceful protestors were arrested under dubious charges. They

were people of all ages and from across the Tasmanian community, who stood up to defend the Tarkine's rainforest.

- (7) On 27 August, the minister received a formal request from Bob Brown Foundation to provide a statement of reasons for granting this mining permit.
- (8) On 24 September, the minister replied in writing that he was not empowered to make this decision, and that therefore, there had been no valid grant of the mining lease.
- (9) In his apparent haste to prevent peaceful protest on the site, the minister signed an approval in breach of the Mineral Resources Development Act (1995), an act he administers.
- (10) The minister broke the law, a fact that would not have come to light but for the Bob Brown Foundation.
- (11) After his lawlessness that worked to advantage a foreign-owned multinational corporation was exposed, the minister refused to admit he had broken the law, and sought to mislead Tasmanians by blaming a 'lodgment error' on the part of the applicant, and an 'oversight' on the part of Mineral Resources Tasmania.
- (12) This explanation defies credibility.
- (13) The minister's public statement did not address his involvement in this matter, and ignores one of the fundamental principles of the Westminster system - that a minister doesn't blame others, but holds responsibility for their decisions.
- (14) Minister Barnett's conduct in this matter again brings his competence and integrity into question.
- (15) Since being elevated to Cabinet, minister Barnett has shown no respect for transparency, has degraded accountability mechanisms through his constant misleading and obfuscation, and worked against the public, and the planet's, interests.
- (16) Across portfolios, minister Barnett has long track record of secrecy, misleading Tasmanians, and enacting highly questionable decisions, and it is well past time parliament finally held him accountable.
- (17) He is unfit to be a minister of the Crown.

Mr Speaker, on or around 10 August, MMG Australia Pty Ltd had a lease approved by the minister unlawfully under the act. A little over two weeks later, the Bob Brown Foundation wrote to the minister and sought a Statement of Reasons. That letter says:

We refer to your decision to grant a mining lease to MMG on Helilog Road (4M/2021) on or about the 10 August 2021.

The decision: the decision to grant the lease is one to which part 5 of the JRA Act applies, pursuant to section 29 of the Judicial Review Act -

Mr SPEAKER - Ms O'Connor, I remind you that this is about the urgency of seeking leave, not about the issue itself.

Ms O'CONNOR - Thank you, Mr Speaker. I need to read in the relevant correspondence which makes it urgent:

... pursuant to section 29 of the Judicial Review Act of 2000 we request that you provide us with a Statement of Reasons as to your decision to grant the lease.

Please ensure your reasons for the decision comply with the JRA Act and provide:

- (a) Findings on material questions of fact relating to the decision; and
- (b) A reference to the evidence or other material on which any such findings were based as well as the reasons for the decision.

That letter was sent to minister Barnett on 27 August. On 24 September, minister Barnett responded:

Dear Mr Jordan

I refer to your letter of 27 August 2021 seeking a Statement of Reasons for a decision to grant a mining lease to MMG on Helilog Road. Following due consideration, I was not empowered to make the decision ...

Mr FERGUSON - Point of order. Mr Speaker, you have already given direction on this matter. The purpose of the motion in front of the House is whether this matter has to supersede everything else today. You have asked the member to be relevant to that question. What she is actually doing is prosecuting her main arguments around the substantive motion which has been distributed and noting she is asking for special privilege to bring the motion before the House today and not tomorrow during her private member's time.

Ms O'CONNOR - This is a question of confidence. You do not wait on confidence.

Mr SPEAKER - I have asked the member to be relevant to the actual seeking of leave, so on urgency, please.

Ms O'CONNOR - Thank you, Mr Speaker. The reason I am reading in this correspondence is because it points to a minister who is either incompetent because he approved an unlawful lease and then only was it revealed because of the Bob Brown Foundation, or there is something going on here. We know that MMG wanted protesters off the site. We know that minister Barnett wanted protesters off the site. We know that illegal lease would have stayed in place if the Bob Brown Foundation had not asked for a Statement of Reasons.

We do not have confidence in this minister. He broke the law, he blamed others and he stitched up an exclusion zone with a foreign-owned company to keep Tasmanians off their own land. Minister Barnett said:

Following due consideration, I was not empowered to make the decision. In consequence, there has been no valid grant of that lease. MMG has been informed.

On this basis, there is no need to provide for reasons for the decision.

My time is about to run out but if it is okay in Tasmania for a minister to break the law, and for it only to be exposed through the Bob Brown Foundation, and then there be no consequence for a minister who clearly had no respect for the law, then we are in a very difficult place.

This should be debated -

Mr SPEAKER - The member's time has expired. Thank you, Ms O'Connor.

Time expired.

[11.39 a.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Speaker, I am pleased to speak on this motion and indicate opposition. I make it very clear that this is another day and, with respect to the Greens, it is another conspiracy theory. They are not sticking to the facts. They are continuing their relentless efforts to muckrake and misinform the community about mining and our productive industries of forestry and salmon as well. The facts do not get in the way of a good story when it comes to the Greens.

But the facts are the facts. It is no surprise to find that the Greens' parliamentary wing of the radical Bob Brown Foundation is continuing on its wild goose chase. It simply demonstrates the lengths that they will go in search of a headline and in search of relevance. They have RDD - relevance deprivation disorder.

The facts are plain. The MMG recently made application for a mining lease over an existing access track -

Mr SPEAKER - I understand that, minister. You mention facts: we need to be debating why it is an urgent motion, and therefore, on your behalf, why it is not an urgent motion. If you could connect your response to that, please.

Mr BARNETT - Thank you very much, Mr Speaker. In doing so, I will make it very clear that the mining lease was over an existing access track to its South Marion oak site under the MRD legislation. The application was assessed by Minerals Resources Tasmania, which recommended that it be approved, a recommendation I subsequently accepted.

A lodging error in the application was then found by the department and immediate action was taken. To be clear -

Greens members interjecting.

Mr SPEAKER - Order.

Mr BARNETT - To be absolutely clear, MMG's original application was made and recommended to be granted under an incorrect section of the act - section 78 - and this error was not detected by Minerals Resources Tasmania. MMG subsequently submitted a new lease application under section 106 of the act, which is currently being assessed by MRT.

I have expressed my disappointment to the secretary of my department regarding the oversight. He requested that a comprehensive review of the tenement application and assessment process take place as a result. This is already underway. I am further advised that the act allows for mining lease applications to be made to allow for access purposes and that this is not uncommon practice. MRT advises it is aware of similar mining leases being granted under the act for storage, easement, and access purposes back to 2006 under the previous Labor government and Labor-Greens government.

This motion is not urgent. Our record is very clear. There was a reference to corruption in the process by the Leader of the Greens earlier today. That is extremely offensive. I reject it wholeheartedly. On behalf of the public servants informed, who cannot defend themselves in this place, I defend them. I say I am sorry that -

Ms O'Connor - No, you blamed them.

Mr SPEAKER - Order.

Mr BARNETT - the Leader for the Greens has used that word in this parliament, in this debate. It is cheap politics and it is part of their political stunt today. They are clearly a one-trick pony. The Greens attack forestry, attack mining, attack the salmon sector, attack our productive industries. We will not stand for it because we believe in jobs and growing our economy.

There is no urgency to this debate. I reject all the allegations in the motion and I reject the motion on behalf of the Government.

Recognition of Visitors

Mr SPEAKER - Honourable members, I acknowledge the presence in the gallery of students from Reconciliation Tasmania Youth Speakout group. There are two groups touring parliament and we have one group here at the moment. There will be another group a little bit later on.

Members - Hear, hear.

[11.43 a.m.]

Mr WINTER (Franklin) - Mr Speaker, Labor will support this motion being debated. It will do so because we share a lack of confidence in the minister's performance across a whole range of portfolios. It is an urgent motion because of the stress that the performance of this minister is putting on those sectors and the jobs that he is putting at risk. There is a growing concern about the performance of this minister and it deserves to be debated by this House.

The question of confidence is a very serious one. He is the minister for Primary Industries and Water, Resources, Trade, Veterans' Affairs and Energy and Emissions. Labor wholeheartedly supports MMG and the Rosebery mine. What we want for that -

Mr Barnett - You got that wrong - Emissions Reduction.

Mr WINTER - And Emissions Reduction - quite right, minister. We wholeheartedly support that company and that mine. We want to see a minister in charge of that who is competent, who is able to ensure that it can get its tailings dam in place, that it does have a sustainable future and that it is able to continue to employ north-west coasters for a long time to come. We need to have a competent minister who is able to navigate the way forward for this very important employer for the north-west and for the electorate of Braddon.

This is a vital part of the Tasmanian economy. It cannot afford to be attacked by the Bob Brown Foundation and it cannot afford to give them free kicks, like the minister has given the Bob Brown Foundation through his incompetence.

The minister is delighted to go out and hold things, to present and feign his success, but when he gets in trouble today he infers that it is the secretary's fault or it is a public servant. He is happy to take any positive press but as soon as something goes wrong, he defers to someone in the department, whose fault it was. It was nothing to do with him.

This is the minister who failed to explain what happened to the \$100 million he promised for the tranch 3 irrigation before the election. He says that he has the agrivision target in place for 2050. We cannot have confidence in the minister to achieve that unless he is going to do the work to get the grant applications correct, to do the work that the minister has been unable to do.

During the last sitting of parliament, the minister adopted the Greens' policy on the salmon industry, undertook a moratorium -

Ms O'CONNOR - Point of order. Mr Winter has misled the House. Perhaps he could correct the record. Mr Barnett's policy is not the same as the Greens' policy on fish farming. It is in fact the same as Labor's.

Mr SPEAKER - That is not a point of order.

Mr WINTER - Perhaps I am wrong, but I am sure the Greens were talking about a moratorium on the expansion of fish farming in Tasmania. I am sure that is what I heard come from the minister's mouth when he announced it here in the parliament.

He has capitulated on salmon to the Bob Brown Foundation. Then he announced without proper consultation the moratorium and then the transition to more on-shore. Then he did the announcement with the Federal Government about expanding into Commonwealth waters.

Reading a media release from Senator Duniam, he is talking about this not only being for Tasmania but potentially for the rest of Australia. Why are we backing the potential loss of these jobs interstate? That is what you are talking about by going on-shore and into Commonwealth waters. That is the risk that this minister is putting the industry under. There

is a good reason why the salmon industry is set up in Tasmania: it is because the natural conditions we have allow them to farm here successfully for a long period of time.

We are concerned about the minister's ability to deliver 137 000 cubic metres of sawlog. That has been legislated. I am concerned about whether he can achieve it. He has been asked this in this place and he cannot -

Mr Barnett - Your party locked it up.

Mr WINTER - You announced more lock-ups in the last parliament, minister. You are the minister for lock-ups now. Congratulations: lock-ups, moratorium on salmon. This is what the minister did. The one thing I did not think this minister would do is to mistake a fish. On Friday night we went to the seafood awards together. On his Facebook page he talked about the wonderful Tasmanian salmon and he put up a picture. Unfortunately the minister is eating trout.

[11.49 a.m.]

Mr GUTWEIN (Bass - Premier) - Mr Speaker, this side will not be supporting the seeking of leave. I will make a couple of points and then I will deal with one of the most unconvincing efforts I have ever seen in this parliament.

Ms O'Connor, you know that you are bringing this on simply because you caught yourself yesterday saying you would bring it on.

Members interjecting.

Mr SPEAKER - Order.

Mr GUTWEIN - Mr Speaker, it is apparent to anyone that Ms O'Connor's heart is not in this. She has just laid a marker down and feels that she has to deal with that. That is what we are seeing.

Ms O'Connor - Because you have a law-breaking minister.

Mr SPEAKER - Order, Ms O'Connor.

Mr GUTWEIN - You and I have known each other now for 14 or 15 years. I have just described Mr Winter as one of the most unconvincing efforts I have seen in this place but, to be frank, your heart was not in this. You could see that. Your heart was not in this because you know the minister's explanation stands up. Yet you have hoisted yourself on your own petard by yesterday making the point that you would do this, and so you feel duty-bound to do it.

We reject this motion by the Leader of the Greens. We will not be supporting it. I have full confidence in the minister. He is doing a terrific job. He has provided a clear explanation in terms of what occurred.

That brings me to the previous efforts of Mr Winter, who spoke about confidence and other matters. This is from the bloke who had GST and GSP mixed up. Then, from memory, if I quoted him correctly at the Estimates table, he said, 'Oh, no, I shouldn't have said anything'.

Once again, Mr Winter, I suggest you take your own advice and do not say anything because every time you do, you seem to put your foot in your mouth. What Mr Winter has done today is demonstrate that the Labor Party is looking for things to do and, in the absence of having any ideas themselves, once again they have welded themselves to the Greens.

All of us in this place, and even Ms O'Connor, would agree that the Greens want to end mining and they do not care about those mining jobs. That is the reason they have brought this in. They want to attack the company, they want to attack jobs, and they want to attack that community.

What you have done today, in a very incompetent and unconvincing way, is welded yourself to them quite firmly. Mr Winter, in this place it is about standing up for what you believe in. I have made the point we are not supporting it. He has my full confidence. Once again, it is obvious to Mr Winter and it is obvious to most people -

Mr Winter - There's no water and power for your hydrogen plant.

Mr SPEAKER - Order, Mr Winter.

Mr GUTWEIN - You have two ears and one mouth, and you should use them in that order. It might help you in this place.

Mr Speaker, I make the point very clearly: Mr Barnett has provided a very clear explanation about what occurred. We will not be supporting this motion.

What is crystal-clear is that once again we have the Labor Party flapping around with nothing better to do, they cannot think up policy ideas of their own, and they are not prepared to do the hard work. Once again, they are attaching themselves to the Greens - in this case, very dangerously attaching themselves to the Greens. This motion, make no mistake, is not about the minister. This motion is about trying to end jobs in the mining industry.

[11.54 a.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, it is a concerning statement of the Government's lack of confidence in their own minister that they are not prepared to allow us the leave to have this debate in proper form. There is no doubt that this minister is more than skating on thin ice. He has demonstrated himself of being incapable at all of holding the portfolio responsibilities of a minister of the Crown. He has shown himself by his own words, as well as his deeds, to have unlawfully approved a mining lease. That is a statement of fact, and the minister has made that statement.

Last week in the media, the Leader of the Tasmanian Greens talked about the extreme seriousness of a minister of the Crown unlawfully authorising anything, but in this instance a mining lease, and said that we would come in here at the first available opportunity and call on the minister to resign. This is the first available opportunity and we are here today because Tasmanians are sick to their back teeth of this Government taking no notice of the basic levels of a responsibility of ministers of the Crown. They are sick of being gaslighted and made to believe that utterly despicable, unlawful actions from ministers are normal, or okay, or just a little mistake.

Ministers of the Crown are not rubber stamps. Ministers of the Crown are not a person who is working at the service desk in Services Tasmania stamping things and making a lodging error. A minister of the Crown reads a brief, makes an assessment and puts his signature to a lease application that becomes a matter of law. That was all done by this minister and that was all done on 10 August, after months of peaceful protest in the Tarkine forest, where 71 people were arrested for standing up for the integrity and the values of that forest and demanding that Chinese state-owned company MMG look at an alternative site for their tailings dam, demanded that they have a conversation and look at an alternative site, which exists. Alternative sites exist. The Government has refused at every stage to do their job of protecting the values of the environment, to look at the future of mining in the north west, and to find a solution. Solutions are on the table.

That was the history and now we are waiting to hear what the federal environment minister says. Meanwhile, MMG went back in and wanted to stake their claim on an exploration licence. They wanted to stake their claim a little bit more solidly and the minister signed off on it illegally. He was not empowered to do that. Why did we find that out? Not because he made it clear. It took 45 days from the point at which the minister unlawfully signed that lease application for the minister, after the Bob Brown Foundation had written requesting a statement of reasons, to decide it was a lodging error. That is a really long time. That is an implausibly long time.

In fact, Mr Speaker, I put it to you that no one could reasonably expect, if they had the time to sit and listen to this discussion -

Mr SPEAKER - That would be part of the substantive debate. You are seeking leave at the moment. Continue, but the point of seeking leave and why it is an urgent motion is what we are addressing. Thank you.

Dr WOODRUFF - Thank you, Mr Speaker. It is very urgent when we have these matters of fact before us today that we have the full discussion about them, in a no confidence motion, because that is the only proper forum where we can go into the details of what happened.

It is a matter of fact that the minister unlawfully signed that. It is implausible to believe that we can consider this a lodging error. The company itself, MMG, have called it a minor technical error. The minister calls it a lodging error. What is a lodging error when it comes to a minister signing off on a lease application? How can a minister make a lodging error? They did not do the lodgement. Mr Barnett did not do the lodgement; he signed it.

Mr Speaker, we have a huge number of questions that need to be answered today because they go to the heart of our democracy. They go to the heart of the contract between people who vote us in to this place to make lawful decisions. We make laws in this place and we expect, the whole of Tasmania expects, that they will be upheld to the highest degree by ministers. Yet, we have a minister who has been caught, frankly, with his pants down, and it is disgraceful.

It took 28 days for the minister to respond to the Bob Brown Foundation. Why did he not respond immediately? Twenty-eight days to find a so-called lodging error is totally unbelievable. What we need to know is what discussions occurred between the minister and Mineral Resources Tasmania and MMG to facilitate the granting of that mining lease that did

not meet even the most basic eligibility requirements. What are the conversations that have gone on? Who knew? Who knew about those conversations and when did they know? Who is going to take responsibility? What is the minister going to do?

What is the Premier going to do about a minister who has shown himself time and again, but in this instance shown himself in black and white writing in his letter, to say that he was not empowered to make the decision - 'I was not empowered to make the decision. In consequence, there has been no valid grant of the lease.'

Mr Speaker, we have had a minister who successfully kept peaceful protesters, anyone in the community - beekeepers, conservationists - out of the Tarkine. It stinks and we should have the debate properly.

Time expired.

[12.01 p.m.]

Mr FERGUSON (Bass - Leader of the House) - Mr Speaker, I jumped slowly to enable the Labor Party to have a second speaker on this motion. They are not interested in this motion. I would have thought that a considered Opposition had a minister in their sights, and genuinely believed that there was merit to an argument for a no confidence motion, I might have expected to hear from the Leader of the Opposition or the Deputy Leader of the Opposition and we have not.

As the Premier has called it out, all we have had is a mealy-mouthed attempt by the member for Franklin, Mr Winter, to basically weld on to the Greens' motion to pretend to support it but for different reasons, they claim, but they have not presented those reasons. They have just jumped on board the Greens train.

The Government will not be supporting this ridiculous motion, which is a stunt from the Greens, for two reasons: (1) it is not urgent; and (2) it has no merit, none at all. Notwithstanding the fact that tomorrow the Greens do have private members' time, this is a stunt. Not only have the Greens cheapened what a no confidence motion is even meant to be here for -

Ms O'CONNOR - Mr Speaker, can I just get some clarity. I thought this debate was five speakers of seven minutes each and Mr Ferguson is the sixth speaker?

Mr Ferguson - No, it is not.

Mr SPEAKER - The time for the debate, the 35 minutes, does not conclude until six minutes past 12, I understand, so that is the reason.

Mr FERGUSON - There are the Greens again - the enemies of free speech. They do not like what they are hearing.

Second, Mr Speaker, the Labor Party today has cheapened what a no confidence motion is meant to be here for - not an inadvertent, poor piece of advice presented to a minister which was noted and was immediately corrected when the issue was identified.

We have seen the slur language from the Greens which, I repeat, is deliberately emotive to try to cast another person in the worst possible light. Words like 'unlawfully', words like 'illegally', words like 'break the law', to try to cheapen a minister who has done nothing that would deserve those words. It is a cheap and nasty stunt. For the Labor Party, the official Opposition, to weld on to this appalling little stunt is disappointing to say the least.

Mr Speaker, is there any surprise that the Greens leader would bring a motion saying that the Minister for Resources would resign, the minister who is responsible for rebuilding the forestry industry. Any surprise? How boring that the Greens party would try to call for the forestry minister to resign. That happens every day. Why would the Labor Party support that?

The minister who is supporting windfarms. The Greens do not support windfarms. I cannot think of one that they have supported. The minister who is about upgrading our hydro dams. I cannot think of a hydro project, renewable as they are, that the Greens have supported.

Agriculture, beef, dairy, irrigation, mining, the salmon industry, all things that are opposed by the Greens. The Labor Party ought to think about this. Before you next time jump on board the Greens train and support them with their cheap and nasty stunt on an NCM on a minister you might want to have a good look at yourselves.

What you have done today is cheapen a no confidence motion. You will not be taken seriously in the future. What you are doing is trying to support the Greens because you have no policies of your own. You are riven and divided and you are run from Sussex Street in Sydney.

[12.05 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, that is an outrageous statement from the Leader of Government Business. This is a seeking of leave motion. We have indicated we do not have confidence in the minister because of his incompetence to manage the very important portfolios that he has that are important to the Tasmanian economy.

Time expired.

Mr SPEAKER - The question is that leave be granted.

The House divided -

AYES 11

Ms Butler (Teller)
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff

NOES 11

Mr Barnett
Ms Courtney
Mr Ellis (Teller)
Mr Ferguson
Mr Gutwein
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker

PAIRS

Dr Broad

Ms Archer

Mr SPEAKER - The result of the division is Ayes 11, Noes 11. In accordance with Standing Order 167, I cast my vote with the noes.

Motion negatived.

MATTER OF PUBLIC IMPORTANCE

Hospitals Preparedness for COVID-19

[12.11 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I move -

That the House take note of the following matter: hospitals preparedness for COVID-19.

Before I begin my contribution, I want to say that this is not about undermining our hard-working health care workers right across Tasmania. It is not about undermining our health system. It is about holding this Government to account. It has been in government for nearly eight years and had many opportunities to fix the current state of Tasmania's health system, in particular the pressures we are seeing on our hospitals and our hard-working staff across our hospitals every day.

It is not only us who are asking these questions. HACSU has publicly asked questions, raised concerns about staffing levels and the impact of an outbreak on our hospital system. I understand that the AMA and ANMF have also raised grave concerns when originally the national plan for reopening was announced by the Federal Government. We talked about that during Estimates.

We asked a lot of questions along similar lines during the Estimates process. We were not criticised then of undermining the health system or our hard-working health care professionals, so I do not expect we would be accused of doing that now.

This is about our people, about our health and hospital system, about our healthcare workers and it is about an important point in time for Tasmania, where we will see our borders reopen. It is important that Tasmanians understand what plans the Government has in place to address the additional pressures on our hospital system, in addition to those already there, if there is a COVID-19 outbreak, particularly the Delta strain, in Tasmanian hospitals.

I thank our hard-working public health staff who have done an amazing job, as have Tasmanians in keeping each other safe and in doing the right thing. I thank all Tasmanians for the great work they have done across our community. Tasmanians will continue to do that as we look to the next stage of the plan to reopen borders across the country and in our state.

You are the third Health minister in a long line of Health ministers during the term of your Government. I acknowledge you have only been in the job for a short while, but there

have been many commitments made as a result of the last election by your Government, particularly investment in hospital infrastructure.

Significant projects to create more bed space have been delayed, particularly if we look to Mental Health Week this week. Mental health beds that have been promised over a very long period of time in the south of the state are yet to be delivered by this Government.

You have set yourself some pretty ambitious goals and targets to meet around staff recruitment. We heard today that you were not able to provide an answer about how many of the 180 staff that have been targeted to be recruited across the health system by your Government have actually been recruited to date. I would be really interested in you bringing back that answer to the House at some stage because we know there are incredible pressures on the staff already working in our health system and we do have significant issues when it comes to recruiting and retaining healthcare workers across our state. They are our most valuable resource when providing services.

We can build buildings - and you are not building many as a Government at the moment when it comes to health services, but you can promise to build those - but ultimately it is the hardworking people on the ground who you say you are listening to - that you have your ear to the ground each and every day - who will ultimately be responsible for delivering those services. We need to make sure they are well-supported and that there are adequate numbers of them on the floor, across our wards, across each of our service delivery points across our hospital system, to ensure they are able to do their job safely and are well-supported. They do an amazing job right now across our hospital system.

I am going to take you back to a speech that I found on the former premier's website when I went through some information I had been looking at regarding some of our previous work on holding your Government to account when it comes to the health system across Tasmania. In this speech by Michael Ferguson, the then minister for Health back in 2014, he said that:

While Tasmanians have absolute confidence, and place enormous value and trust, in the professionalism of our state's health professionals, they are frustrated and unhappy with a system that is not delivering better outcomes for themselves, their families and their community. And there is also no doubt that this frustration is shared by the clinical community and the limitations they face in providing necessary care to Tasmanians.

I would argue today during this debate that it has not changed, minister. We are nearly eight years on from when your Government came to office. The other point that minister Ferguson raised within this speech was about structural reform measures that your Government came to government with, back in 2014. They were all about improving the health system and I just want to outline this point, which says:

... the structural reform measures will deliver:

- Improved, timely access at each level of health service delivery;
- significant savings to be redirected to frontline care;
- effective clinical and community input into decision-making;

- alternatives to hospital care for those with chronic conditions to reduce demand on hospital beds;
- initiatives in the management of surgery services to reduce waiting lists and decrease cancellations, including:
 - the separation of emergency and elective surgery;
 - the introduction of a State-wide elective surgery waiting list and helpline; and
 - publishing transparent and honest data, so patients can make informed decisions about their health care, alongside their GPs.

Some of those things you have done. There are some that you have clearly failed on as a Government and many of those issues are pertinent to our health system right now. There has not been improved timely access at each level of health service delivery across the state and you only have to look at Question Time today when we asked you about those people who are attending our emergency departments and not being seen in a good, timely manner, and your remark was that this is what the data says. This is not about data, this is about people. This is about Tasmanian mums, dads, children, and our elderly people in our community, who are being let down by the system. They are not being let down by those who -

Time expired.

Recognition of Visitors

Mr SPEAKER - Honourable members, I recognise the second group of Reconciliation Tasmania students through the Speak Out project. Welcome to parliament.

Members - Hear, hear.

[12.19 p.m.]

Mr ROCKLIFF (Braddon - Minister for Health) - Mr Speaker, I welcome the matter of public importance today in terms of COVID-19 and hospital preparedness and as I have stated on numerous occasions, the health and safety and wellbeing of Tasmanians has been the Government's number one priority throughout the pandemic.

I will pick up on one point that the member who just resumed her seat has said in terms of data. I am very conscious and acutely aware that when it comes to data - and I have said this a number of times since I assumed the role of minister for Health, and indeed have had the Mental Health and Wellbeing role now for some two years or more - that behind every number and every piece of data is a person waiting for care and in need of care. That is why we are working so hard in terms of investing and working with clinicians, clinician-led patient-focused, in our statewide surgical plan. Our four-year plan is an example of that, so we can reduce those waiting lists and particularly for those people who have been waiting far too long and outside the clinically recommended timeframes.

We have invested heavily in the resources that we need to ensure Tasmania's capability and capacity to rapidly identify, respond and manage any outbreaks that emerge, either within or external to Tasmania. The department of Health works very closely and collaboratively with

national and local authorities and services including our hospitals, our GPs, and to prepare for potential cases and maintain our ability to respond rapidly to outbreaks.

Since the first outbreak of COVID-19 in Tasmania, the department has focused on preparing the health system in the event of further outbreaks. Delta is different, as the Premier has said many times before, and we do have to adapt our response to this more highly infectious strain of COVID-19.

The key aspects or pillars of Tasmania's preparedness for COVID-19 is ensuring high levels of targeted testing for COVID-19, maintaining public health capacity including effective contact tracing and quarantining capability, maintaining rapid response capability to plan for, prevent, manage and treat outbreaks and ensuring our hospitals are resourced and equipped with the staff trained and ready to provide the best clinical care we can for COVID-19 positive patients while maintaining other services including emergency and elective surgery.

This includes assessment of health capacity to provide business-as-usual health services, surge capacity to respond to an outbreak, hospital bed capacity including reconfiguration plans for hot and cold emergency department areas, COVID-19 wards and ICU, surge capacity stockpile levels of PPE, ventilators, blood products, medications and medical consumables, as I outlined this morning.

We continue to work with the Commonwealth and state and territory colleagues in National Cabinet on the impact of the health system capacity, on vaccination thresholds, and the level of public health restrictions that would need to continue to be in place. We are very well aware of the practical limits of the scale of our health system and we are closely monitoring hospitalisation rates, admission rates, and ICU and ventilation rates in other states such as Victoria and New South Wales, as I mentioned this morning as well.

In the case of outbreak, our hospitals are prepared with escalation management plans to cope with an increasing influx of COVID-19 cases and there are three escalation management plans - THS North, North-West and THS South. Each plan includes the trigger points and actions for escalation levels from one to four. There are subordinate district hospital response plans for each region also recovering district hospitals and associated community services. There is a statewide intensive care surge capacity plan as well, Mr Speaker, outlining the actions and duties that will be taken by the Tasmanian Critical Care Network in response to COVID-19. I believe I have outlined a number of these points in other forums including Budget Estimates. Regional and emergency management teams have made minor adjustments to their escalation management plans in response to new and emerging information and risks including the emergence of the Delta variant.

We also have teams of ICU staff in our three major sites. Trained nurses who have moved to other COVID-19 roles in testing, quarantine and vaccination could be pulled back into hospitals when required. We also have active training in ICU and intensive programs running now at the Royal Hobart Hospital and the Launceston General Hospital. As I mentioned earlier, we do have qualified and experienced staff available to provide care for ventilated patients across our hospitals including 175 qualified and experienced nursing staff at the Royal Hobart Hospital; 95 qualified and experienced nursing staff at the LGH; and 33 qualified and experienced nursing staff at the North West Regional Hospital. In addition to these nursing staff, there are other health professionals who possess transferrable skills in ventilation if needed in areas such as emergency department, theatre, recovery and retrieval.

Last year the state Government secured the Fountainside Hotel from the University of Tasmania for use as a COVID-19 case management facility due to its close proximity to the Royal Hobart Hospital. It will be specifically used as accommodation for COVID-19-positive people who do not require a hospital bed but do need to be closely monitored, as has been the case in the last 10 days. It remains on standby and can be opened in a matter of hours should we have a COVID-19 emergency as we became accustomed to recently. We are strengthening our COVID-19 testing capacity from a surge capacity of 2000 tests per day to a surge capacity of 4000 to 5000 tests per day, which equates to a similar level per capita, as I understand it, of New South Wales and Victoria's surge testing levels.

I thank everyone involved in our COVID-19 preparedness and planning. Tasmania and our health system are as prepared as can be for an outbreak. It is largely due to the efforts of the hardworking staff right across the public service. Our preparedness is constantly reviewed and tested and adjusted to ensure that our health system is able to respond quickly and effectively.

Time expired.

[12.26 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I listened carefully to the Health minister's response. It is true that more nursing staff are being employed and that a lot of strong work has been put into the COVID-19 isolation and quarantining responses. The contact tracing work in Tasmania is excellent. The context for this is that we have to look at the bigger picture when we are talking about opening up Tasmania. The bigger picture is not the work that has been done in the last 18 months in response to COVID-19 but our underlying health system. That is really concerning doctors, nurses and many patients who are experiencing the difficulty, even impossibility in getting into a hospital in Tasmania.

I did a media release about the Government's health statistics and the member for Bass, Ms Finlay, quoted from our media release in her question this morning. The Health department has just recorded the worst record for the number of emergency department patients who are seen on time in August. Only 29 per cent of emergency department patients at the Royal Hobart Hospital were seen on time. Only 36 per cent of patients who had an imminently life-threatening condition were seen in the national benchmark time. The national benchmark is 80 per cent. For people with a potentially life-threatening condition, only 19 per cent of patients were seen on time compared to the national benchmark of 75 per cent.

These are the Government's own figures for August. This is a truly scary situation. We have Category 4 alerts, Code Red, the type of alerts we were getting from time to time before the 2018 election and were the front-page *Mercury* headlines for the whole of 2016 and 2017.

The occurrences where we had Code Red alerts or Category 4 alerts were unusual and notable back in those years. They are now a regular occurrence. They are so regular they do not make the *Mercury* newspaper because news is about things that change. The situation in the emergency department in the Royal Hobart Hospital and in the Launceston General Hospital (LGH) is dire today.

The staff are under immense stress. I have no doubt the Health minister is working on the COVID-19 plans and the health system. The problem is we have had seven years of serial and chronic underspending in the health system. It has only been because the global pandemic

has forced the Government to make reckoning with the reality of underspending in the public health system. It means you have zero capacity when a global pandemic hits. The Nurses and Midwives Federation has lodged an urgent application with the Industrial Commission because of the ongoing staffing and workload crisis at the Launceston General Hospital. The persistent and ongoing issues are for emergency department nurses and midwives.

They detail dire shifts in the Emergency Department for staff, with up to 21 patients waiting for a bed in the Launceston General Hospital, 60 patients being treated in the department and patients being ramped outside recess bays and cubicles. Just imagine if a likely or known Delta case turns up in the Launceston General Hospital emergency department. Where is the negative pressure room? How do you separate the emergency department staff who are dealing with the COVID-19 case and everybody else?

It is very important to talk about the number of ICU beds and ventilators we have in the state; however, I remain concerned that we have an insufficient number to deal with paediatric ICU cases. We do not have enough ICUs in the north-west and the north. We do not have a demonstrated ability to separate hot wards for COVID-19 and non COVID-19 wards for people in the north west and north. Every person working in the Tasmanian Health service is doing their best to solve this situation.

The Government crows about the state of the Budget. There was \$300 million remaining in a slush fund in this Budget. Where is it going into health now? This is what we need today. We need the nursing recruitment and retention right now that we have been asking for as have the nurses and the midwives. They have been asking that and we have been supporting that for seven years. This is what we need.

Time expired.

[12.33 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, this matter is important. There is one thing to have a plan and it is another thing entirely to be able to deliver on that plan. That is the significant concern that exists, not just on the Opposition benches, but from the community. There is not the capacity to deliver upon a plan that the minister might have, no matter how good that plan might look like on paper.

The answers from the minister in question time today on all those questions about their capacity to deliver during a COVID-19 surge were illuminating and somewhat disquieting. The Government has made a master class out of spin, deflection and lack of transparency. The only time that skill is eclipsed by this Government is when they make sure that they attack anyone who questions them, then when they continue to act they silence the voices concerned: \ not the voices of Opposition members; we get to have our say no matter how the Government likes to deride it, but the voices of public servants, the voices of people in the community who are genuinely concerned about the ability to deliver on any kind of COVID-19 preparedness.

To ask questions, the questions being asked by the community, being asked by staff, is not an act of undermining our health system and the valuable and amazing people who work in it. It is, in fact, exactly the opposite - it is a way of supporting them.

Staff in hospitals are under pressure now and they are genuinely concerned about preparedness. It is not enough for Government members to stand up and say 'oh we applaud

our public health workers', 'oh we thank our public health workers'. Giving thanks is not enough. We have to have their backs, and right now they are concerned, as we all should be, that we do not have the capacity to deal with a surge.

Denial is not okay. Transparency and honesty is the only way that we, as a community, get through this. This Government needs to learn to accept that raising significant concerns is something that they have to listen to. They cannot spin their way out of everything.

This motion goes to the preparedness of our hospitals for a COVID-19 outbreak - one the Premier has said will happen; one the Premier expects to happen once we open up our borders in a matter of weeks.

Where does this Government go when we raise these kinds of questions? They can answer questions about 2011 and a global financial crisis with absolute ease. This minister can talk about 2011 and the decisions made when GST revenue for this state collapsed and we made difficult decisions. He cannot ask questions about now, when the GST revenue has significantly improved, yet we are still seeing significant pressure on our health system and people being turned away from our hospitals, people not being able to get the care they need.

The system has been under immense pressure since this Government has been in power. When they stand in question time, they should answer questions about themselves as a government, they should answer questions about their roles as ministers, and they should answer questions about what is happening right now.

They are failing Tasmanians who are presenting to hospitals now. They are failing people who are spending way too long in EDs now. They are failing people who are not being treated in clinically recommended times now. One in five of the people who present needing emergency care to our hospitals right now do not get treated in clinically recommended times. This is on their watch, not because of something that happened in 2011. These are the actions of this Government.

At the same time and in the same breath as we raise those concerns, they say 'everything is fine, everything is great, our hospitals are perfectly ready'. How can we possibly be expected to believe that when we also hear the voices of staff?

The minister's rather lacklustre performance on ABC radio earlier, the minister's commentary about how prepared they were, elicited this from one of their staff. Remember, they silence the voices of public servants. Public servants are not allowed to talk about how concerned they are in health, they are not allowed to talk about how concerned they are about any funding or measures that this Government undertakes. This nurse said:

I am a senior nurse but cannot leave my name because of the public service consequences.

In brackets, she will get sacked if they found out that she is talking out.

But there is no way there are sufficient trained staff in Tasmania to care for an outbreak of COVID-19. The Health department can have as many ventilators et cetera in storage but there are not enough trained staff to roster 24 hours a day to care for patients. ICU beds, hospital beds are full. Where

on earth do these politicians get their information from? Certainly not from us working at the coal face.

The minister said in question time today that they have their ear to the ground and they are listening to staff. Well, you are not listening to staff, minister, if you are ignoring the sort of voices as that senior nurse who is genuinely concerned about what is going on.

And she is not the only one, is she? The AMA northern Tasmanian chairman, Dr Glenn Richardson, in a conversation about our desperate need to resolve the issue with a collocation of a private hospital in Launceston, said:

The absolute number one important service is being able to admit medically ill patients from the ED of the LGH. Bed block is a real thing and you only have to drive past the hospital and see ambulances ramped or walk into the ED and see the place full of, not emergency patients waiting for care, but admitted patients. The ED is being looked after by staff whose job is to be an ED doctor or nurse but they are actually looking after admitted patients.

When we see those ambulances ramped now, not in a time of COVID-19, but ramped now, we know that there are four ambulances in Launceston and when there are five, six, seven, that means all the regional ambulances are there, and there is no one to answer calls. There is no one to get back out to Scottsdale, to get back out to George Town, to get back out to Bridport, or Beaconsfield or down to the Midlands, because they are all ramped, because this hospital is not coping.

We know it is not coping because the Australian Nursing and Midwifery Federation is taking you to the industrial commission because of countless times you have ignored the significant pressures impacting on the level of care they are able to provide in ED.

This is not a government that is responding to a healthcare crisis. This is not a government that is capable of coping with the surge, because this Government cannot manage hospitals day by day.

Time expired.

[12.40 p.m.]

Ms OGILVIE (Clark) - That certainly had a lot of energy attached to it.

Mr Speaker, I would like to make a contribution on this matter, which is important to me personally, having been a patient at the Royal and having gone through Calvary Hospital, having experienced the fantastic care that we can and do get here in Hobart, in particular, recognising that there are issues state-wide.

I start by pointing out that this Government, which I am proud to be part of, has prioritised health with a record \$10.7 billion of investment over the next 12 years. This is a sector and an area in which that investment matters. Money matters. It is essential to make sure we are well-funding our great healthcare system in Tasmania. We have delivered more funding, more staffing and more health services than any previous government.

I notice that the previous speaker, Ms O'Byrne, has just exited the Chamber. She was a former health minister so when I say we have delivered more, we have delivered more than the previous speaker ever delivered in her ministerial portfolio. Despite this, I acknowledge, we all acknowledge, that there are ongoing challenges with demand, which continues to rise. We do have an ageing population.

I always like to think about families and how we care for our families. We think about our older people, parents, kids, the accidents that can happen and you end up in Emergency. I think about those who have grown up in Tasmania and who attend the Royal. They do that as a matter of course but we know there may be, and there are, processes that are being improved, particularly by our fantastic ambulance system. The primary triage and the secondary triage options they are putting into place will help with that ambulance ramping.

That movement, that innovation, comes from leadership, appropriate investment and doing the hard work. It is the staff in our hospital system, our services that do that hard work. It is the people at the front line, our nurses, our theatre people, our doctors, our carers, those who sit on the boards of our hospitals, particularly I am thinking in the independent sector, who guide that work. It is by having that vision for the future that we know where to invest. We put the money in and things will improve.

We are taking a more holistic approach to health. We are doing this by strengthening community-based care, while investing in our hospitals to ensure that they are able to meet that future demand. We are envisaging the future and we are investing and leading towards that future.

We need to make sure - and I know it is on everybody's minds - that we are ready for any possible potential future COVID-19 outbreak. We are bringing forward the opening of beds, and our four-year elective surgery boost will ensure that more Tasmanians get the surgery they need within clinically recommended times.

I have constituents who come to my office. I care about my constituents and I care about their stories, particularly when they say they have been waiting. We work very hard to support them through this process. It will be a great thing to improve the timeliness of when they are seen and able to have their surgeries.

The latest health dashboard confirms that the overall number of people waiting for elective surgery has reduced from 12 273 in January to 10 850 in August. That is a positive sign, trending down. A reduction of over 1400 patients. We are seeing those improvements. I am not saying things are perfect. We know we need to improve and we need to invest, we need to see the future and we need to change our processes to improve outcomes. We are seeing the improvements and that is as a result of the work that is being done.

We have established partnerships with the private sector to take pressure off our public system. We are working with primary care providers to improve local health care access after hours. All these pieces of the puzzle are fitting together. We have to make sure there are smooth processes right across those. The Health department and health services are looking at those processes. Whether they use six sigma process reengineering or other systems, that process work is incredibly important. It supports the investment that we are making. These measures are designed to and will take pressure off our health system to ensure that we are better positioned to respond to COVID-19 if we have an outbreak.

As part of our strategy to manage demand at our public hospitals, we have announced 50 additional beds to open in coming months across Tasmania. We are working hard to improve access to care and manage patient flow. We are talking about people moving through the process. We are dealing with humans who may possibly be having the worst time of their lives or are finally getting the surgery they need. There are emotions attached. We have a health care system with people who truly care. We need to invest and improve the management of the business that supports that.

In addition to those beds, we are prioritising improving community care through programs such as community rapid response and helping people to get home from hospital as soon as they are ready through programs such as Hospital in the Home. We are focused on delivering statewide. Our statewide access and patient flow program, which where appropriate includes helping people with direct admission of patients to wards in hospitals without the need for patients to go through emergency departments; criterion-led discharge; and streamlined transfers of patients from emergency departments. We are engaging with private hospital providers to deliver services to help public hospitals meet demand. It is a system-wide approach.

Time expired.

Matter noted.

POISONS AMENDMENT BILL 2021 (No 35)

Second Reading

[12.48 p.m.]

Mr ROCKLIFF (Braddon - Minister for Health - 2R) - Mr Speaker, I move -

That the bill be now read the second time.

A primary purpose of this bill is to amend the Poisons Act 1971 to support Tasmania's adoption of a nationally consistent real-time prescription monitoring, or RTPM system, for certain high-risk medicines.

The bill also amends the Poisons Act to clarify when information obtained under the act can be released or shared; to provide for emergency orders authorising a person to undertake certain activities in relation to certain substances in an emergency; and to provide for the making of regulations that permit discretionary decisions.

On 13 April 2018 the now disbanded COAG Health Council agreed to progress a national system to enable prescribers and pharmacists to access a patient's medication history before prescribing specific high-risk drugs. All jurisdictions committed to develop or adapt local systems to connect to and interface with the Australian Government's national data exchange to achieve a national solution.

Tasmania pioneered Australia's first RTPM system, known as DORA, in 2009. DORA is a clinician decision support tool that records the dispensing of schedule 8 medicines and schedule 4 opioids by prescribers, pharmacists and the Department of Health in real-time.

DORA set the precedent for use of RTPM systems in Australia and has been instrumental in reducing morbidity and mortality associated with the prescribing and dispensing of these high-risk medicines in Tasmania.

Tasmanian data has shown that DORA, and the clinical-regulatory approach to authorising the prescribing of narcotic prescription medicines in Tasmania, in collaboration with Tasmania's medical practitioners and pharmacists, has achieved a population level reduction in authorised opioid doses prescribed over the past 15 years. It is of note, in particular, that Tasmania experienced a much lower percentage increase in the rate of unintentional prescription drug poisoning deaths per capita compared with the rest of Australia between 2001 and 2018.

The nationally consistent RTPM system has been developed to securely integrate with existing clinical workflows for clinicians using their prescribing and dispensing software. The contemporary technology underpinning the national system will enable real-time pop-up notifications to be presented to prescribers and pharmacists through their practice software at the time of prescribing or supply. These notifications can be used to directly access the health practitioner portal of the national RTPM system to enable a seamless user experience and facilitate timely access to relevant clinical and regulatory information.

Access will also be available for those who handwrite prescriptions via the health practitioner portal, like DORA. The national system will also allow for secure access to the health practitioner portal via a mobile or tablet device.

This bill amends the Poisons Act to facilitate Tasmania's implementation of the nationally consistent RTPM system. The amendments are needed to allow the system to operate in Tasmania and are largely reflective of provisions in place in other states and territories. The bill also includes provisions mandating the national RTPM system's use by prescribers and pharmacists. Mandatory use ensures both integrity of the data within the RTPM system for all users and will maximise the benefits of such a system to patient and health professionals.

Mandatory use of RTPM systems adopted in other countries has shown to provide greater reduction in harms from high-risk prescription medicines and represents worldwide best practice. It is also consistent with the approach taken in other states and territories.

The concept of RTPM is not new in Tasmania, and key stakeholders, including the Tasmanian branches of the Australian Medical Association, the Royal Australian College of General Practitioners, the Pharmaceutical Society of Australia and the Pharmacy Guild of Australia, are supportive of both the national RTPM system and of this bill.

The Poisons Act does not currently include information-sharing powers. Amendments are needed to provide clarity around when information obtained under the Poisons Act can be released or shared. This is important given the sensitive nature of the information that is collected by the department in its administration of the act. Amendments to allow for the making of emergency orders are needed to improve the state's capacity to act quickly to ensure the continued supply of essential medicines without prescription in an emergency.

Medications can only be supplied without prescription in an emergency in Tasmania if this is permitted under the regulations. While the regulations enable emergency supply in

relevant circumstances, they are inflexible, and it has been necessary in the past to make legislative amendments at very short notice to accommodate previously unanticipated emergency scenarios. For example, the Poisons Regulations were amended in 2020 to allow for the emergency supply of certain substances without a prescription when an emergency declaration is in force, either under the Public Health Act 1997 or the Emergency Management Act 2006. The amendments were made in response to COVID-19 and were progressed urgently to provide flexibility during the pandemic.

In contrast, poisons legislation in place in New South Wales, Victoria, South Australia and the Australian Capital Territory provides discretion to the relevant minister, secretary or chief health officer to make orders enabling emergency supply of prescription medicines. Queensland's medicines and poisons bill 2020 similarly enables the chief executive to make emergency orders authorising the supply of certain substances without prescription in an emergency.

The bill amends the Poisons Act to enable the secretary to make an emergency order authorising a person to possess, sell or supply a scheduled substance without a prescription in certain circumstances. Amendments providing authority for the Governor to make regulations that allow for discretionary decisions, approvals of matters and issuing of declarations or notices necessary to enable a flexible approach for the safe management of scheduled substances.

Discretionary decisions to which the amendment would apply include decisions such as approving relevant courses of training for the administration of scheduled substances, determining locations that are suitable to store scheduled substances, and providing instructions as to when and in what circumstances substances that are normally prescription substances may be supplied without prescription.

Mr Speaker, I note that the inclusion of the provisions in the Poisons Act for these purposes have been widely supported by key stakeholders in Tasmania.

I commend the bill to the House.

[12.58 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I rise to speak on the Poisons Amendment Bill 2021. I thank the minister's staff for their briefing and the opportunity to ask a number of questions as I read through the bill.

I also put on the record today that from the outset the Labor Party will be supporting the Poisons Amendment Bill 2021. When it comes to the development of real-time prescription monitoring (RTPM) for high-risk medications, Tasmania has been a trail-blazer in this important work focused on reducing the numbers of deaths related to overdose and, in particular, unintentional overdose across Tasmania.

Australia's first RTPM system, known as DORA, was pioneered in Tasmania in 2009. I congratulate the team within our department of Health who have been involved in the development of this legislation. DORA is a clinical decision support tool that records the dispensing of schedule eight medications and schedule four opioids by prescribers, pharmacists and the department of Health in real time. DORA set the mark for the development and use of the RTPM systems across Australia and has been instrumental in reducing morbidity and

mortality associated with dispensing and prescribing high-risk medications across Tasmania and that is a very good thing. I think we can all agree on that.

I understand that on 13 April 2018, the Council of Australian Governments Health Council, which I note is now disbanded, agreed to progress a national system to enable prescribers and pharmacists to access a patient's medical history prior to writing a script or prescribing a high-risk drug. All states are committed to developing or adapting their local systems to interface with the Australian Government's National Data Exchange to achieve a national solution. DORA - the Associated Clinical Regulatory Approach in collaboration with our pharmacists and medical practitioners - is to be commended and, more importantly, the reduction which has occurred across the state over the last 15 years means that fewer Tasmanians have suffered through unintentional prescription poisoning and subsequent deaths than any other states between 2001 and 2018. That is a very good thing.

You only have to look at what has happened in America when it comes to opioid prescriptions and the number of deaths and issues with that in recent times to understand just how important it is to have information-sharing of this nature across our healthcare settings and also the ability to share information. Having that regulatory database in place ensures that there are things recorded and when people are prescribing medications, they are made with a good knowledge of other medications that person is on, any interactions, and gives them an authority to ensure that that patient is provided with safe care, and that is a very good thing.

I also took some time to have a look at the Pennington Institute's Annual Overdose Report of 2021 and I wanted to read a couple of parts from the executive summary. There were 2227 drug-induced deaths in Australia in 2019, with 1644 of them being unintentional. The number of unintentional drug-induced deaths surpassed that of the road toll in 2014 and that is a pretty important thing to put on the record.

Drug overdose is the leading cause of death for all Australians of all ages. For both males and females aged 20 to 29, drug-induced deaths were the third leading cause of death behind suicide and land transport accidents. For those aged 30 to 39, drug-induced deaths were the second leading cause of death behind suicide for both males and females. Drug-induced deaths were again the third leading cause of death in the 40 to 49 age group for both males and females. It goes on also to talk about drug-induced suicides. It is important to recognise that and to put that on the record today in that we are, in what is Mental Health Week this week and the linkages between overdosing, whether that be unintentional, and suicide rates across our country.

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

POISONS AMENDMENT BILL 2021 (No 35)

Second Reading

Resumed from above.

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, the other point I wish to make, alongside those I made from the Pennington Institute, is that when it comes to medicine-related hospital admissions, 72 500 Australians living in rural and remote areas are

admitted to hospital each year due to medicine-related problems. The annual cost to the healthcare system is \$400 million and 50 per cent of this harm is preventable. That is important when we look at legislation like this, the changes they are making and the reduced burden on our hospital system, particularly on our emergency departments.

As a rural and regional MP, it is important that I put on the record information around the rate of unintentional drug-induced deaths in rural and remote Australia, which is higher than capital cities and increasing at three times the rate. Between 2011 and 2018, unintentional drug-induced deaths increased 15.9 per cent in rural and regional Australia compared to 3.6 per cent in capital cities. That is important for us to note when we look to our own communities across Tasmania. We have high population groups across rural and regional communities and that reinforces the importance of this amendment bill today.

I will make a couple of other points to get the minister to provide some confirmation about questions I asked during the briefing. The first was around the consultation undertaken on the bill. In your second reading speech you said there was thorough consultation. It would be good to understand who that was with.

I understand the importance of amendments around emergency orders and people being able to get access to medications and prescriptions during an emergency time, as was the case during COVID-19, which is what has led to some of these changes. I would like the minister to clarify the role of the secretary of the department in some of the delegations as part of this amendment bill. It makes reference to the fact that in some other states, the minister has those delegations rather than the secretary of the department. I would like to understand the minister's view on why that is.

I also understand, through this briefing, that there will be no requirement for new software for practitioners, and those practitioners still using paper-based prescriptions will be able to continue to do so, which is important, and that nurse practitioners are classified as prescribers as part of this bill. Importantly, this will make a difference to Tasmanian lives, it will make a difference to our health system, and it will provide our healthcare workers, practitioners, pharmacists and those working in our communities with good information to make better-informed choices about what medications they prescribe to their patients. It would include improved medicine safety across our community, which can only be good.

Thank you for bringing this forward. I look forward to it being implemented in our community.

[2.34 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, the Greens support this amendment bill to update the regulation, control and prohibition of scheduled substances, especially medicines. This is important updating. I did not get an opportunity to have a briefing on this bill but it seems to be happening in the context of parallel conversations in the space of medication safety and management.

I would like to reflect on the still-to-be-completed coronial inquest into the death by his own hand of a Tasmanian paramedic. The report of the coroner is yet to be completed but I understand the inquest and the hearings have finished. In that process, there was some very disturbing testimony provided about failures within Ambulance Tasmania to properly protect their staff and to have the proper workplace duty of care. These are allegations made in the

testimonies of paramedics past and current. It appears there have been gaps in safety so that this man was able to improperly gain access to medicines and it had a tragic outcome.

I know that Ambulance Tasmania themselves and I have had various conversations with the minister, and that Health department staff have been looking at how to safeguard people in the employment of Ambulance Tasmania and other parts of the health system on the back of that coronial inquest. I asked a number of questions of Mr Acker during Estimates, through the minister, in relation to where they were up to in implementing some actions on the back of the findings made in the coronial inquiry. The minister said there was an electronic medication management system and that will capture medication management from procurement to audit.

Minister, you said that 'the procurement process for the system is progressing and it will assist in the capture of drug register information and will also enhance drug audit capability and would be designed for the mobile paramedic environment when it is completed'. Can you detail the time frame for when the implementation and completion would be for that? In the interim, what are the mechanisms being put in place now to provide those double-paramedic-at-all-instances safeguards, and some kind of external oversight to make sure that in every instance that is occurring? The minister could respond to that and to the matter of ambulance officers.

I am referring to the Australasian College of Paramedic Practitioners and their submission to the Rural Health inquiry. For some time now, they have been advocating for the paramedic practitioner model to be available to paramedics in Tasmania - a form of Masters degree and further specialty training through the university system. Paramedic practitioners in the United Kingdom have prescribing rights of poisons and other medications and can order tests and imaging and treatment. It is a manifestly good model for Tasmania to investigate.

I ask the minister to reflect on where he is up to with working with the Australasian College of Paramedic Practitioners to advance this sort of paramedic practitioner certification process in Tasmania.

One of the impediments identified is that the Tasmanian legislation would need to be amended to support the paramedic practitioner model. They say the Poisons Act 1971, the Mental Health Act 2013, the Public Health Act 1997, the Human Tissue Act 1985, the Evidence Act 2001 and the Workers Rehabilitation and Compensation Act 1988 are examples of legislation that would need to be amended for a paramedic practitioner certification model to be established in Tasmania. Minor changes would need to occur to federal legislation to allow paramedic practitioners to access the MBS and the PBS.

Minister, could you please provide an update of the conversations that were had or not had with the Australasian College of Paramedic Practitioners in relation to this bill? Did you seek their views about the changes in the Poisons Act and did you guarantee to investigate this matter? Where would the amendments to such acts fall in the suite of legislative reform for this Government?

Because we are looking at opening up with COVID-19, and with pressure already on the health system, it is clear that paramedics and Ambulance Tasmania staff are a crucial part of the system. We have to provide as many options to recruit, train and retrain people so they can continue a lifelong career path in the domain of paramedic skills.

There are opportunities to increase the skill set of people in rural areas by giving people who have been paramedics the opportunity to skill up and work with private operators, public operators and public health in rural and regional areas. Those same emergency response skills would be very helpful for us in emergency departments, in allied health centres in rural areas and in the smaller hospitals in Tasmania. These are the sort of professionals who could use their skills in a different forum other than in Ambulance Tasmania. Of course, we want more people to be in that role as well but this is about giving everybody an opportunity to stay in the team, yet work in a new and related field and expand their capacity.

Minister, has there been consideration of these issues when discussing this bill? Would you consider looking into that in the near future?

[2.44 p.m.]

Mr ROCKLIFF (Braddon - Minister for Health) - Mr Speaker, I thank members for their contribution and support for the bill.

Dr Woodruff, I will read *Hansard* as there were a number of questions concerning Ambulance Tasmania that were not directly related to the bill. Perhaps we will write to you about some of your questions.

Dr Woodruff - Thank you.

Mr ROCKLIFF - As you are aware, briefings are available on any aspect of my portfolios. I will look at the *Hansard* again and detail some answers to the questions for you.

Ms Dow mentioned a few key areas. One was about consultation. Key stakeholders were consulted on Tasmania's implementation of the national real-time prescription monitoring system and on medicines to be monitored through the system over an eight-week period spanning 20 December 2020 and January 2021. Stakeholders were provided with a background paper outlining evidence and considerations for the system and proposing the medicines that ought to be monitored in Tasmania. Feedback was sought on proposed amendments to the Poisons Act that require prescribers and pharmacists to use the system, and on the medicines that ought to be monitored.

Key stakeholders consulted include the Consumers Health Forum, the Royal Australian College of General Practitioners, the Australian Medical Association, the Pharmaceutical Society of Tasmania, the Pharmacy Guild of Australia, the Royal Australian and New Zealand College of Psychiatrists and Primary Health Tasmania. Key stakeholders and affected agencies were also consulted during March 2021 on the draft bill.

Stakeholder feedback has confirmed strong support for both Tasmania's implementation of the system and for the bill's provisions. The Tasmanian coroner has previously expressed strong support for the use of real-time prescription monitoring by prescribers and dispensers. The Pharmaceutical Society of Australia has commended Tasmania for its early adoption for DORA and has consistently advocated for implementation of real-time prescription monitoring to address any increase in harm resulting from inappropriate use of prescription medicines. The Australian Medical Association has expressed support for electronic systems to collect and report real-time prescribing and dispensing data relating to certain high-risk medicines as an effective means of addressing misuse and abuse. The Royal Australian and New Zealand

College of Psychiatrists Tasmania branch has also expressed it is full of support for the RTPM system's goals.

I will also answer questions related to the secretary making an emergency order, which I believe is a question from Ms Dow. The poisons legislation in place in New South Wales, Victoria, South Australia, Queensland and the Australian Capital Territory gives discretion to the relevant minister, secretary or chief health officer to make orders enabling emergency supply of prescription medicines in an emergency.

Under the New South Wales Poisons and Therapeutic Goods Act 1966 and Poisons and Therapeutic Goods Regulation 2008, the secretary of the New South Wales Department of Health may authorise a pharmacist to supply restricted substances without a prescription in an emergency.

I am advised that under South Australia's Controlled Substances (Poisons) Regulation 2011, the Minister for Health can issue a notice relating to emergencies.

Under Queensland's Medicines and Poisons Act 2019 the chief executive of Queensland Health may make an emergency order.

Under Victoria's Drugs, Poisons and Controlled Substances Act 1981 the secretary of the Victorian Department of Health may make a public emergency order.

Under the Australian Capital Territory Medicines, Poisons and Therapeutic Goods Regulation 2008 the chief health officer is authorised to issue a standing order for the supply of a medicine in an emergency in public health.

Providing the secretary with the authority to issue an emergency order under Tasmania's legislation is consistent with the powers and functions the secretary currently has under the act.

I will advise about prescribers and dispensers who do not have access to electronic systems. Tasmania's RTPM system is being designed to electronically integrate into a practitioner's usual clinical workflow. Prescription exchange services allow the electronic transfer of prescriptions from prescribers to pharmacies. Where a prescription for a monitored medicine is issued by a prescription exchange service, the service will automatically send a record of the prescription in real-time to Tasmania's RTPM system.

Prescribers and dispensers who have registered to use the system and who are using integrated software will receive pop-up notification warnings. When certain high-risk scenarios are detected, prescribers and dispensers can click on the notification to view the patient's full monitored medicines history. Due to the roll-out of electronic prescribing by the Australian Government in 2020, most pharmacies and prescribers already utilise prescription exchange service integrated software.

Use of Tasmania's RTPM system will require prescribers and dispensers in Tasmania to access a web-based system. All pharmacies in Tasmania are understood to have web access as they are already transmitting dispensing data for relevant substances to the department in real time as an existing requirement for the poisons regulations. I am advised approximately 85 per cent of Tasmanian pharmacies use DORA already and so will be familiar with the system. Most medical practitioners - nearly 60 per cent I am advised - have access to DORA and will

be familiar with the approach proposed to be established through the RTPM. Training for these groups in the use of RTPM will not incur a cost to prescribers or dispensers.

Those few prescribers and dispensers who are not using integrated software can still access the RTPM system to view their patient's monitored medicines history by self-registering, or accessing and securing logging directly into the online health professional portal. Hand-written prescribing events will not be captured in the national RTPM system at the time of prescribing. The hand-written prescription information will, however, be captured when the monitored medicine is dispensed. There will be no licensing cost or fee for prescribers and dispensers associated with access to, or use of, the system.

Under the Poisons Act and poisons regulations a range of registered health practitioners may lawfully prescribe high risk monitored medicines. This includes authorised nurse practitioners, endorsed midwives, endorsed podiatrists, endorsed podiatric surgeons and endorsed optometrists. Including some or all of these categories of registered health practitioners as prescribers for the Poisons Act and poisons regulations will be consistent with their powers, functions and responsibilities under the Poisons Act and poisons regulations and would facilitate their access to the RTPM system and to the information needed to support safe and efficacious prescribing decisions. Any prescriber of narcotic substances in Tasmania may currently apply to access Tasmania's existing real-time prescription monitoring system, DORA. Extending access to the RTPM system to the broader prescriber growth would be consistent with this approach.

The drafting of regulations to support the proposed RTPM provisions is in progress. Consultation with relevant stakeholder groups will continue to occur in the coming months to identify the extent of support for the inclusion of provisions in the regulations to extend access by authorised nurse practitioners endorsed with, as I have said, podiatrists, podiatric surgeons and endorsed optometrists to the RTPM system.

Mr Speaker, before we conclude I acknowledge the work of many people, stakeholders and those in the department who have contributed to this bill. This includes the Chief Pharmacist and Deputy Chief Pharmacist as well as the professional medical and pharmacy representative organisations who have provided constructive and informed feedback during the consultation process. The time and commitment demonstrated by a number of these individuals and organisations to achieving the contemporary framework for the regulation of scheduled substances is recognised and very much appreciated. As has been discussed today, Tasmania has been an innovator in the use of RTPM systems and Tasmania's prescribers and pharmacists have led the way in use of real-time prescription monitoring systems since DORA's introduction back in 2009 and I acknowledge the time and commitment of Tasmania's prescribers and pharmacists to ensuring the best possible health outcomes for Tasmanian consumers.

I commend the bill to the House.

Bill read the second time.

Bill read the third time.

LAND (MISCELLANEOUS AMENDMENTS) BILL 2021 (No. 43)

Second Reading

[2.56 p.m.]

Mrs PETRUSMA (Franklin - Minister for Parks) - Mr Speaker, I move -

That the bill be now read for the second time.

The primary purpose of this bill is to improve and amend land related legislation. This bill creates clarity and consistency within legislation whilst improving, modernising and streamlining processes in preparation for the introduction of national electronic conveyancing in Tasmania.

Key legislation administered by the Recorder of Titles amended by this bill, includes the Land Titles Act 1980 and the Land Titles Regulations 2012. There are also minor consequential amendments to other land-related legislation where powers and functions of the Recorder of Titles apply. The Land Acquisition Act 1993 is also amended by this bill.

The Land Titles Act 1980 has been in force for around 40 years and I am pleased to announce on behalf of the Government that the 60-day period for the duration of a priority notice under section 52 of the Land Titles Act will now be extended to 90 days. A priority notice provides crucial protection on a property title for the period between settlement of the purchase of a property or earlier until lodgement of documents with the Land Titles Office, to give effect to the transfer of the title to the property.

The increased period of 90 days more appropriately aligns with the real-time requirements that apply to a conveyancing transaction while affording the opportunity to enjoy the protection of a priority notice from the first available opportunity until lodgement of documents has been effected. The prescribed period will be removed from the Land Titles Act and be included in the Land Titles Regulations and the commencement and expiration of a priority notice will be clearly defined. This move has had support from the legal profession and I am pleased to announce they will now be implemented by this bill.

The bill will also clarify the operation of section 63 of the Land Titles Act which deals with the process and effect of severing joint tenancies between land-owners. If a joint tenant dies, the surviving joint tenant inherits the whole of the property, despite the contents of that person's will. A tenancy-in-common has the opposite effect to a joint tenancy and allows the tenant-in-common to deal with their share under their will. Section 63 provides a way for a joint tenancy to be ended by the decision of one owner, which is an important right. The intended changes clarify the operation of section 63 where there are more than two joint tenants and reflects the Common Law position.

The bill clarifies that if an owner in a joint tenancy relationship of more than two owners severs their interest to become a tenant-in-common, their actions will now leave untouched the joint tenancy relationship between the remaining owners. Therefore, the bill will address any unintended consequences by not ending the whole joint tenancy between the remaining owners. This upholds the rights of the remaining joint tenants to decide what they wish to do between themselves. This is a sensible, protective measure so that their joint tenancy and estate planning decisions are not automatically changed by default by the actions of one owner.

Another major accomplishment of this bill will be the refinement of the language throughout land-related legislation regarding the use and issue of paper certificates of title, which introduces consistency. This will allow for future change and is another step towards continuous improvement in the digital transformation of a heavily paper-based process.

The bill will also modify terminology and remove confusion around the need to lodge dealings in duplicate with the Recorder of Titles. For a number of years, the Recorder of Titles has not required documents to be lodged in duplicate. Despite this the Land Titles Act and numerous other pieces of land-related legislation continue to refer to duplicate registered dealings on the assumption that duplicates are either required or have been lodged.

As a significant step towards modernisation and contemporary community standards, the bill also introduces gender-neutral language throughout the Land Titles Act 1980 when referring to a person or to the Recorder of Titles, resulting in multiple amendments to that act to reflect that change. Further, the opportunity has been taken to make similar changes to sections of other legislation without being otherwise amended by the bill. The bill will generally improve the Land Titles Act and Land Titles Regulations and ensure greater clarity and consistency. The amendments also continue to uphold the integrity of documents lodged with the Recorder of Titles such as by requiring appropriate amendment and initialling of alterations and appropriate certification and translation of documents that are not in the English language.

This bill also amends the Nature Conservation Act 2002. Section 32A of that act allows the responsible minister to add, amend or omit species named in specific schedules in the regulations by order. The amendment will remove reference to specific numbered schedules which are considered unnecessary to retain. The act is also amended by replacing the current specific reference to the Wildlife (General) Regulations 2010 with a general reference to regulations made under the act. Amending the act to remove specific reference to a particular named set of regulations mitigates the need to amend the act itself every 10 years to refer to those remade regulations by individual title.

The bill will also improve the Land Acquisition Act 1993 which establishes the land and acquisition process that is administered by the Valuer General. This act has been in force for over 27 years and sets out the process for acquisition of land in Tasmania by both crown and non-crown acquiring authorities. Consistent time frames within that act will now be clarified, including allowing a mortgagee a longer period of six months to lodge a claim for compensation or notice of election instead of the currently prescribed 60-day period. This will ensure consistency with time frames that apply for other interested parties such as the property owner.

The Office of the Valuer General has introduced new electronic processes for land acquisition, aligning with practices in other jurisdictions. This bill will now allow electronic signatures on notices on behalf of the minister and other electronic service of notices between the land owner and the acquiring authority. This will significantly streamline the acquisition process and achieve greater administrative efficiency.

I commend the bill to the House.

[3.03 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I rise to contribute on the Land (Miscellaneous Amendments) Bill 2021. On behalf of my colleague, the shadow minister for environment, I thank the department for the briefing offered earlier this week.

This bill improves upon a bill that was debated on 23 March this year when it was brought in by Mr Barnett. It passed this place but there was an election called so we are dealing with the matter again.

Further amendments have been made, including improving the bill so it does not have gendered language. Nice to see you have taken the opportunity to update those acts that intersect with it. It is a good opportunity to contemporise that legislation.

We will support this bill and will not be suggesting any amendments. A conversation took place during the last debate about how this is largely administrative. The significant changes being proposed are to acknowledge that we use technology a lot more now. It is commonplace for people to use electronic signatures. The Government is reflecting that through this engagement with people around the different elements that are outlined in this bill.

There were different matters discussed through the briefing held with the shadow minister. I note that each of the questions that were asked through that process were answered in the briefing. I do not have anything to put to you that I need clarification about because your advisers have done a great job and we already largely dealt with the bill earlier this year. Only minor changes have occurred since then.

I am not going to add much that will take up the parliament's time, but I want to note that in the March debate my colleague, the member for Braddon, raised concerns about the land acquisition policy of the Government in relation to the Leith overpass, which is an ongoing issue. I am not asking you to provide a response on that matter in this debate, minister, because it was a discussion that was had at that time. I note that there are still ongoing issues around that. Given the Government's infrastructure program, it is important that with any process related to land acquisition - think about the fifth lane on the Southern Outlet as an example - there is a clear process for how the community engages with the Government and transparency about how land acquisition takes place, particularly infrastructure corridors, like highways or main roads. They were some of the concerns raised by my colleague when the debate was had in this place in March this year.

We will wait to see if further matters are brought up in the debate but I do not think the Labor Party will suggest going to committee.

[3.06 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I rise on behalf of the Greens to indicate that we had a pretty thorough briefing. Thank you to the departmental and ministerial officers who provided that briefing to us.

We are comfortable with this legislation. When I first looked at it and realised it was amending 14 land-related statutes, my spidey senses went off a bit and I thought I had better have a really good look at this legislation. There are a number of significant changes that improve the operability, particularly of the Land Titles Act, but in the main I think this amendment bill is about modernising legislation, modernising some of those processes, taking

arcane provisions out of those statutes, and making sure that there is gender-neutral language to the greatest extent possible in land-related legislation.

Some of the amendments about electronic conveyancing and electronic storage of land titles raise some questions which, for the purposes of clarity, would be good to have the minister's views on. We all understand that we are no longer living in a world where paper is the dominant medium for recording information and that the storage of paper records can become problematic. When you are talking about a document as significant to an individual or a family's life as a land title, there needs to be real rigour about any move towards a more electronic system. We touched on this in the briefing. I know there is a real awareness of the need for strong systems and for there to be rigour around how information is stored and accessed and potentially amended.

We understand, minister, that there is a move nationally towards electronic conveyancing, and electronic storage of land titles. Is the minister able to give us any information on the time frame for those changes? My understanding from the briefing is that states and territories are all at different stages of that process and that to some extent - and this is a tendency of particularly conservative governments, I have to say - there has been an outsourcing of data storage capacity potentially. I cannot remember which jurisdiction it was but private companies are holding titles so they become the electronic storage font for title storage.

Is the minister able, even though we have not got to that point yet, to help the House understand the connection between the Land Titles Office, the role of the Valuer-General and how it would work that you would have an electronic system that stored certificates of title and how you could make sure that the public interest was protected but also people's personal property rights protected in that process? Who would actually hold the titles in a truly reformed electronic system and what kind of thinking is taking place now about IT protections in the event of a system breakdown or a hack?

I note that the legislation amends the compulsory acquisition legislation. I know Ms White touched on this briefly but there has to be a better way of government giving effect to its programs and policies that does not so apparently thoroughly alienate important groups of people, important communities.

The community at Leith is one example, which we went to talk to earlier this year. The bewilderment about government plans and processes, and the lack of openness, the awareness that people who have lived in an area or had this home for many years can just have it taken away from them, or a large chunk of their land taken away from them, is really stressful.

I understand that you need the capacity in the Land Acquisitions Act to move so you can invest in infrastructure and modernise, but it can be really heavy-handed and we have seen that at Leith. We have seen that in the north west along the intended site of the UPC transmission line, where notices from a private company went to landowners informing them that their land would be acquired. We have the situation here on the Southern Outlet where those families in Dynnyrne suddenly woke up one day to a private consultant again communicating with them that their homes, or a substantial part of their property will be compulsorily acquired in order to build a fifth lane on the Southern Outlet. It is obviously distressing to those communities but it is also really rude on the part of Government to give effect to your infrastructure program in such a ham-fisted way.

The fact is that the Land Acquisitions Act gives no landowner any real rights in the event that the government decides that they are going to compulsorily acquire their land. Yes, it does provide for compensation, as it should, but all rights to prevent something in the event of compulsory acquisition simply do not exist.

Perhaps the minister could address some of those concerns, which come up all the time. Minister, I am sure you have spoken to constituents who are having their property or part of their property compulsorily acquired and it creates this lack of trust and resentment in government because of the way it is done. I put that on the record.

The amendment that provides for a person who has had an acquisition notice served on them to have a longer period of time in which to seek compensation is a very good amendment and well thought through.

Regarding the amendments to the Wellington Park Act, I have had a look at the principal act, minister, and this series of amendments contained in one clause. I do not think there is anything else happening here, given the Government you are part of has been so ardently backing the cable car proposed for the privatised pinnacle of kunanyi. Perhaps you could provide some real assurance about why the words 'if any' are put after 'title' or 'grant' or 'dealing' in the Wellington Park Act. It looks like it is just to make it more accurate, because in some instances there will not be a grant or a dealing.

Finally, I note that the Nature Conservation Act is being amended to make it less prescriptive in terms of wildlife regulations attached to the act as a schedule. Obviously, we are also very wary when we see the Nature Conservation Act come before the parliament because it has been for a positive purpose, certainly in my time in parliament. My understanding is that this is in order to make wildlife regulations, which are renewed every 10 years, more easily slotted into the back of the Nature Conservation Act, if you like, as a schedule because they will not necessarily have a specific name and date to them. Perhaps the minister could provide a bit of extra reassurance on that.

That is about it, really. I appreciate that the Government is moving on gendered language in legislation. This is a pretty good tidy-up act, Mr Deputy Speaker, and we certainly will not be opposing it.

[3.17 p.m.]

Mr TUCKER (Lyons) - Mr Deputy Speaker, an early version of the Land (Miscellaneous Amendments) Bill 2021 was tabled and passed through the House of Assembly just prior to the 2021 state election. As was debated previously in this House, the bill was clearly intended to improve aspects of the existing land-related legislation, making a range of minor and non-contentious amendments that bring land transactions into the twenty-first century.

This bill provides for consistency within land-related legislation, supporting a future move towards paperless certificates of title, by removing inconsistent language within the Land Titles Act such as 'must prepare a paper certificate' and replacing these references to 'may'. The legislation becomes contemporary and agile to support the dealings of the Land Titles Act.

I understand that there will be no change to current practice and that the Recorder of Titles will still issue paper certificates of title for the foreseeable future. However, these amendments support the future implementation of electronic conveyancing in Tasmania.

Further amendments in the bill also provide an opportunity to remove references to outdated practices, reducing unnecessary regulation and confusion. For example, I understand that the lodging of documents in duplicate for the Recorder of Titles has not been a requirement for many years.

The amendments to section 52 clear up existing uncertainties, noting the importance during property purchase or the intended grant of a new mortgage that the interests of an incoming party are protected through the lodgement of a priority notice. Where an effective priority notice is in place, it acts like a temporary caveat. It effectively freezes the title to prevent registration of other dealings or third-party claims. This is an essential step in prudent conveyancing practice. It protects the interests of the purchaser.

In consideration of the realistic time turnaround for dealings with third parties, the period for priority notices will be extended from 60 to 90 days as part of section 52 of the act. The extended period of 90 days accommodates industry needs and the time frames generally associated with conveyancing transactions, including loan processing, the assessment of duty, lodgement and registration.

The effect of the proposed amendment gives a lodging party the benefit of a full clear 90 days priority. This amendment ensures the time frames are clarified to ensure that notices take immediate effect upon lodgement and the precise expiration will be midnight on the last day of the prescribed period. Having the benefit of more time will provide a buffer against time delays leading up to the lodgement of documents with the Land Titles Office and potentially saves time and money for purchasers and their banks by avoiding the need to lodge a second priority notice to provide sufficient time.

These amendments provide the public with greater clarity and are reflective of realistic time frames. I understand that this amendment was suggested by the legal and conveyancing profession and has the support of that industry. Further protections and clarity have been made to the Land Titles Act in relation to joint tenancies to ensure that when a person exits an arrangement the status of the ongoing joint tenancy between the remaining owners is not automatically severed. Amendments to the act in 2012 that allowed a person to exit the joint tenancy had the unintended consequence of ending the whole joint tenancy, including where there were more than two owners. This had the potential to undo deliberate estate planning decisions and put the other parties to cost to rectify it. This bill amends the act to reflect the fact that the status of the ongoing joint tenancy between the other owners should be a matter for those owners and ensures their interests are not affected by the unilateral action of the person exiting the arrangement.

I understand there is a range of other improvements to the Land Titles Act that are achieved by the amendments within this bill: to ensure clarity and consistency, time periods throughout the act will be all expressed in days, removing the requirement to update the practice manual wherever a new form is approved by the Recorder of Titles; aligning with sections 136A of the act and section 134 so that time extends to the next business day for the Office of Recorder of Titles is closed; and correcting references to superseded legislation.

In addition to amending the regulations to allow for the new prescribed 90-day priority notice period, the bill also amends the regulations in relation to:

- detailing what translation and certification is required when lodging documents that are not in English;
- requiring the initialing and dating of amendments to documents and giving the Recorder of Titles the authority to rely on that initialing and dating; and
- providing that a workplace address is also an acceptable address for a witness or a party.

As I am sure all members have agreed and will agree, these are all changes that simply make sense and will improve the efficiency of land transactions.

I understand that the Valuer-General has proposed amendments to the Land Acquisition Act 1993 that will further ensure day-to-day dealings are reflective of modern society and communication methods, including the opportunity for the use of electronic signatures and email communication for service of notices. These are sensible amendments that will be beneficial to the public, creating greater efficiencies, noting that the serving of notices by email will importantly still occur, following appropriate consultation and land owner agreement. Due to the requirement for the bill to be re-tabled I note that the minister has included additional amendments and I commend her for taking the opportunity to make further improvements to the bill.

Finally, the bill amends the Land Titles Act 1980 to provide gender-neutral language throughout, replacing the use of pronoun references as an opportunity to expand upon what had already commenced in part in the original bill, being a significant step in reflecting contemporary community standards. I understand that prior to development of the original bill, consultation was undertaken with the Law Society of Tasmania, along with other arms of government responsible for the administration of legislation to be amended by the proposed bill. I understand that no adverse concerns were raised.

This is an important bill providing better protections, clarity and consistency within legislation while also streamlining processes and ensuring Tasmania is prepared for the introduction of national electronic conveyancing. I am pleased to support the bill and I thank the minister for delivering these amendments to simplify and improve the management of land transactions in Tasmania.

[3.25 p.m.]

Mrs PETRUSMA (Franklin - Minister for Parks) - Mr Deputy Speaker, I thank all the members of this House for their comments today and I appreciate them letting me know of their concerns and also their support for this bill.

As was indicated by the other speakers, an earlier version of this bill was tabled and passed through the House of Assembly. I just noticed it was on my birthday, 23 March, so it was just prior to the recent state election. Due to the requirement for the bill to be re-tabled, further changes have been made including, in particular, to the gender references in the Land Titles Act 1980 and minor amendments to the Nature Conservation Act 2002.

When I was reading the second reading speeches from the previous bill, the department also kindly pointed out to me comments that were made at the time that maybe we should take this opportunity to improve the bill by creating gender-neutral language throughout the bill. I thank the department as well as the Office of Parliamentary Counsel for being willing to accommodate all those changes. It was a great pick up at the time and it was a good opportunity to use those months since the first debate of this bill to this bill now being debated today to improve the language. Back in 1980 when the bill was first developed it was developed at a time when use of the masculine gender in language was usual, as is the case with much of the legislation that this House deals with. This is another major step towards making sure we improve our legislation and bring our legislation up to contemporary community standards. I am pleased and I thank the department and OPC for all their efforts with regard to this.

Regarding Ms O'Connor's concerns with wildlife regulations in relation to the changes to the Nature Conservation Act 2002, I can confirm that the bill's amendments do not result in any different ministerial powers than what exist now. The ability of the minister to amend the schedules by order already exists and what this amendment does is to remove the reference to schedule numbers of the 2010 Wildlife (General) Regulations as these will change when the current regulation review is complete. This amendment ensures that the new subordinate legislation that protects and regulates wildlife activities can come into effect and I can indicate that the new Nature Conservation (Wildlife) Regulations 2021 must be made by gazettal by 1 December 2021.

With regard to the concerns raised by members with respect to both Leith and Dynnyrne, I will pass on Ms O'Connor's concerns about the consultation process because we should always seek to make sure that we work to improve engagement with our constituents as well as stakeholders.

Ms O'Connor - It is about respect.

Mrs PETRUSMA - Yes. I take that with the genuine concern with which it was raised.

With regard to Leith, I can indicate that the Government remains committed to improving the Bass Highway junctions at Leith with community consultations already being held in July this year. The Government is analysing this information from the consultation process and will make recommendations on options. No final decision will be made about the project design until feedback has been considered.

Similarly, no decisions have yet been made in relation to the property acquisitions with regard to the Southern Outlet. The Government has a plan to make sure that we bust peak-time congestion time in Hobart.

There is no doubt that the Greater Hobart region's population and employment growth has put increased pressure on the transport network. This is particularly the case with the southern corridor, including the Southern Outlet and the Davey and Macquarie Street couplet. The Government is committed to addressing this growth in the Greater Hobart traffic solution as well as the Hobart City Deal, which has been supported by mayors of Greater Hobart.

What the Greater Hobart transport solution sets out to do is a coordinated series of projects that will increase the lane capacity of these roads as well as incentivise the use of public transport and higher occupancy in vehicles. It is a planned, integrated set of measures

that, combined, improve lane capacity as well as incentivise behavioural change for those who wish to take advantage of the opportunity.

Under these initiatives, more than \$60 million has been allocated to Kingborough transport infrastructure, including park-and-ride facilities, a new transit lane on the Southern Outlet, extra lane capacity at the interchange with Macquarie and Davey Streets, and the removal of parking and creation of clearways on those streets. This coordinated set of projects, including an increase of 70 bus services, will drive a modal shift for commuters from single-occupant vehicles to public transport and multiple-occupancy vehicles, improving travel time reliability for all road users.

The Government has committed to community consultation on these integrated projects. From being a member for Franklin and yourself, Mr Deputy Speaker, living in the area, it is clear that there are traffic congestion issues there every single day, affecting the residents of the Huon and Kingborough municipal areas. This is why we have a plan and do want to address this issue. However, I take on board the comments of the other members today.

In regards to e-conveyancing, as a signatory to the COAG intergovernmental agreement for an electronic conveyancing national law, Tasmania is committed to the introduction of a single national electronic conveyancing system. The introduction of national electronic conveyancing in Tasmania is an important activity in the Land Titles Office business transformation program.

Regarding Ms O'Connor's concerns, electronic conveyancing is a secure online environment that allows legal practitioners, conveyancers, financial institutions and other interested parties to electronically prepare and lodge land dealings with land title registries, to transmit settlement funds and pay associated duties and tax, and removes the need to physically attend property settlements.

Electronic conveyancing entails the involvement in conveyancing of one or more electronic lodgement network operators. The electronic lodgement network operators do not hold the titles or manage the land titles registries. They are responsible for lodging dealings with the state land registry organisations, such as the land titles offices, but they do not hold the titles or manage the land titles registries. What they do is hold and manage information only in accordance with the agreements with subscribers and agreements with land registries.

Electronic conveyancing is operative in all states and territories of Australia, excluding the ACT, Northern Territory and Tasmania. With the ACT to become operational soon, this would leave the Northern Territory and Tasmania as the only state and territory it is not operative in. It may entail the abolition of paper certificates of title but its implementation is not dependent upon such abolition. Work is being undertaken by the Land Titles Office to enable the introduction in due course of the national electronic conveyancing system by way of an intergovernmental agreement, but no date has yet been determined for the implementation in Tasmania.

Ms O'Connor - So we are not talking about a system that would create a central electronic repository for land titles?

Mrs PETRUSMA - No.

With regard to Ms O'Connor's comments about the Wellington Park Act, I have been advised that this is only for completeness for this act. There are no nefarious reasons, only for completeness because of all the other acts that have been amended here.

Ms O'Connor - Thank you, minister.

Mrs PETRUSMA - To wrap up, Mr Deputy Speaker, I thank the department, everyone here today but also a lot more behind the scenes who have been involved in the comprehensive review and work on this bill, in particular Land Tasmania and the Natural, Cultural and Heritage divisions of the Department of Primary Industries, Parks, Water and Environment, as well as the OPC for all their great work in accommodating our request to introduce gender-neutral language. I thank all the staff here today. I am pleased to have the Labor Party and the Greens support for this bill. I commend the bill to the House.

Bill read the second time

Bill read the third time.

MUTUAL RECOGNITION (TASMANIA) AMENDMENT BILL 2021 (No. 42)

Second Reading

[3.38 p.m.]

Mr FERGUSON (Bass - Minister for Finance) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

This bill will introduce the national automatic mutual recognition of occupation scheme in Tasmania by putting in place the new arrangements agreed to by National Cabinet in December 2020. The goal of automatic mutual recognition is to promote the freedom of movement of service providers across Australian states and territories by reducing unnecessary regulatory red tape while maintaining high safety standards.

This bill builds on the existing mutual recognition arrangements which have been in place since the early 1990s. The principle of mutual recognition is that if a person is registered to carry out an occupation in one state or territory, they should be able to carry out the same occupation in another without the need for that person's qualifications and experience to be assessed again.

In 2015 the Productivity Commission was asked to examine the mutual recognition framework. While it found that these arrangements generally worked well, it indicated that there would be economic benefits from automating such processes. This is because under the existing mutual recognition arrangements, a worker must go through a separate registration process and may need to pay an additional registration or licence fee before starting work in another state or territory.

In 2020, as part of the deregulation agenda, Australian governments agreed that the Council on Federal Financial Relations would prioritise and lead the development of a uniform scheme to enable occupational licences to be automatically recognised across jurisdictions.

Based on advice from CFFR, at National Cabinet in December 2020 governments committed to establishing a widespread uniform scheme for automatic recognition of licensed occupations for the purpose of streamlining processes across jurisdictions, to commence from 1 July 2021. This was formalised in the intergovernmental agreement on the automatic mutual recognition of occupational registration. At its core an automatic mutual recognition scheme will improve job mobility. It will help employers access registered skilled workers more quickly and at lower cost by more seamlessly allowing employees to move where they are most needed. It will match job seekers with employment opportunities.

To fully realise the benefits of automatic mutual recognition it is important that the scheme is consistent across the states and territories. This is achieved by this bill implementing the framework put in place by the law which recently passed the Australian parliament. However, our laws must always be what is in the best interests of Tasmanians. In this regard the bill provides the ability for the Governor at any time to cease the automatic mutual recognition scheme or terminate the ability for the Australian Government to make future changes to the scheme through the referral of power in this bill.

The bill provides for appropriate parliamentary oversight of this process, as any such declaration by the Governor must be approved by both Houses of parliament. Automatic mutual recognition will have tangible outcomes for Tasmanian workers and businesses. It will result in increased job mobility and decreased costs for workers, consumers and businesses.

Employers will be able to access skilled workers more quickly and at lower cost. This will boost competition, productivity and economic growth. Tasmanian workers will be able to more quickly react to changing job markets elsewhere. In the unfortunate event of a natural disaster, Tasmanian workers will be able to quickly respond to address immediate impacts or contribute to longer-term recovery on the mainland. Similarly, mainland workers will be able to more quickly react to assist Tasmanians and aid economic recovery.

Importantly, the Tasmanian Government is ensuring that the existing regulations put in place to protect our community will be kept under the new scheme where mainland workers decide to operate in our state. I will now step through some of these safeguards.

A person subject to disciplinary actions or who has conditions on their registration as a result of disciplinary or legal action in their home state or territory will not be eligible for automatic mutual recognition in Tasmania. Any conditions a person has on their home licence will apply here in Tasmania. A worker wishing to work in this state must also satisfy a Working with Vulnerable People character test where required by our law. In addition, our local laws will continue to apply to everyone carrying on the activity in the state. This includes the need for workers to meet financial requirements such as having insurance. Tasmanian regulators will also be able to take action, including suspending or cancelling a person's registration consistent with Tasmanian law.

As Minister for Finance I will be able to exempt an occupation on a temporary basis from the automatic mutual recognition scheme until 30 June 2022. I will also be able to make longer-term exemptions for an occupation where a certain risk cannot be satisfactorily addressed. The new scheme may not be appropriate for certain occupations from the outset. For some there will need to be a transitional period or more time needed to figure out how automatic mutual recognition should work. These exemptions are able to be made by me under the Commonwealth law once this bill has passed. Temporary exemption arrangements in this

state are likely to be broad and in line with the other states and territories where automatic mutual recognition is already in place. Possible longer-term exemptions will be considered during the temporary exemption phase as agencies work through whether any changes can be made to address the risks identified or whether a longer-term exemption is more appropriate.

This bill will increase the strength and resilience of the Tasmanian economy. Automatic mutual recognition arrangements will result in increased job mobility and decreased costs for Tasmanian workers, consumers and businesses. It is critical that Tasmanians can take up job opportunities wherever they arise. The scheme will also have benefits for Tasmanian businesses and consumers as it will allow workers from the mainland to quickly and flexibly respond to sudden increases in demand in particular areas. Competition will also increase, resulting in lower prices and improved service quality for Tasmanian consumers. In order to realise the benefits of the scheme and consistent with the national cabinet agreement, automatic mutual recognition in Tasmania will commence shortly after passage of the bill.

[3.45 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, we understand that this bill seeks to introduce a uniform scheme of automatic mutual recognition for licensed occupations across all states and territories. Most other states have accepted the bill, except for Queensland and Western Australia who are yet to debate the bill. Federally there have been issues raised with the bill and the haphazard approach to improving mutual recognition across Australia.

The first Productivity Commission report into mutual recognition was in 2014. A large amount of work still needs to be completed prior to achieving harmonisation across all industries and all training and licensing requirements across Australia. We only received a briefing on this bill three hours ago but we will support the bill in the lower House. We will look to move amendments in the upper House as the implications of this amendment bill, we believe, needs scrutiny. We also know that this was -

Ms O'Connor - Why not do it down here?

Ms BUTLER - We have had three hours. What we would also like to do -

Mr Ferguson - This bill was tabled three weeks ago.

Ms BUTLER - This is what has happened in New South Wales where they were able to move amendments in the upper House because they had the ability to scrutinise the New South Wales amendment bill. They provided an amendment regarding the exclusion industries that should be made exempt due to a lack of harmonisation compliance across jurisdictions in relation to these mutual recognition agreements.

Nationally when this was debated in the House there were calls for there to be a Senate inquiry or a Senate committee into the implications and whether Australia is ready for automatic mutual recognition. We are nearly at that stage, apparently, as a country but not quite there. The implications and the ability to have those cross-jurisdictional agreements need proper scrutiny. That is what we will be doing, minister.

We support the principle of providing greater ease for those with licensed occupations to pursue their trade across the country. The federal bill amends the Mutual Recognition Act

1992 which was born of the economic reforms of the Hawke-Keating era. That was a period of significant economic reform.

We definitely recognise and support automatic mutual recognition in some industries, but other industry groups, which I will run through as I speak today, are simply not ready for automatic mutual recognition. I think the Government understands. The minister in his speech previously spoke about exemptions being given to industries while those industries ready themselves for automatic mutual recognition. That is why we believe this could be rushed.

About 70 per cent of the Australian workforce is licensed, so this relates to 70 per cent of Australian workers. It needs to be properly investigated and looked at. The intent of this bill is to build on mutual recognition and we understand it will enable greater competition and synergy and ease some of the cross-jurisdictional issues under the current system. Mutual recognition of industries' licencing is not the same as an Australian driver licence which is recognised in all states. It is an interesting and simple analogy to use and I do not mean to patronise anybody. The Australian driver licence was able to be introduced after jurisdictions across Australia, all states and territories, worked on introducing compliant - but with slightly nuanced differences - road rules which everyone in Australia through their states understood and were taught and it was made ready. It was not rushed and that is why we have Australian driver licences now. We know in Victoria they do that kooky hook-turn thing, and in New South Wales you can turn against red lights at some corner intersections, which we do not do here, but overall there is compliance across Australia with the Australian driver licence. That is not what this is.

Stakeholders have raised some major issues with the automatic mutual recognition. For example, the education union has concerns with licencing for teachers and the discrepancies across jurisdictions. We know at the moment you can be trained in Tasmania, you do a Bachelor of Education and on top of that you have to do a post-graduate of two years that allows you to be a teacher. Then, when you go to other states, some of your qualifications are not recognised and others are, and some New South Wales teachers have to re-educate before they come to Tasmania. Having an automatic mutual recognition across certain jurisdictions insofar as teaching is something that is going to be difficult. It is something that has to be examined and well worked through.

We know we are still waiting on national standards on electrical licences and that is something that industry has been trying to push for a long time. They have not achieved that yet but there has been lots of hard work put into that. Having an automatic mutual recognition might take away a lot of that hard work that has already been done. That needs to be looked at as well.

Many different industries have worked hard to standardise the laws for their particular industries and that work is not complete. An automatic mutual recognition at this time may be diminishing some of that hard work that so many have already put in. This is particularly in respect of those high-risk occupation licences which are mostly in the building industry, and that is where there is a high degree of risk. Non-compliance and training deficiencies or gaps between jurisdictions could occur and it is something that needs to be examined. That is why federally they did want this to go to some form of inquiry or committee to find where those deficiencies were. We also know that would lead to a high risk to consumers and workers and the minister has alluded that he will have the ability to have safeguards in place when there is risk to consumers. That is another reason that we are supporting this bill.

Enforcement of non-compliance has also been raised as an issue with some of the stakeholder engagement we were able to do and I am sure we will do more before it gets to the upper House.

Minister, who is responsible for the issuing of fines for a breach of licence requirements or non-conformance? The example I give you would be a New South Wales electrician who is issued a non-compliance for electrical work in Tasmania, yet they are licenced in New South Wales. Is their licence revoked in Tasmania or New South Wales and, most importantly, who is responsible for policing and enforcement of that breach? I know we say our regulator but with the limited resources of a regulator, who is responsible for actually highlighting where there has been a breach, enforcing where there has been a breach and is it New South Wales that is responsible for that breach or is it Tasmania? There is so much of this that needs to still be ironed out.

We understand that under the bill, minister, you have the ability to issue exemptions for automatic mutual recognition and that you can do that for individual cases as well as for a whole section of an industry. In your response could you run through how you would do that? If there was an individual breach and also if you found, say for instance, and I do not want to be derogatory to Western Australia, Western Australia was handing out electrical licences pretty much that you could find in your cornflakes packet and New South Wales, Victoria, Tasmania and South Australia certainly did not. We have really high standards for our electrical licensing but Western Australia was handing them out. Who looks after that? Who is responsible for making sure there is not going to be an automatic mutual recognition of Western Australia? How would you as a minister go about exempting them from having automatic recognition? Does that make sense, minister?

I have another question here. Were the Tasmanian regulators tasked with overseeing automatic mutual recognition being provided with additional funding to administer additional tasks to meet that jurisdictional compliance? I believe there will be a lot of work that will be needed if you consider 70 per cent of Australian workers have some form of licensing when it comes to occupational licensing, and there is also a lot of non-compliance across all those jurisdictions. Is there going to be an inter-jurisdictional oversight? I am really interested in the actual process.

Also, what trigger points would alert you to exempt an industry group or individual - that is what I was getting at before, but a bit more concise. There is also concern that the automatic mutual recognition with other jurisdictions might allow for the easing of current laws regulating the use of international workers. This was raised with me very briefly today. Has the minister assessed the requirements of other jurisdictions and whether our workers potentially could be threatened by overseas workers? There could be workers who come from another country who might work in Western Australia - hypothetically - and those Western Australian workers may potentially come under an automatic mutual recognition. Does that mean they can come here and work in Tasmania? That is a hypothetical.

Currently there is limited harmonisation in industries such as building construction, electrical trades, plumbing, hairdressing, teaching, across Australia. For example, New South Wales has different licensing requirements from Queensland for electrical workers. Tasmanian electrical workers' licensing requirements are of a higher standard and require a greater level and degree of training and education than some other states. In order to meet an automatic

mutual recognition standard, will Tasmanian licensing requirements, or any other licensing requirements from any other jurisdiction, be brought down to the lowest common denominator?

For instance, it is two years to do a hairdresser's apprenticeship in Western Australia and in Tasmania it is four years. If it is across all jurisdictions to form a harmony so there is an automatic mutual recognition, would you go to the higher standard and ensure that everyone across Australia has that four-year training, or would you dumb it down to two years? I am not saying that Western Australian hairdressers are of a lower standard than Tasmanian hairdressers. I do not want to generalise but in most things where there are changes that require merging and harmonisation they tend to go for the lowest common denominator instead of the highest standard.

For instance, in Victoria if you have lower requirements in your electrical trade licence than you do in Tasmania but we want to find harmonisation between them, will that mean that the Tasmanian licensing requirements diminish? There is nothing in the bill that I can see that calls for no diminishing of the standard within occupational licensing. That is another reason why they want there to be a Senate inquiry to ascertain what the long-term effects could be and whether Australia is ready for this.

I am advised this bill is only a framework so the vast number of occupational licences and qualifications will not be provided automatically to recognition. Once this has passed there may only be four occupations that have automatic mutual recognition. In the Australian Capital Territory, I think pawnbrokers had automatic mutual recognition as did architecture. Only four occupations, so this is going to be quite a big process.

We support the safeguards and we support mutual recognition. It was a Labor initiative. We are not convinced that the synergy and harmonisation across industries and jurisdictions is in a place right now. It was rammed through federal parliament. We do not think that the groundwork has been done for this to be successful. There might end up being some significant gaps. Australia is not harmonised across the jurisdictions. This process is going to take a long time.

There is no provision in the bill to protect a current licence standard. The dumbing down of licensing requirements across jurisdictions to meet the lowest common denominator instead of reaching the highest standard as a benchmark, there is nothing to protect from that. That will rely on regulators across each jurisdiction doing the right thing, but there needs to be more than that.

I referred to the driver licence analogy which relies on consistent road rules across the country. With occupational licensing there is nothing like the consistency those regulations are in place across all jurisdictions in all industries. A good example is the licensing of electricians, which varies from state to state. The consequences of applying an automatic mutual recognition to this industry is dire. The CEPU has raised concerns about that. If an electrician moves to another jurisdiction with different or lower licensing requirements there will be an expectation that they understand and can perform to the other jurisdiction's requirements. If they cannot comply with other jurisdiction's requirements they may lose their licence, even though they technically have never been trained in the jurisdiction's requirements. They may lose the ability to work in their own home state upon return. That is another side effect which could have been properly investigated in the Senate inquiry.

Nursing, beauty, drafting, welfare work, teaching: about 70 per cent of Australian workers have some form of licensing. The implications of this bill are big.

Tasmanian Labor wants to make it easier for our workers to secure jobs, including giving them the ability to move and work around the country and maintain their ability to work in their chosen trade or profession. However, the unintended consequences are that this bill could negatively impact workers and standards. Some professions need to be excluded from automatic exemptions until there is a jurisdictional compliance. There is no indication that this harmony is close. It is too soon to introduce the intent of automatic requirements across all industries at this point in time.

We support the bill in the House but we look forward to moving amendments with appropriate scrutiny in the other place. This bill deserves that. We support mutual recognition and a smarter form of automatic mutual recognition across the country. There is room for improvement.

[4.05 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, the Greens will be supporting the bill but we too have some concerns about how this would be given effect across all those licensed professions. Given that we are a complex federation of states and territories, there are going to be issues with how we automatically recognise and incorporate other licensed professionals and trades into the Tasmanian economy and society.

I listened with a lot of interest to Ms Butler's contribution. I was initially frustrated. This House is the House of Government. If we have amendments to propose or an issue with a bill, we should do it here and not abrogate our responsibility as legislators to the other place because that just feeds into - on the Government benches from time to time - a lack of respect for the scrutiny and accountability mechanisms in the House of Assembly and a desire sometimes for this place simply to be a rubber stamp, where the Government uses its numbers and then sends it to the other place. We need to be very mindful of the importance of defending our right to scrutinise and amend where necessary legislation that comes before this place and not simply punt it upstairs for fixing. That is insulting to ourselves.

I put aside that frustration with what Ms Butler said initially and had to agree with a lot of the matters that were raised about how ultimately, even though this is only a three-page bill, what we are dealing with is enormous complexity in the movement of labour across jurisdictions in this country. I remember the Hawke and Keating reform days because I am old enough to have been there. Our job in the Attorney-General and Justice minister's office as part of that national harmonisation was to try to harmonise criminal laws across the country, which became incredibly complex and fraught. It ultimately was an unsuccessful ambition on the part of the then attorney-general, Michael Lavarch, and justice minister, Duncan Kerr, in that government.

The principle is that we live in one country. We are Australians to the greatest extent possible and we should be subject to the same legal framework. That includes whether we are trained to be a teacher in Queensland and if we want to move to Tasmania we should have the capacity to bring our skills and our licence recognition or our registration down to Tasmania to work. We are a federation and that brings its own strengths to us as a nation. The finest example of that that I can think of in recent times is how the states and territories have

responded to the pandemic in contrast to how the federal government has responded to and politicised the pandemic.

We had state and territory premiers at various levels of success and commitment taking public health measures to keep people safe, or not in the instance of New South Wales, while the Commonwealth sought to abrogate its responsibility to protect people in aged care, staff of aged care, people with disability and staff who work in the disability and caring sector.

There are some real benefits to being in a federation, but for licensed workers and people who want to move state and work in other states and territories, there have also been enormous frustrations.

I agree that there is a risk here that we will end up with lowest common denominator standards. It is just a human tendency to go for what is easy rather than take on the harder job of lifting all standards to the highest common denominator. That is a real risk here. I am very interested to hear what the minister has to say about that risk and I am sure licensing bodies and licensed professionals in Tasmania will be interested to hear his response so they can feel reassured that there is not going to be a diminution of licensing standards.

I note that the Minister for Finance will be able to put some safeguards in place, by either temporarily exempting an occupation from automatic mutual recognition until 30 June 2022 and exempting an occupation on a longer-term basis for up to five years because of a significant risk to consumer protection, the environment, animal welfare, or the health or safety of workers or the public.

My question in relation to those safeguards is - and taking on board what Ms Butler said around electricians, for example - what type of occupation does the minister foresee there is possibly a need to provide an exception to under automatic mutual recognition? Is there planning underway already, given that this legislation comes into effect - is it 1 July next year? - 1 July this year. Are there licensed occupations that the minister is currently considering either providing a temporary exemption to or a longer-term exemption for up to five years? If there is no clear answer to that question today, it is an issue where the House would benefit if the minister came back and updated us on what occupations he might want to exempt.

Mr Ferguson - Do you mean leading up to 30 June 2022?

Ms O'CONNOR - Yes.

Mr Ferguson - Okay.

Ms O'CONNOR - That would be helpful, not just to the House but also to affected occupations/professions. We do not have that much more to say about this amendment bill. I note that there are no associated amendments to any other regulations or legislation attached to this, so I am presuming there is no requirement to make any changes to regulations around licensing standards, for example, in the building industry or anything like that; that this bill does the job from the Government's point of view.

I cannot see a need for us to go into Committee, Mr Deputy Speaker. It seems pretty straightforward but it is certainly an area of law reform all members of the House should pay close attention to.

[4.14 p.m.]

Ms OGILVIE (Clark) - Mr Deputy Speaker, I am delighted to rise to speak on the very important topic of mutual recognition and I thought it might be interesting, because I love a bit of complex law, to sketch out how this operates legally and constitutionally, and also to talk a little bit about professional standards, which is a very good question that has been raised by members of the Opposition. To do this, it might be helpful to talk a little bit about my personal journey through mutual recognition because it shows how the different states' and territories' regimes gel together.

The first point I make is that mutual recognition already exists. The bill was passed some time ago. All this bill is doing is making it an automatic recognition. As somebody who was admitted to practise law in Victoria, in order to practise law in Tasmania, I had to be admitted through the mutual recognition process. That meant I had to apply, which would take four weeks or so, attend court, find somebody to move my admission, pay my fee and go through that process. You could do the process in about six weeks but there were costs associated with that.

Obviously, because it is my profession, I understand more about how the legal occupation works with mutual recognition but my understanding is it is very similar for all the other occupational associations. If you wanted to work, as I have done, in New South Wales, Victoria, Tasmania and the ACT, each time you wanted to practise your profession you would have to be mutually recognised. Under the old system, you would have to go through that process in each state and territory. It is expensive, it is time-consuming, and it is unnecessary because we are one nation, our universities are of an appropriate standard and our professional associations are able to assess whether you are qualified to practise in your professional association. In occupational associations and trades, a similar regime exists.

Once you are recognised by your professional association or your occupational trade association in your current state, you are qualified to have a licence to practise, for want of a better word. Under the mutual recognition act that means that if you pitched up in another state or territory you could then apply, through mutual recognition, to have a corresponding qualification in that other state or territory.

There was some discussion around standards and how do we know that somebody who is qualified to practise in one state is at the same quality of training and competency in another state, if they have a different education or training regime. Ms Butler talked a bit about Western Australian electricians, not being rude to Western Australians, just as an example. The way that is managed is there is an entire regime that manages professional standards. It is under the Professional Standards Act. The Tasmanian one is 2005 and it establishes a national insurance and professional indemnity organisation under the auspices of the Professional Standards Council. That organisation protects consumers. I will read it out.

The purpose of the professional standards legislation is 'to protect consumers through self-regulation of occupational groups'. It works with those occupational groups to raise their standards, to ensure that their standards meet national standards. It does this, and it achieves this, through schemes. Now, what is a scheme? 'A scheme is an operation or a set of rules that

are approved and monitored by the council and which limit the civil liability of members of occupational associations.'

What that means in plain English is that the Professional Standards Council, which I was a member of for some time under a Labor government, is able to use the market power of the cost of professional indemnity insurance to raise professional standards. If your standards are low, your insurance costs more; if your standards are high, your insurance comes down. It uses that market mechanism to ensure that professional associations and occupational associations are continuously improving their standards.

The Tasmanian Law Society, for example, has a PSC scheme in place which gives lawyers who hold current practising certificates the ability to manage their insurance costs. That is how that professional oversight happens.

All of this was considered under the original act. My understanding of what we are doing here today is making mutual recognition automatic. I agree that there is an opportunity to look at it and see if there are issues, and I am sure there are learnings over the last decade that we can look at to see how things can be improved. Certainly, if you think about the great crises we have had around professional indemnity, particularly with obstetricians in the early 1990s and medical professionals who are not currently under the professional standards regime, there is some room there to improve the situation. I thought it was really helpful to explain how that connects together.

The act itself refers - and this is where the Greens' contribution came very close to some interesting discussion, perhaps at a higher level - around section 51(1) of the Constitution, which is the head of power under which this act has been brought on.

Section 51 of the Australian Constitution enumerates the legislative powers or the heads of power under which the parliament is empowered to make laws. Then there is a whole list of options that it has for lawmaking. The interstate trade and commerce power under section 51(1) is what we are dealing with today. There is no point in having a nation if we cannot move around as Australians - not just state-based people, but Australians - and ply our trades and professions across the nation. Our federation is intended truly to be nationhood in that sense. As Australians we are part of a nation.

We have seen, and I do agree, that there has been a lot of renewed interest in our federation and the powers of our constitution, particularly around interstate trade and the control of borders and the powers of quarantine and those heads of powers. When it comes to trade and commerce with other states and territories, it is pretty well settled law that people ought to be allowed to move around and ply their trade in other states and territories. The power of the parliament - that is the federal parliament - to make laws with respect to trade and commerce extends to legislation, shipping and railways, and the property of any state.

In relation to this bill we are really looking at that capacity to make legislation for the imposition of consistent laws around occupational associations and professional associations and their members who might want to work in other states and territories.

It should also be noted that when mutual recognition was first designed, there was probably less movement and less national level roles. As the world has shrunk, particularly with digital technology and the sorts of projects that we do now and major corporations that

work nationally, I believe there is a need for people, particularly if they are working on projects that go nationwide - and we can think of ones like telecommunications, some minerals industry perhaps, science and technology, shipping, railways, those sorts of industries - where a person might be employed in a particular state or territory but be plying effectively their trade across multiple states and territories.

This goes to the insurance issue. If you see it in one state but you are actually working across another state in a project that is being delivered perhaps in Queensland, then those issues around professional indemnity insurance really come into play. This is why we are looking at two parts of one corpus of management - professional standards, the management of indemnity insurance on the one hand, using that as the lever to ensure that our occupational associations are regulating themselves as well as they can and also our professional associations.

This is why you see organisations do things like continuing professional development. I know in the legal area - sorry to bang on about that, it is the one I know about because I have been through it - there is a certain number of professional development points that you have to earn per annum. I think here in Tasmania it is 10 points, as an example. The other point to make is that once you register and go through the process - again using the legal example because it is one I know about - of getting your practising certificate, and I have done this recently, it is a very expensive operation. You are generally paying your professional association fees, which can be many thousands of dollars, and meeting your professional indemnity insurance requirements, again many thousands of dollars. That is not something that you would want to do in each state and territory if you are working across multiple jurisdictions.

It does make sense that each state or territory has a proper regime in place to deal with the licencing requirements of occupations and professions in its own boundaries, but that should be sufficient to enable somebody to apply, or to be automatically considered, for mutual recognition in other states and territories.

The bill as I see it does not seek to harmonise licencing regimes at all. There were some questions about that. My understanding is that the licencing regimes are entirely continued to be situated within their current jurisdictions. Again, it is the management of standards and using the professional insurance premium issue to push for higher standards in occupations and professions. We want to provide for mutual recognition in all states and territories and it is the auspices of the Professional Standards Council to oversight that to some extent.

The change to make this automatic is something I believe we will need to keep a weather eye on. Things will always come up or happen that we have not anticipated and the automatic mutual recognition question might require a little reflection down the track as we come closer to understanding what those impacts might be.

I have to say the mutual recognition process currently works well across our beautiful nation. It makes sense, it is logical, it is economic, it is commercial that if a person is registered to carry out an occupation in one state or territory, Tasmania for example, they should be able to carry out the same occupation in another without the need for that person's qualification and experience to be assessed again. Whether it is a plumber, a teacher, a lawyer, an accountant, an engineer, whatever occupation or profession, if you are registered to practice in your home state or territory, that should be sufficient in every other state and territory.

We have had quite a few years with this regime in place to test that. I know there have been situations in which professional associations or occupational associations in other states and territories have had to lift their game and it is an excellent thing. It shows that we are doing the work, that we are supervising what is happening and pushing for improvement.

The goal of automatic mutual recognition is to promote the freedom of movement. This is a good thing. Freedom of movement of service providers across Australian states and territories is good and we are seeking to reduce unnecessary regulatory red tape while maintaining high safety standards. That is about training. It is about professionalism. It is about making sure that licencing requirements are of a national level and we have been working on that as a nation.

Regulatory red tape - I always get concerned when I read the red tape question. Red tape should be defined as unnecessary regulation or unnecessary burden. In this case the unnecessary burden is that element I described about having to go to other states and territories and going through the process of paying your money and being re-admitted and the six weeks it takes and the money it takes. If this can happen more automatically, it is a good thing to do.

The change that we are talking about makes good sense for business. It is commercial. It makes good sense for individuals. Therefore, the economic benefits should be obvious.

The process of regulating and licencing trades, professions and occupations has arisen out of a need for protection: protection of the consumer, the public and individuals who buy those services, who procure services from those trades and professions, but also to protect the livelihoods of those who have undergone specialist training in order to deliver the services. When you have 30 years of professional work or occupational work under your belt, imagine if you moved to another state or territory and had difficulties getting registered because the regime was different, their standards were different, or their occupational licensing regime was different. This is to offset any misfit between two regimes, assuming that the end result of both for each state and territory is appropriate levels of training, qualifications and admission to the licensing regime of that occupation or association of which you are a member.

While mutual recognition has been in place for quite some time already, there is feedback that the process of recognition is still complex. I have tried to describe the complexity with an example of my own experience, moving around the nation. It is still complex and can be quite expensive.

Under the existing mutual recognition arrangements, a worker must go through a separate registration process and may need to pay an additional registration or licence fee before starting work in another state or territory. An example of this is that if you are practising as a lawyer in Victoria and maybe you are working for a major corporation, you want to work in New South Wales and you transfer to the ACT and you end up in Tasmania, you would have needed to have gone through mutual recognition, paid your money and done the six weeks process and found someone to admit you in each of those states and territories. That is the regulatory burden that we are talking about, the red tape issue. We ought to be doing whatever we can to remove that.

Under the existing mutual recognition arrangements, that registration process and the fee has been subject to some scrutiny and discussion, particularly in New South Wales. They have

been pushing the barrel on this pretty hard and particularly up and through the professional standards councils. There is support for sorting this out.

The objective of automating the process of mutual recognition has been given a boost and been driven pretty hard at a national level with the scheme agreed to by National Cabinet in December 2020. To make the scheme work, all states and territories need to be signed up in a consistent way. That process is underway with other states and territories enacting amendments similar to those in the Tasmanian bill. This is a positive thing.

It is a different way of legislating to ensure we have nationally consistent laws that is not a Commonwealth level bill. We need to make sure that our state and territory laws are harmonised in that sense.

Our laws must always, and we will ensure that they do, do what is in the best interests of Tasmanians. I note that our bill provides safeguards, protections and parliamentary oversight ongoing, which is a healthy and good thing.

Automatic mutual recognition will result in increased job mobility and decreased costs for workers, consumers and businesses, and that is across the board, from those who work in trades: electrical, plumbing, drafting, financial services, legal services, accounting, teachers, nurses, a full range of occupations. It will be a boon for those who seek to have an effective and cost-efficient way of plying their trades as an Australian right across our beautiful nation.

Mobility for Tasmanians matter. It is not only about chasing work. It might be for very human reasons, such as accompanying a spouse, wanting to be closer to family, to parents, children, grandchildren, and so forth. We are a mobile nation and we have been a mobile nation. The pandemic has knocked us off our axis somewhat, given the border constraints and we have really felt what it is like not to have freedom of movement. It has been quite a shock to us to understand that we are creatures of our states and territories. When it comes to the establishment of the Australian Constitution, Andrew Inglis Clark and so many good Tasmanian lawyers were a deep part of drafting it. It was the states and territories that came together to federate and form the Australian nation and the rules of the road for the Australian nation are contained in the constitution. There are some powers that are Commonwealth and some powers that are state and territory. When it comes to the area we are looking at, there are state and territory laws and Commonwealth powers that need to fit together.

Moving around the nation can be enough of a challenge, particularly at the moment without having skills recognised or having lengthy or costly process to achieve recognition. It is this lengthy and costly process that is a concern, so whatever we can do to improve that is good. While federation might represent some challenges, although we are physically and geographically large as a country, we are a relatively small country in population and we should be making it as easy as possible, not just for Tasmanians to move to jobs in other states or territories but for us to be able to recruit people here who we need. The last thing we need is another barrier or another cost in place when we are trying to bring in more nurses or bring in more aged care workers or more accountants. We need to remove as many barriers to that decision as possible or we will see everybody going off to Western Australia and South Australia which might make it a bit easier and a bit cheaper. Focus on this area is important and healthy.

If Tasmania requires this sort of skilled labour to fill positions in our state, which we need to support economic growth and to address an urgent need in the event of an emergency, for example, or to assist emerging industries such as a ship-building industry, hydrogen or the space sector and technology -

Mr Ferguson - Hear, hear.

Ms OGILVIE - Thank you. Rockets are great. Not really rockets. We should be making it as easy as possible for appropriately trained people to fill jobs in our state. Removing those barriers, removing the cost, reducing the red tape and letting people get on the ground here as quickly as possible after going through appropriate quarantine, automatic mutual recognition will help employers access registered skill workers more quickly. I am thinking about particularly the large employers we have in Tasmania who are working in the minerals industry, for example, minerals processing, telecommunications, healthcare and educational sectors who might need to bring people in and bring specialists in as well. We want people coming here and being able to arrive at a lower cost. We should be doing this by more seamlessly allowing employees to move where they are most needed. We want to see this boost competition, productivity and economic growth. I am sure it will.

I have a list which I will read out of the trades and professions we are talking about that are covered by this somewhat complex regime of state and federal rights of the powers of our federation and our nation. It is not all of them and it is perhaps some of the newer or emerging trades and occupations and professions that are building their own occupational organisations where our focus ought to be placed to make sure that those occupational associations are coming up to the standards that we require of licensed people.

A licence gives the consumer confidence that you know what you are doing and reduces the insurance risk. Some of the professions and trades that we are talking about include: architects, engineers, builders, plumbers, gas fitters, electrical contractors, conveyancers, crowd control agents, motor vehicle traders, radiographers, cardiologists, lawyers. Felix is here, he is a plumber, so he has probably had the experience.

Mr Ellis - I have had recognition.

Ms OGILVIE - We have two, at least, in the House; a couple of mutually recognised characters in the House. I was thinking about the party. On this side are nurses, plumbers, lawyers, engineers, teachers, gasfitter, maybe more. If you have had enough of working in this place and want to go and work in Western Australia - they pay in gold bars apparently - then you would need to be mutually recognised. The list goes on. There are hundreds of jobs which require the employee to be registered or to hold a licence for the trade or profession. The Tasmanian Government is ensuring that the existing regulations put in place to protect our community, will be kept under the new scheme when mainland workers decide to operate in our state. They are going to have to meet the criteria.

It is comforting to note that a person subject to disciplinary actions or who has conditions on their registration as a result of disciplinary or legal action in their home state or territory will not be eligible for automatic mutual recognition in Tasmania. We do not want any defaulters. We do not want people who are not meeting the licensing requirements in their home state or territory. It does not mean that they will be excluded; it means that automatic mutual recognition will not occur. In fact, any conditions a person has on their home licence will apply

here in Tasmania. A worker wishing to work in this state must also satisfy a Working with Vulnerable People character test where required by our law.

I was also very pleased to note that the Minister for Finance will be able to exempt on a temporary basis an occupation from the automatic mutual recognition scheme until 30 June 2022 and will be able to make longer-term exemptions for an occupation where a certain risk cannot be satisfactorily addressed. By an exemption that means mutual recognition with the automatic recognition component will not apply. If there are concerns, there is a mechanism there: a lever through which the minister can force some compliance with the licencing regime in the home state or territory, or ensure that it comes through for a proper consideration in the state or territory that that person is wanting to arrive into.

The new scheme may not be appropriate for certain occupations from the outset, and for some there will need to be a transitional period, or more time needed to figure out how automatic mutual recognition should work. There is going to be complexity. These exemptions are able to be made under the Commonwealth law by the minister once this bill has passed. These would be temporary exemption arrangements in Tasmania. They are likely to be broad and in line with the other states and territories where automatic mutual recognition is already in place. We can learn from the other states and territories about the sorts of wrinkles and issues that have occurred in other states and territories.

This bill will increase the strength and resilience of the Tasmanian economy, which is what we all want. It is in the interests of Tasmania, its businesses and people and it allows and enlivens the free movement of our great Tasmanians who want to get out there and work, not just nationally but through the New Zealand mutual recognition arrangements over in New Zealand. I hope there is some thought about automatic mutual recognition there, but I have not seen that on the radar as yet. If we are able to put arrangements into place across the Commonwealth, that would be a marvellous thing.

[4.44 p.m.]

Mr FERGUSON (Bass - Minister for Finance) - Mr Speaker, I thank members around the Chamber for their considered and welcome contributions. I note the widespread support around the Chamber from the different parties, Liberal, Labor, Greens. We did not hear from the Independent member but it seems unanimous support for the legislation.

For the reasons outlined in the second reading speech, this is about ensuring there is maximum flexibility to meet maximum employment and economic opportunity, not just for us as proud Tasmanians but also for our country. This is a national reform that has had its genesis in previous decades. I more or less either agree with the comments that have been offered around the Chamber, or give an acknowledgement that there might be a reasonable point being made by the member.

I will, however, make one political point this afternoon in relation to the contributions made. I find it quite unsatisfying to hear from the Opposition that they have only had three hours to think about this legislation. This bill was tabled in this House four weeks ago, and it is not adequate to blame your lack of preparedness for the debate on the fact that you did not ask for a briefing until some much more recent time, that is, today or yesterday. It is not good enough. I think Ms O'Connor has called that out.

Any opposition with any self-respect would never have made that admission today, that 'we have amendments but we are not ready, that we have concerns but we have not thought them through, and that we will save them for the Legislative Council'. I find that deeply concerning. I place that on notice and I think that is really disappointing. To try to make a claim on only having had the benefit of three hours sounded to me like a bit of a point-score on the Government. The point is this bill was tabled fully four weeks ago, and members know that with the two-day maturation rule in this House, you have two days to be able to read legislation, consult your stakeholders, and seek briefings. It has been 28 days so I am disappointed that that point was poorly attempted and it deserves the rebuttal that I have just offered. That will be the last of my political points during my summing up.

I thank members of the House for seeing the benefit and the wisdom from the national, Australian point of view, that Tasmania quite properly wants to play its role in extending the existing mutual recognition scheme we have in this country which, as we know, goes back some nearly 30 years, but to make it more user-friendly, more streamlined. That is the whole point about automatic mutual recognition, which this bill supports.

I have answers for a number of the questions that have been asked, some of which I will read from, others I will draw from my own notes. I hope to get to everybody's question or point they sought to make.

First, in relation to the way that it will work mechanically, Ms Butler asked who is responsible for identifying any breaches, who is responsible for taking enforcement action or potentially sanctions against a worker who has done some defective work. The illustration offered was that somebody perhaps with a New South Wales licence who had achieved AMR in Tasmania had done defective work in Tasmania. The jurisdiction where the offence occurs or where the defective work occurs, in this case in Tasmania, would be the jurisdiction that takes action where the defective work had been effected. Once the disciplinary action has been instigated, at that point in time, that would occur in Tasmania.

Ms Butler - If it was a New South Wales licence, would Tasmania be able to, for instance, cancel their New South Wales licence?

Mr FERGUSON - Let me go through it and I think it will answer that question. The jurisdiction where the defective work or the offence or the misconduct had occurred, we will police that action with Tasmanian rules, laws and licensing rules. It will be our standards that will be applied to that worker doing work in Tasmania. Where the disciplinary action has been instigated here in Tasmania, the person's automatic mutual recognition permission is immediately suspended at that point - not rescinded but suspended - until that matter is resolved. They are treated in that respect like a Tasmanian worker.

If it is upheld, the AMR permission is then rescinded and in all cases the discipline that the person may face in Tasmania as an AMR worker will be known then by their home jurisdiction, where their original licensing comes from, but through the scheme all jurisdictions will become aware of that. It is a data-sharing process. There is a sharing of that information because that person had been recognised under automatic mutual recognition, which is a defence or a protection that has been built into our approach here and, from the data-sharing point of view, understood and agreed by all states and territories, and the Australian Government.

I was asked if it was identified that a particular group of workers within an occupation but from one jurisdiction was identified as a problem or as a particular risk - for example, the illustration was offered of Western Australia giving out electrical licences, more or less handing them out without too much regard for standards.

Ms Butler - Not that they do, though.

Mr FERGUSON - Not that they do, but you offered a hypothetical and it is a reasonable one. Tasmania is responsible for ensuring that those electricians or those particular workers would be exempted or not exempted. It is possible, under the legislation we are adopting and implementing here, for electricians from some states but not others to be exempted for AMR purposes. For example, it is possible that if there was one state where we saw a particular problem but others were okay, we would be able work with and provide AMR for the majority of those jurisdictions and exempt the one we had the concern for so that they do not have automatic mutual recognition. Mutual recognition could still occur but it would not be automatic. I hope that answers that question.

I was also asked about whether regulators will be able to manage. I am advised that yes, they will be able to manage. Not only will agencies and regulators continue to do the work between now and June 2022, the informal advice is that not only will the regulators be able to manage this workload, they will be having significant resource freed up as a result of the lesser red tape that will sit around the process and how it will work more broadly. The advice I have is that question is not a concern.

I was also asked about what occupations and it is an expected and reasonable question. Consistent with the existing mutual recognition scheme, the AMR framework applies to all applicable occupations and registrations, unless they are specifically exempted by the minister. I have to emphasise that this state, along with all the other states, is still at a very early stage. The AMR framework applies to all applicable occupations and registrations, unless specifically exempted by the minister. Most states, including ours, will be exempting most occupations for the time being with that temporary exemption. There is no definitive list of occupations or licences where mutual recognition applies or where AMR will apply.

I will, in a moment, be reading out a list of occupations. It is quite long. You will appreciate it but I will hasten to add that it is still preliminary in nature, noting that for the time being our priority is getting the legislation sorted, allowing agencies and regulators to continue to do the work. Most occupations will be exempted for the time being, until we are ready. It was the question from perhaps the Labor Party as well as Ms O'Connor.

In working with Tasmanian agencies to implement AMR, it has been estimated that there are approximately 150 occupations or licences that mutual recognition and therefore automatic recognition could apply to in the state. That is why I emphasise that there will be broad temporary exemptions in place for Tasmania to allow that time for agencies and regulators to implement appropriate arrangements for AMR. Initially, it is anticipated that AMR will apply to less than five occupations or licences from commencement. They are those ones that have been considered ready to go and very low risk. This is consistent with the approach adopted by other jurisdictions that have already passed their legislation.

This is not an attempt to be an exhaustive list but it is a lengthy one. My advice currently, and this will change, is that the following occupations can expect to be subject to a temporary exemption through to June 2022.

Ms Butler - Minister, would you be able to table that document?

Mr FERGUSON - I am not able to table it. That is why I need to read it out. High risk work license assessor, health and safety representative training providers, work health and safety entry permit holders and training providers, security-sensitive dangerous substances permit and responsible worker status, shotfirer permit, asbestos assessors and removalists, gaming employees made up of the following occupations, a range of special employees working at casinos, casino security license premises gaming operative, statewide gaming operative, gaming management, Tasmanian gaming license operative or betting exchange operative, technicians and accredited testing facilities. Cemetery and crematorium managers, architect, building designer, engineer, building services designer, building surveyor, builder, plumbing practitioner, gas fitter, electrical practitioner, licensed conveyancer, security agent, commercial agent, crowd controller, inquiry agent, licensed motor vehicle trader, real estate agent, property manager, general auctioneer, property representative, land surveyors, well-drillers, fire protection service permits, occupations that use radiation. Food and water safety auditors and supervisors, teachers, firearms dealers, those people who have provisional licenses granted under the Occupational Licensing Act 2005. I am advised that, for example, includes plumbing and gas fitting work.

That is a fairly comprehensive rundown. It illustrates the breadth of the temporary exemptions that are expected to be provided. To assist the House, I am able to table something that will be useful and this is a document which is a direction that has been made under the automatic mutual recognition (AMR) legislation nationally. It is a legislative instrument of the type declaration and this is the one that has been made by New South Wales. It is a declaration that has been made by Dominic Perrottet as Treasurer on 29 June 2021 to assist the House. That is an example and I will table that. That is what Tasmania's will look like but there will be a different list of occupations once we have finalised the temporary exemption.

Longer-term, there is potential for exemptions longer in select cases. The temporary exemptions will expire on 30 June 2022. The number of occupations that AMR will apply to after that date will depend on how the implementation issues which have been identified by agencies have been addressed and resolved. This will require agencies to work with their jurisdictional counterparts. It will take, for example, developing information-sharing IT arrangements.

Based on the current status of identified issues, there is the potential for AMR to be applying to the majority of applicable occupations or licenses though. If issues have not been fully worked through by that date, then those longer-term exemptions or shorter periods of time extending those exemptions, can be provided for and they can be done for up to five years on a renewable basis. I regard those as being very much in the minority at that stage, but that work is underway.

Another question from Ms Butler was about what kinds of matters can be considered for longer-term exemptions. Under the Commonwealth legislation, such longer-term exemptions can be provided to address the following matters:

- (1) Consumer protection.
- (2) The environment.
- (3) Animal welfare, or
- (4) The health and safety of workers or the public.

There was a very reasonable question about the standards. I have already addressed this in some way, but there has been a question raised about differences in occupational standards across jurisdictions, and could that create the potential for people to register in the jurisdiction with the least stringent requirements and then use their AMR to work in their preferred jurisdiction. The automatic mutual recognition is a framework to facilitate temporary or transitional workforce mobility. AMR requires a worker to have a home-state registration of where they reside, with AMR then facilitating that individual to work in another jurisdiction.

The point I make here is that this legislation has been designed so that it does not encourage jurisdictional shopping. You have to first of all be registered where you live and then your AMR is for where you wish to visit. I would love to think that people who come to work temporarily in Tasmania might like to make it their home as well. That would be a good outcome.

Where there might be concerns about AMR applying to a certain occupation in Tasmania, given another jurisdiction's qualification and educational requirements, the minister at any time can exempt AMR from applying to a certain occupation. That can be broadly or it can be in relation to an occupational group. It can be in relation to a jurisdiction or jurisdictions, or it might be a combination. It might be some workers of a particular occupation in one of maybe two or three jurisdictions, depending on the circumstances that might require that.

I am also assured that CBOS, as an example of a regulator, together with Treasury and other regulators, are onto all of this. In Tasmania our Government's position is quite clear. While we support AMR, we will not be lowering our standards or protections. The rules that currently apply here in Tasmania will continue to apply here in Tasmania for work that is performed here, regardless of where somebody's home qualification came from.

Finally, there was a question around overseas qualifications and I can advise the House as follows. The AMR framework does not change any existing occupational qualification and educational requirements already in place. The current qualification and education requirements for occupations remain a matter for each jurisdiction - in our case, Tasmania. Where there are concerns about AMR applying to a certain occupation in Tasmania, given another jurisdiction's qualification and education requirements, as I earlier stated, the minister at any time can exempt AMR from applying to a certain occupation. As I say, it could be done broadly or in relation to a specific jurisdiction only.

Thank you, Ms Butler, Ms O'Connor and Ms Ogilvie for your thoughtful comments and the support that I know this legislation does have from around the chamber and, with that summing up, I commend the bill to the house.

Bill read the second time.

Bill read the third time.

ALCOHOL AND DRUG DEPENDENCY REPEAL BILL 2021 (No 40)

Second Reading

[5.03 p.m.]

Mr ROCKLIFF (Braddon - Minister for Health) - Mr Speaker, I move -

That the bill be read the second time.

The purpose of this bill is to repeal the Alcohol and Drug Dependency Act 1968, also known as the ADDA. We have debated this bill in this place before, but an election was called. We are here once again bringing this bill forward. It went through the House unamended. It is important to review laws that are no longer relevant.

The ADDA is more than half a century old. In the last five decades our society, our knowledge and our practices have changed greatly and the ADDA, its purpose, its language and its format no longer reflects community expectations for contemporary medical or treatment practices. To give you some sense of the context of when this legislation was made, consider for a moment the name and date of legislation it replaced, namely, the Inebriates Act 1885 and the Inebriate Hospital Act 1892. The bill today recognises this and repeals the ADDA and its subordinate legislation and the bill also makes minor consequential amendments to definitions in three other pieces of legislation.

Rather than speak to the bill which is the mechanism for the repeal, I think it is more useful today to consider the substance of the act we are repealing. In its current form the ADDA defines alcohol and drug dependency and provides for the admission and detention of persons suffering from alcohol or drug dependency to a designated treatment centre for up to six months. It does not provide authority to treat that person. The ADDA also establishes a tribunal and the tribunal's functions are limited to hearing applications from people who are seeking discharge from the treatment centre. The tribunal has no formal decision-making role in relation to the original decision to detain a person in a treatment centre.

We can summarise the issues with the ADDA into five points:

- (1) The Alcohol and Drug Dependency Act is out of date, confusing and difficult to apply. There have been by my count more than 20 amendments to the Alcohol and Drug Dependency Act 1968 and large parts of the ADDA have been repealed or superseded by new legislation. Court-mandated treatment orders, for example, were removed from the ADDA in 1997 with the making of the Sentencing Act that year.
- (2) Contrary to basic human rights, the ADDA permits a person with decision-making capacity to be detained against their will for up to six months and yet, the act does not provide authority to treat a person who has been detained without their consent. This effectively means that treatment may only be given to a person who is being detained if the person consents or if the treatment is authorised under the Guardianship and Administration Act 1995. It essentially makes the ADDA redundant.

- (3) The approaches underpinning the ADDA are out of step with the current evidence-based approaches to alcohol and drug service delivery. There was some evidence that compulsory treatment for short periods can be an effective harm reduction mechanism for some people but there is no evidence to support long-term involuntary detention as an effective treatment approach, especially if that person is without treatment.
- (4) While the act provides for an independent tribunal, its operation is limited and does not extend to making decisions about a person's admission to a treatment centre or to regularly reviewing a person's detention. Tellingly, the tribunal has received only two applications in the last 18 years, with the last being received in 2009.
- (5) The ADDA use has been in steady decline and has not been invoked at all since early 2016. The ADDA is not used because people suffering from alcohol or drug dependency can and do seek out and receive treatment and services on a voluntary basis, like any other consumer of health services.

Our alcohol and drug service within the Tasmanian Health Service works incredibly hard with people with severe substance dependence and their families to identify admission pathways that do not require or involve ADDA or involuntary detention. Under this model, people are admitted with consent as a voluntary patient or under the authority of the Guardianship Administration Act. In these circumstances, consent to or authority for admission is sought alongside consent to or authority for treatment and is part of the same discussion. People who are admitted are free to leave at any time.

Reviews as far back as 2007 have recognised that the ADDA was out of date and not reflective of contemporary service delivery. I am pleased to bring forward legislation that acts on those reviews. I will now propose the repeal of this legislation.

[5.09 p.m.]

Ms HADDAD (Clark) - Mr Speaker, this bill has had quite a long journey to get to tonight's debate. It was tabled in 2019 when the Deputy Premier was the Minister for Mental Health and Wellbeing, which he still is, but also holds the additional portfolio of Health.

We debated it earlier this year, just before the parliament was prorogued. We are here repeating history. I quickly looked up the *Hansard* of when we debated it earlier this year and note that it was the final working week of Sylvia Engels. Both the minister and I made heartfelt comments about how well respected she was, and still is, in the public sector as well as across the community sector, working for decades in this field. This was her final piece of legislation through the parliament before her retirement. I sincerely hope she is enjoying her retirement. Most of the people I know who retired from the department immediately looked 10 years younger, immediately look more relieved and relaxed about life. I have not run into Sylvia since her retirement but I sincerely hope that that is the case for her.

The minister spoke about the need for this legislation to be repealed, predominantly because it does not reflect the way that alcohol and drug dependence is dealt with. In medical terms, it is out of date legislation. It has been used very infrequently in recent times and it does not reflect best practice for how people who are dealing with addiction are best treated.

In that context I thought it was worth reading into *Hansard* some of the budget priority statement made by the Alcohol, Tobacco and Other Drugs Council Tasmania that they submitted to Government ahead of the last budget. The Alcohol, Tobacco and Other Drugs Council is the peak body for alcohol and drug service delivery organisations in Tasmania. It represents those service-providing organisations and advocates for best practice treatment of people needing alcohol and drug support services across Tasmania. It is worth thinking about some of the things it put forward in its recent budget priority statement regarding challenges the sector is facing and what opportunities there are for people accessing those services in Tasmania that reflect current best practice.

The vision of the Alcohol, Tobacco and Other Drugs Council is that:

By 2023 people with lived experience will have a meaningful contribution to make in the alcohol, tobacco and other drugs sector. For the first time families and friends are asked about their experiences in having someone close be affected by drug use. Lived experience now helps drive change and innovation and most importantly people are supported to get the help they need.

By 2023 the alcohol, tobacco and other drugs sector is supported by data-driven decision-making. We are starting to use the information collected at each client encounter to paint a picture of the impact of our services as well as to identify the need and opportunities to help more people.

It notes that Tasmanians drink alcohol, smoke cigarettes and take drugs in varying proportions. For some people it might be the occasional drink or cigarette or special occasion. For others the relationship with alcohol, tobacco or other drugs may be more complex, causing problematic behaviour.

The data in its submission shows that 32 292 Tasmanians will experience an alcohol or drug substance use disorder; 39 per cent of these Tasmanians will require some form of treatment. Of that 39 per cent, 51 per cent of those requiring treatment are currently receiving treatment and 49 per cent are not. There are different and complex reasons why people might not be seeking treatment despite needing some form of treatment. One of those reasons is the lack of access to services in the community.

One area that is severely lacking is youth-specific alcohol and drug residential rehabilitation services. There are adult-specific alcohol and drug rehabilitation services available in Tasmania. Many of those services do an incredibly good job with their clients. More service provision is needed in the adult space, but among young people under 18 there is a growing demand. It was there many years ago when I worked in that sector. It has grown in those intervening years. That is something they have been calling for for some time so that more people who require treatment and are ready to receive treatment are able to access that treatment and in varying ways when and where they need it.

In addition to arguing and lobbying for increased community sector service delivery, as well as public service delivery, there were two key innovations that they argue are required to transform Tasmania's alcohol, tobacco and other drugs sector. First of all is an independent consumer organisation and the second is data-driven decision-making in the form of a shared

data framework. They say that these represent real change, ensuring a strong foundation for the future of Tasmania's alcohol, tobacco and other drugs sector.

I wanted to touch on an independent consumer-led organisation. They do exist in other states and territories: consumer-led peak bodies, made up of people who are service users, accessing the service system. They are not exclusive to alcohol and drug sector clients. They do exist in Tasmania in other areas of the community services sector. For example, there are long-standing and successful consumer-led organisations in the disability sector, in the mental health sector, and more broadly as well, in the health sector but there has been a recognition in the alcohol and drug sector for some time that there is a need for there to be a consumer-led representative body.

I know both the Alcohol, Tobacco and Other Drugs Council and the Drug Education Network are both leading work in that field and driving some of that change that is required to start to invest in that peer support in terms of training for people who have lived experience of alcohol and drug dependence and to have their experiences inform service delivery across government and community services.

Before going back to the comments that I made last time we debated that bill I want to touch on some of that best-practice lobbying that is happening in the community sector. Reflecting on what I said the last time we were debating this bill; the contents of the bill will repeal the Alcohol and Drug Dependency Act of Tasmania and the Labor opposition supported it last time and we will be supporting it again this time.

The minister mentioned in his second reading speech that there have been a number of reviews into the Alcohol and Drug Dependency Act over a number of years and they recognise that it is not fit for purpose any more in terms of how alcohol and drug dependency is viewed and treated in Tasmania. One of those reviews was conducted in September 2012 and to quote some of what that review found, they talked about the legislative framework, including the Alcohol and Drug Dependency Act and noted that it was proclaimed in 1968 which is a long time ago. That is not to say that every act proclaimed many years ago or decades ago is no longer fit-for-purpose or relevant but as we have heard from the minister, since 1968 when this act was proclaimed things have moved on a lot and changed a lot in terms of our understanding of dependence.

At the time of its proclamation the objective of the Alcohol and Drug Dependency Act was to make provision with respect to the treatment and control of persons suffering from alcohol dependency or drug dependency but, contrary to its objectives at that time in 2012 when the review was being conducted, it was seen no longer to expressly confer power to compulsorily treat an individual so it was not compliant with those objectives from the original act of 1968.

In the 2012 review they said the main aim of the act was to provide for a separate legislative regime for the treatment of alcoholism, partly because of the absence of a serious drug problem in Tasmania in the 1960s and of course that is something that has significantly changed in the intervening decades as well. Until the ADDA's development, people suffering alcohol dependence who were unresponsive to social pressures or who required hospitalisation were sent to mental hospitals, that is not my terminology, that is the terminology of the review - under an involuntary order pursuant to the Mental Health Act 1963. At that time the consensus

of opinion appeared to be against alcohol and drug dependence being coupled with mental illness and the suggestion was that a separate act should be introduced to cover those cases.

Under the act a person could be detained in a treatment centre pursuant to an admission application and the act distinguished between admission applications initiated by a patient and those made by a relative or a welfare officer or involuntarily. In other words, somebody being involuntarily admitted to a facility. Involuntary application had to be made with the support or recommendation of a medical practitioner and a person could be detained for up to 14 days after admission on the basis of an application that was made with such support or recommendation.

Under the act at the time of the 2012 review being conducted, detention for that kind of treatment could be extended for up to six months if the appropriate medical officer, being the superintendent of the treatment centre, issued a certificate to that effect. A person's detention could be extended then for a subsequent further six-month period, so all up there could be more than 12 months of compulsory detention for alcohol treatment, if the medical officer deemed that to be necessary and in the interests of the patient's health and safety or the protection of others.

A person being detained or their relative, could apply to the Alcohol and Drug Dependency Tribunal for the person's discharge from the treatment centre. The tribunal consisted of five members, three of whom were medical practitioners with experience in the treatment and rehabilitation of a person suffering from alcohol or drug dependence and two of them were persons with suitable qualifications or experience.

When it was introduced in 1968, the act created that regime of treatment options and it replaced an act from 1885 which was named the Inebriates Act and an act from 1892 called the Inebriate Hospitals Act. The names of those acts, certainly give us a picture of why and when the Alcohol and Drug Dependency Act was introduced, that it would have been a significant modernisation and improvement on those previous legislative regimes that were in place at the time and repealed and replaced by the act in 1968.

Now we are here many decades later and yet again, we have developed in our understanding of dependence and our attitudes to the use and misuse of alcohol and drugs and the treatment of those who need treatment for dependence have changed significantly and modernised in many ways.

The review discussion paper went on to discuss that the social, medical and legal content that informed the development of the 1968 act had changed substantially over the previous 40 years in both Tasmania and around Australia and the globe. They said there were significant concerns about the extent to which the act and its focus on compulsory detention was consistent with the shift towards increased recognition of human rights and the need for a consumer centred focus with the overarching goal of harm minimisation contained in the national and Tasmanian drug strategies at the time. Numerous amendments have been made to that act and we heard from the minister's second reading speech that those amendments have rendered it confusing and difficult to apply.

During consultation with stakeholders when the review was conducted, some of the specific issues that were identified in deciding whether to reform the act included the destruction between the approach underpinning the ADDA and current approaches to our

common drug service delivery which feature assertive case management treatment in the community and short-term treatment focused interventions rather than long-term detention, including involuntary detention:

- The lack of clarity around the ADDA's operation and the general lack of awareness and understanding of the act, the failure of the ADDA to adequately protect or provide for appropriate oversight for clients or patients, the perception that the treatment model underpinning the ADDA requires a level of resourcing and type of accommodation and service delivery that is no longer appropriate nor available.
- The inability for a treatment centre model to adequately provide services to consumers outside of the three major centres and the limitations that exist in those major centres. The lack of appropriate oversight mechanism systems such as requirements to record relevant information and the professional conflict that compulsory treatment creates for clinicians and the impact it has on client outcomes, efficacy and legal engagement.

The review suggested that possibly as a result of the confusion around the role of the act was the fact that it had been rarely used. We heard there have only been two orders made since 2009 -

Mr Rockliff - One since 2016.

Ms HADDAD - Since 2016, thank you. That indicates one since 2016, two since 2009, including that one. Infrequently used, we can agree.

Mr Rockliff - Not used much at all.

Ms HADDAD - That is right, not used much at all. Thank you for that clarification because it does underline the reason why a repeal of this act is suitable and an appropriate thing for this parliament to be doing and shows that it is not fit-for-purpose or reflective of the way that we deal with these issues here and now in 2021.

One of the contributions to the community consultation and review was from the alcohol and drug council at that time. In their submission they argued:

Compulsory detention for treatment of any illness or disorder is an area of policy where the rights of the individual must always be carefully balanced against the health needs of the individual. Community needs, as well as the needs of others affected by the relevant illness or disorder, are relevant but should be seen as a secondary concern to the rights and needs of the individual deemed to require compulsory detention for treatment.

They went on to say:

Compulsory detention for treatment for drug and alcohol-related disorders is a particularly sensitive area of policy. There are several reasons for this, one being determining whether an individual with an addiction has the capacity to consent to treatment because drug and alcohol-related treatment is quite

different to other areas of medical treatment. There are also issues of diminished capacity by, for example, cognitive impairment as a result of drug and alcohol use which must be considered.

The way legislation will define drug use dependence and addiction are all of vital importance and the presence of addiction alone is not sufficient reason to compulsorily detain someone for treatment. There must be an immediate or critical risk to the person's life, health and safety. Many people with addictions to drugs and alcohol lead steady and productive lives, and depriving them of their autonomy and liberty by compulsorily detaining them for treatment is a breach of their rights to consent to or refuse treatment.

The issue of capacity to consent is paramount. An individual affected by drug or alcohol addiction may lack the capacity to consent to treatment when they are under the effects of drugs or alcohol but be perfectly capable of giving or refusing consent to treatment while sober. In particular, those addicted to alcohol may also suffer alcohol-related cognitive impairment which could affect capacity independent of their addiction.

They went on further to say:

Government has a responsibility to ensure the health, safety and wellbeing of its citizens but that this does not extend to removing a person's autonomy to make decisions about their own drug use or treatment. Government's role is to determine if and when and how to require treatment of individuals and under what circumstances. An involuntary treatment would never be warranted.

By repealing the act, the answer to that from the Government's legislation today is clear.

They went on further to argue in their submission:

Any systems which allow for the compulsory detention of citizens for drug and alcohol treatment would have to carefully balance the responsibility for government to care for its citizens in instances where their life was in danger with the rights of individuals to make their own decisions about treatment as well as drug use.

Criteria and guidelines must be clear and tight as well as adequately enforced. There must be adequate protections in place for the individual, including representation by an advocate or a lawyer, as well as avenues for appeal against involuntary treatment orders. At the heart of discussions must be a clear understanding of the aims and objectives of this legislation.

Compulsory detention of individuals who are not charged or convicted with any offence is a serious step for any government to take as a deprivation of liberty and it is imperative that we have a clear understanding of what is hoped to be achieved by requiring any involuntary treatment.

They concluded by saying that they believe it is possible to use legislation as a tool to intervene in crisis situations. However, the provision of drug and alcohol detox or rehabilitation in isolation is not an adequate response. They said that it would be futile to provide drug and alcohol treatment without also ensuring there is adequate community support for the individual at the conclusion of the involuntary treatment period. This includes supported accommodation in the community or housing assistance, counselling and ongoing drug and alcohol treatment where necessary, employment and family support.

Those are pressures that are still facing the sector now and, as I said at the commencement of my contribution, while there are alcohol and drug residential rehabilitation facilities available for adult clients in Tasmania, there is a real lack of those same services in the youth space. There are still long wait lists for alcohol and drug treatment in the community sector and the public sector, and in the acute medical setting as well.

One of the saddest things we hear sometimes is when people take that step of having decided to self-refer themselves for drug and alcohol counselling or treatment. That is a big step emotionally for anybody to make. I have friends who have done exactly that, and it is a huge call to wake up one morning and recognise that you need help. We hear stories of people making that enormous step in their lives only to contact a service provider and find that there is a long wait before they can be seen and that window sometimes, in some sad cases, closes and that person does not necessarily go on to seek the treatment they know they need.

I have remade some of the points that I then went on to make earlier this year so I will not re-read the next part.

I will conclude my contribution today by reiterating my support for the people working in the sector, both public and community sector. As I said at the beginning, recognising that what constitutes best practice in service delivery in the alcohol and drug sector is something that is constantly changing. Repealing this legislation is entirely suitable because it does not meet public expectations any more. It also does not reflect medical best practice when it comes to treatment of people with addiction.

I put on the record my support for those who are advocating for those best-practice treatment options, both in the community sector and the public sector and, specifically, the recommendations made in the recent budget priority statement by the alcohol and drug council around the need for an alcohol and drug consumer-led organisation, as well as a significant step forward in data collection. That is something that has been progressed in other areas of the community sector and when government and community sector organisations are equipped with an increased rich set of data that is useful for assessing service needs and service gaps, the people who win are the community members who need services.

I would like to again put on the record my support for the work they are lobbying for in terms of the need for changes when it comes to how data is collected and used across the sector. With those final comments, we reiterate our support for the bill.

[5.33. p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, it took me a while to realise we had passed this bill through the House earlier this year. I was very surprised to understand that it had not received Royal Assent. It is disappointing that the snap election meant that could not

happen and that we have to undertake essentially the same process but here we are and I can say that the Greens strongly support this repeal bill.

No doubt it is an ancient piece of legislation. It reflects a time which is passing but not yet past. It is definitely not yet past. It represents a vestigial, highly discredited approach to managing and supporting people with addiction. It represents a punitive approach and a failed understanding of the mechanism of addiction, the circumstances for addiction and the sorts of treatment that can be useful to help a person recovering from addiction. We are more than happy to say goodbye to this piece of legislation.

It is distressing to think that reviews into the Alcohol and Drug Dependency Act indicated as far back as 14 years ago that this was out of date at that point, yet there has been such a long time for this to come to this place and be finally knocked off. In the process of recognising that, the minister's second reading speech makes the point that it was invoked in 2016, nine years after it was identified as being an out of date piece of legislation that does not reflect contemporary service delivery in 2007. That is distressing to think that a better treatment option could have been provided for that person.

It is clear that this bill was established with a punitive approach to people who are addicted to drugs at its very core. What sort of drafting would have produced legislation where a person could be detained against their will for up to six months but not be required to take treatment which is the purpose of them being there. I am not making a case for forcing people to have treatment. There is no evidence of the value of that but it speaks volumes about the cultural norms that produced this legislation and considered it to be the best technique possible at the time for people who were not like us. Addicted people have always been comfortably pushed to the fringes of society if they have certain drugs of choice.

Almost all humans living in a modern environment have a drug of choice. Coffee is my drug of choice. It is a very powerful drug and I have to watch the effects of it every single day. I have had many other drugs of choice. I was addicted to tobacco for 20 years and I spent a long time recovering from that drug of choice. There are many complex social and environmental reasons for the unhealthy behaviour I had.

We are more than comfortable with participating in the drugs of choice that are on offer in the parliamentary dining room, such as alcohol. We are equally comfortable with pushing people to the fringes of society if they take up cannabis.

This is an out of date bill but the minister is in a Government that has other very out of date drug policies that are at their core punitive. They fail to understand that the only way to successfully help people recover from addictive substances is to provide them with medical treatment, social support, especially counselling and treatment for a large number of people who have often suffered a traumatic event in their life. It is still an early stage of research but it is clear that the role of trauma informing addictive responses and getting comfort from certain drugs has its root in traumatic events, often in childhood but also in adulthood.

It is clear that without the social support and the intensive therapeutic support that people need to unpack the circumstances that have led them to seek comfort, solace and pain reduction a range of illicit drugs can provide, then it is going to be almost impossible for them to make progress. We do not need to lock people up for non-trafficable personal quantities of illicit substances. We do not need to put them in jail as a mechanism for managing their addiction,

for looking at the circumstances that might have led them to having illicit drugs. We need to put more money into therapeutic support and put more money into the drug diversion program.

The Government has had a chequered history in the drug diversion program and the funding for the drug diversion program. Can the minister comment on the number of drug diversions that are funded and that occurred over the past couple of years? That is germane to this conversation. Keeping people out of prison is the first step to making sure they are free to be in treatment programs, to receive counselling and to receive the sort of social support that could help them recover from addiction.

There may be elements of open mindedness in the minister's comments, an understanding of the role of trauma and addiction and the failure of the punitive legal model to deal with addiction. I believe the minister understands the importance of having a health-based preventive approach for an effective result, not just for the individual but for a society in order for us to move on. There are other options that countries, especially the United States, are leading the way with. The United States is showing state by state, especially along the west coast, what it looks like to live in societies where people are not locked up for having small quantities of cannabis on their person.

They can get on with the job of having conversations about people who are addicted to drugs which are causing them serious health problems and affecting their lives and sometimes leading them to undertake criminal actions to survive. That model is on the table, yet among the majority of members in the Government, there is the sense that people must take responsibility for their own actions and it is nobody else's responsibility to look after them.

Once you have crossed the line, if you cannot pick yourself up by your own bootstraps, do not bother coming to us asking for help. It is a very uncharitable and surprisingly unchristian approach from a number of members who are Christians. As somebody who went to a Christian school, a Catholic school, I have never been able to understand why we treat people who use illicit drugs for personal use as social pariahs. There is no sense or logic in that. There is nothing kind and charitable and understanding about the circumstances that lead to that.

I hope that the overwhelming body of scientific evidence showing the power of addiction on the brain and the impact on the brain and especially our understanding about trauma and the enormous levels of trauma that the rate of trauma in our society that is being experienced from too many children being neglected, too many children abused, too many children exposed to family violence incidents.

I sat in the family violence response cross-agency unit. I had the privilege of watching them as they were going through their three-times-a-week mapping exercise looking at an individual circumstance of family violence and a perpetrator and looking at all the information across multiple agencies of that case. It was profoundly shocking to see how many people were involved; the perpetrator, the girlfriend of the perpetrator, the four children of the girlfriend of the perpetrator, the previous children of the perpetrator, the perpetrator's mother, the perpetrator's girlfriend's parents, grandparents.

So many people, not to mention all the people in social services, community services, child safety support, the police and Department of Justice are all working to try to prevent this family violence from continuing. Yet it was really clear in conversations that were coming up. What is the sort of things that could improve this situation? What else could we be doing? We

could be putting more money directly to the source for trauma support. More money directly to the support for families at the early stages of pregnancy, birth, care and support in the house in the home.

There is more that we can do but having a punitive approach to people who, after the experiences that I was hearing which was just one day of three, in one week of 52, every single year that these agencies get together. These are people in our neighbourhoods, they are suffering, they will grow up suffering and having to medicate themselves to deal with the pain and the experiences they have had. It is quite clear that the perpetrator in this instance that we were looking at who himself was an 18-year old boy, had been brutally treated by his own father himself and there he was, 18, he already had a child, youth detention - no wonder, what else could he do other than act out. He had suffered terribly and yet what we do is remain to have a punitive model for people who take up illicit drugs as a way of medicating. It was quite clear in the statements that were being made by the perpetrator, but especially the woman and her children. They were using illicit drugs to survive day-by-day, from the pain of their circumstances.

We cannot fix that straight away but we can make sure that we do not lock them up for carrying one of those illicit substances on their person because that is what could happen to them on top of all the other things they are managing in their life so I ask the minister to continue to push this with your Cabinet colleagues, the understanding that if we want to have real, good change for the future, in the poorest communities in Tasmania, the most vulnerable women and children, that is what we need. We need to stop treating personal drug use as a crime and start treating it through the medical model through a health-based approach and look at real support.

[5.50 p.m.]

Mr ROCKLIFF (Braddon - Minister for Health) - Mr Deputy Speaker, I thank the members for their contributions and their insights. It is my understanding that Ms Haddad has experience within the sector in for her work in the public service. Thank you, Dr Woodruff, for your insights around your knowledge, experience with family violence and the like and your policy suggestions as well. It is appreciated.

I have some further statistics here with respect to the tribunal. As I have said, it has received only two applications in the last 18 years, with the last being received in 2009 and the ADDA's use has been in steady decline; it has not been invoked at all since early 2016, just to clarify the interjections that Ms Haddad and I were involved in.

I have further information. Research conducted in 2012 identified approximately 12 admissions for the period June 2005 to June 2008 and approximately four admissions for the period June 2008 to June 2010. A more recent review of admissions data suggests that for the period of June 2010 to June 2016 there were multiple admissions of a total number of five consumers, with the last admission occurring, as we have said, in the first half of 2016. This decline and now the cessation of use is largely the result of the commitment from the alcohol and drug service to work with people with severe substance dependence and their families to identify admission pathways that do not require or involve the Act, if I can put it that way.

Ms Haddad mentioned the ATDC. I had the pleasure of attending their Annual General Meeting on 22 September and expressed similar sentiment that Ms Haddad did and I believe, Dr Woodruff, in thanking all staff in the public sector and the community sector for the work

they do in a challenging environment and particularly more challenging over the course of the pandemic. It is a challenging space and the alcohol and drug sector spans health and education, law enforcement, justice of course, and there is a very constructive and very good partnership, in my view, with Government and the non-government sector and we all remain committed to reducing the harms associated with the use of alcohol, tobacco and other drugs, to work in with our valuable community sector to provide that very important and holistic response.

At that forum I spoke of the 10-year reform program to build a more seamless, responsive and inclusive system, that better meets the needs of Tasmanians when and where they need it. A key to that approach and that reform agenda is to have a person-centred approach and that is very important but not always possible without first understanding the lived experience of people that have had addictions in the area of alcohol and other drugs. Direction one of the reform agenda in actual fact is to have that person-centred approach across the service and so a key action under this reform direction is to establish an alcohol and other drugs consumer organisation in Tasmania, which Ms Haddad mentioned as well. We have provided funding to the ATDC to support the work needed to establish an independent consumer representative organisation.

I am also excited to see the progress towards improved consumer participation and I had the pleasure of launching at the AGM the Lived Experience Advocate Service and the new service will help reduce stigma and discrimination and it will increase awareness, insight and understanding of the many ways in which people's lives are affected by alcohol and other drug use and, importantly, it gives people with lived experience of alcohol and other drugs use a say in how our services operate and are designed and delivered within Tasmania.

I thank all those involved with the alcohol and other drugs community sector, government sector and also the ATDC, on getting the service up and running. I believe that will be very well utilised and valued when it comes to supporting the many people in our community.

At that forum, the AGM I speak of, we were able to listen as well to people with lived experience, which was informative and important for people to hear, and to listen to and see the people with lived experience working within the sector to have what would no doubt be true understanding but, most importantly, that empathy with people who are addicted to alcohol and other drugs. That was a positive experience.

We canvassed a lot of areas when we previously debated this bill. The questions from Dr Woodruff, Ms Haddad and Mrs Petrusma were on *Hansard* and I have answered those questions in my summing-up as well.

To date, when it comes to the naloxone trial, free take-home naloxone is available from needle and syringe program outlets across Tasmania in the form of an easy-to-use nasal spray, Nyxoid. I am advised that, to date, there have been over 30 reported overdose reversals as a direct result of access to free take-home naloxone, which is positive as a result of the naloxone trial. I thank all those involved with that.

The Tasmanian Department of Health continually strives to minimise the number and impact of these deaths within the sector through a nation-leading, clinical regulatory approach to the regulation of high-risk medicines as well. There is a lot happening in this space. Notwithstanding, I appreciate the policy advice from other members across the Chamber.

With those few words, I conclude.

Bill read the second time.

Bill read the third time.

ADJOURNMENT

[5.58 p.m.]

Mr ROCKLIFF (Braddon - Deputy Premier) - Mr Deputy Speaker, I move -

That the House now adjourn.

Cadbury - Achievement in Chocolate Production

Mr ROCKLIFF (Braddon - Deputy Premier) - Mr Deputy Speaker, I rise tonight to update the House on one of Tasmania's most iconic companies, in my humble opinion, the manufacturer of one of the world's finest chocolates and one of my personal favourites, Dairy Milk Chocolate. I see the minister for Primary Industries is here who may well be interested in my contribution.

I was recently advised by Mr Darren O'Brien, the president of Mondelez Australia, that Cadbury has achieved a significant milestone at their Hobart production plant, with 58 000 tonnes of chocolate produced over the past year. To put this in perspective, that is the equivalent to 150 million Cadbury Dairy Milk blocks, plus bars, Freddos, Caramellos, being made and shipped across the country and the world. I am the Minister for Mental Health and Wellbeing as well, and ill-health prevention, but everything in moderation.

This is a record-breaking achievement, made possible by Cadbury's recent investment of \$10 million in new advanced manufacturing technology, which is the hat that I wear when I speak of Cadbury at this present time, enabling Cadbury to increase capacity in its plant to make base ingredients that go into arguably Australia's most loved chocolate. Pleasingly, particularly for my electorate of Braddon, Cadbury has been able to increase their partnership with Tasmanian dairy farmers through the sourcing of fresh, locally produced milk. Just under 50 Tasmanian dairy farmers are supplying directly to the Cadbury's Burnie plant, supplying 130 million litres of milk and representing more than 10 per cent of the state's milk supply.

Cadbury has also advised me that an additional 20 roles were created at Claremont, which has also facilitated the addition of 40 new products to local markets and an increase in export volumes to Pakistan and South-East Asia.

Cadbury is proud of these achievements and appropriately so, and recognises the significant contribution that Tasmanians make, including loyal employees, local dairy farmers and the broader economy that services Cadbury's facilities in Burnie and Hobart.

Mondelez has also advised me that they are committed to creating a positive change in the world, increasing their focus on sustainability. I understand that they are particularly

interested in our emissions targets and focus on renewable energy, and how they may also reduce their carbon footprint.

In 2022 Cadbury will be celebrating 100 years of manufacturing in Tasmania, highlighting their longstanding commitment to keep production and jobs here in this state. The plant at Claremont was the first overseas manufacturing facility established by Cadbury UK and was chosen due to the cool climate, access to hydro power and fresh high-quality milk. I would say that, 100 years on, these all seem very logical reasons to keep producing excellent-quality chocolate here in Tasmania.

I look forward, as I know the minister for Primary Industries will and others, to celebrating 100 years of Cadbury in 2022. They are without doubt one of Tasmania's most successful companies and have made an enormous contribution to our economy. I truly trust and hope that they will be here for another 100 years.

Members - Hear, hear.

Graeme Paine OAM - Tribute
Encore Theatre - *Mamma Mia*
The Rocky Horror Show

[6.02 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, members would know that Graeme Paine OAM passed away last weekend after a long battle with progressive supranuclear palsy. I have put a motion on the books which is a much more formal one but I thought I would take the opportunity to think about an action point that people grieving for Graeme might be able to do. He made an incredible contribution to Tasmanian theatre and also to my first-ever election campaign when he did a fundraiser for me at the Royal Oak Hotel in Launceston.

We need to think about how we might turn grief into a positive thing that Graeme would embrace, so what would Graeme do? At the risk of taking a bit of licence, I reckon he would embrace some local live theatre, so I wanted to talk about two opportunities where we can do absolutely that. Coincidentally and quite conveniently they are two of my favourite musicals.

In Launceston 18 months ago, Encore Theatre was ready to do *Mamma Mia* when COVID-19 hit. They were almost ready, they had done their pre-show, their audience was excited, almost every ticket had been sold when they got shut down. Eighteen months later, we are now so close to them coming on again and they will start the end of their season on the 22 October. We are tremendously excited and I know the director, Danny Gibson, has done a phenomenal job, as has the entire Encore Theatre Company. We look forward to it and I will come back and update the House, as I am sure my colleagues will from Bass, on just how excellent that production is.

The other one is in Hobart and has already opened. I want to talk about *The Rocky Horror Picture Show* and particularly the fantastic work that has been there. I could not say it better than Craig Wellington has said it, so I am going to read in his review:

This production of *Rocky Horror* surpasses any I've seen before.

I have to admit I have seen the live show three times and the movie more times than I want to admit. The trap fallen into by every single one of the productions that Craig Wellington says he has seen is that they were played for cheap laughs and nothing else:

They were directed with no regard for the actual text, the cast parroted the dialogue like a string of catch phrases and no matter how famous they may have been, the cast were taking the mick out of not doing the job seriously, the whole thing becoming a superficial tinsel tribute to someone else's glory days.

The John X Presents production of *The Rocky Horror Show* falls into no such traps.

The physical and lighting designs are right for the space, likewise the choreography, likewise the sound design. All intertwined to a standard of excellence. Ros Wren's wardrobe is tremendous and very clever in its choices, the costumes striking.

Matthew Ives' (not-big) band is sharp, slick and on top form.

It is directed to a level of excellence by Ingrid Ganley. Her treatment of the text, both dialogue and action, is laser precise and meticulous. In every moment, in every beat, in every silence, look, movement, shape or stillness. By taking the text seriously the show reached every height of laughter and then punched you with lump-in-the-throat pathos when needed in Act 2. This is brilliant direction.

Taking it seriously makes it funnier than ever, 10 out of 10. The show is breakneck slick, hilarious and moving. Every detail is realised to maximum effect.

The mix of Tasmanian performers and honorary Tasmanian performers, are dedicated, talented, relishing their roles and nailing their characters joyously. It is a privilege to be an audience member and to be entirely blown away. Thank you to X, Cassie, Ben, Ingrid and team for this huge undertaking and for delivering above and beyond. There was so much hope and, dare I say, anticipation. Your production surpasses it all. Congratulations, see you again soon. This is a treat worth enjoying as many times as possible ...

I saw it on Saturday night. It was a difficult night because going on was when John X and other cast members were advised of the passing of Graeme Paine. It was a difficult production that they did with absolute professionalism. If you knew Graeme Paine, if you worked with him, if you watched him, if he made you laugh, if he shocked you horrifically, if he mentored you, if you cared about him, if you loved him, then for Graeme Paine go and see a local show. Enjoy some fantastic local talent and fantastic local theatre.

Laugh and raise a glass to a fine thespian who gave so much to local theatre. Vale Graeme Paine OAM, a truly funny bugger.

Tasmanian Seafood Industry Awards

[6.12 p.m.]

Ms FINLAY (Bass) - Mr Speaker, I rise this evening to extend the celebrations that occurred last Friday evening which was the Stay Afloat Tasmanian Seafood Industry Council Awards for 2021. This being my first Seafood Industry Awards, I can say it was an exceptional experience that brought together the industry across Tasmania to celebrate what has been a hard year for some but to bring a highlight to the incredible operators and fishers across Tasmania that bring seafood not only to our tables but across the country and across the world.

I first acknowledge the venue that hosted these incredible awards and the partnership that is formed between the TSIC and nayri niara at the Long House. For those who do not know, in Evans St just behind Hunter St where I went to art school, the Long House has been constructed there and it is an incredible social enterprise which means 'good spirit'. I would have to say this partnership between the Seafood Industry Council and the Tasmanian Aboriginal community in this enterprise is a beautiful way to present and to consider and to reflect on the culture of fisheries and the future of fisheries together.

One of the things I loved about the evening was the arrival. On the platform just prior to entering the formal room they had laid sand on the concrete pads and built fire. Anyone who knows me knows that my spirit is refuelled with fire and there is nothing better than an experience to enjoy seafood on the beach, camping. You have had a weekend of fishing and on the fire or by the barbecue you cook up, as we were presented on Friday evening, beautiful Tasmanian abalone, oysters, periwinkles that were cooked over fire. It was a beautiful introduction to the whole celebration that once in the formal room we had what was perhaps for me one of the most profound welcome to country ceremonies and it was the incredible Ruth Langford who took us through almost a navigated meditation to internalise and reflect on the past, on country, on community and culture and to take that through our experience of the evening. It was a beautiful platform and foundation for celebrating what is a great industry in Tasmania.

I acknowledge the work of Stay Afloat in partnering with TSIC and in particular, RAW, Rural Alive and Well, the work that they do, not only across our fishers in Tasmania but in other primary industries, in agriculture and just generally in rural and regional communities across Tasmania. An incredible organisation that is making a difference to the mental health support for regional and rural Tasmanians and in particular the work they do supporting suicide prevention.

What I am loving as I am learning and meeting with and engaging with an understanding more these incredible industries is the partnerships and the working together and the supporting each other that is happening.

Given that I am a member for Bass and shadow minister for small business, I want to give a shout out for a local business that was recognised on the evening. Congratulations to Zac and Kristy of Kyeema Seafoods in Launceston who won the small business award. The work you do, to share stories and share understanding of the local nature of the seafood that you can put on the table of local Tasmanians, is incredible and it was lovely that you were recognised on Friday evening.

For me it was a lovely night. I am getting to understand more and more that the seafood industry, our fishing community, is all about family, community, support and people - particularly most often in our rural and regional communities together - and what TSIC have done and continue to do to support this industry and to put on these awards to celebrate all of the good things, should be commended.

Two of the people I met through this process are Julian, the CEO of TSIC and the chair, Lindsay Newman, and on Friday night it was lovely to witness the awarding and the recognition of Lindsay Newman for more than 15 years' service to TSIC. He has been really kind to me in helping me understand on the fast-track lots that there is to know about the industry and you can tell from everybody in the room, their warmth and their respect for him and for the service that he has provided on long miles travelling in from the west coast into other parts of Tasmania to support the industry that he loves.

Finally, the awards occurred on Friday last week which was World Salmon Day and it was lovely to see Huon Aquaculture recognised for their commitment to the many people, often young people in rural and regional Tasmania and their safety on work sites. Huon was recognised with the safety award. It is not only about the care and the provision of safety on site but particularly around the development and the technology that they are leading not only across the country but across the world in the provision of their strong workforce.

It was an incredible evening. It was lovely to be able to celebrate what for some has been a difficult year. As I said I love that this industry is about family and community but it is also about characters. Squizzy Taylor was recognised and I love that the industry is so diverse that in one moment we can be recognising research and development and on the other, the best fish and chips in Tasmania.

So, a shout-out to TSIC, to Stay Afloat and to Rural Alive and Well for the incredible work that they do and for the industry that was celebrated last Friday evening.

Gaming Industry

[6.12 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I rise tonight also to talk about partnerships but not the healthy ones that Ms Finlay, the member for Bass was talking about.

I want to talk about the unhealthy relationship between the gambling industry and the two major parties in this state. Before I am pulled up, Mr Deputy Speaker, I am not talking about the legislation that was tabled this morning. I am not, and have no intention, of pre-empting an Order of the Day.

This is a tale just today of two captured political parties. It is perfectly captured in two separate statements that were made today and these statements point to the corrupting influence of the Tasmanian Hospitality Association on both the Labor and the Liberal parties.

This morning on ABC Radio's Leon Compton program, we heard for the first time some clue about a harm minimisation approach from Labor which has folded on its previous policy to remove poker machines from pubs and clubs. Mr Winter, the shadow finance spokesperson,

was on Leon Compton's program. He says, 'We have spoken to the THA, we have spoken to hotel operators around the state, north-west, north and south, been and visited them, spoken to people operating the machines, the workers, we have spoken to all of them.' Nothing in there about people who are afflicted by gambling but, 'we have also spoken to TASCOS, the Salvation Army, Anglicare, all of those groups, et cetera'.

What we heard today on Leon Compton is that the two policies of harm minimisation that the party is looking at are card-based-play for machines in Tasmania and the other one, Mr Winter said on Leon Compton, is to follow the South Australian model which is about facial recognition technology. He said obviously the Labor Party would not be supporting one dollar bet limits or slower spins but what we heard for the first time today was Labor is committed at some level to a facial recognition technology approach to harm minimisation and to pre-commitment cards.

Lo and behold, Mr Deputy Speaker, we get a Dorothy Dixey to the Minister for Finance today in which he talks about harm minimisation and he says:

I will be directing the commission [the Tasmanian Gaming Commission], to provide a report, including options, costs and benefits and implementation mechanisms for: first, facial recognition technology in hotels, clubs and casinos in support of the Tasmanian Gambling Exclusion Scheme.

Then, secondly, he is very interested in a smart-card-based client identification system for electronic gaming machines in hotels, pubs, clubs and casinos. Mr Deputy Speaker, for those of us who are interested in integrity, that is the most vomitous and transparent example of the complete lack of difference between the Liberal and Labor parties on gambling.

This is the Liberal party that let the THA, the Federal Group and the gambling industry buy the 2018 state election for them and this is the Labor Party that took money from the Federal Group this time for the 2021 state election after being busted having signed a secret agreement with the Tasmanian Hospitality Association which says it:

commits the Labor Party to agreeing to work together on the development of potential, viable harm minimisation measures for gaming products while also agreeing that any measures need to be workable for industry.

What do you know? In the Tasmanian Hospitality Association's submission -

We would like to work with the government to see the CSL better spent to help minimise harm from problem gambling. We believe that funding could be provided to look at better ways of producing photos for venues of excluded persons.

Facial recognition technology, Mr Deputy Speaker. The THA also talks about precommitment technology. Yes, Mr Ellis over here tries to say that what we are talking about is a conspiracy. Bloody oath it is. It is a conspiracy against the Tasmanian people. It is a conspiracy against democracy and decency and transparency. It is a conspiracy between the gambling industry and the major parties in this state which has poisoned the soul of this island for 40 years.

It has taken people's lives away from them, it has taken their livelihoods away from them, it has broken families, it has led to child abuse and neglect, mental illness, addiction - my oath it is a conspiracy and that conspiracy is written about perfectly in James Boyce's book. The conspiracy is obvious.

You have the gambling industry conspiring with the major parties in this state to shaft the people of Tasmania and today we saw it writ large where the Minister for Finance and the shadow minister for finance were arguing for the two exact same harm minimisation measures.

Ms Butler - Two hours apart, though.

Ms O'CONNOR - It is sickening. Two hours apart, was it, Ms Butler? Thank you for that. Well, that makes a massive difference because obviously the minister -

Ms Butler - Do you think the minister may have heard him on the radio?

Ms O'CONNOR - Obviously he is taking his cues from the shadow minister for finance - what a load of rubbish. What has happened here is the THA has stitched up both the Liberal and the Labor parties. It has written the legislation. It has prescribed what harm minimisation it will accept. It has both these parties in its back pocket and do you know what that is, Mr Deputy Speaker? That is institutional corruption; that is what it is.

Two political parties bought and paid for by a gambling industry which has been sucking the life out of this island for decades and I just thought it was worth putting that on parliament's record because the Greens are not going to see this sort of thing happening and stay silent.

When the bill comes on, we will do the right thing, unlike our colleagues in the Labor Party who sold out, who sold out the public interest, who sold out the interests of small business, who will be losing out of their back pockets for eternity as a result of this legislation which is backed by these two corrupt major parties.

Time expired.

Auditor-General's Report into Local Government Recruitment

[6.20 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I want to make some comments about the Auditor-General's report tabled in parliament this morning on council general manager recruitment appointment and performance assessment processes.

This was a very important report and it speaks volumes about some real deficiencies in the local Government sector around the very, very important appointment process for general managers, which we all know, those of us who have anything to do with local government, is a critical person: the critical person in ensuring that the work of councils is undertaken in a fair and equitable, efficient, productive manner and who oversees the operations of council. This is a critical position and the Auditor-General's report was very concerning and for some councils it was damning. For the Huon Valley Council in particular, it was very damning.

I first make the point that Mr Whitehead noted that the majority of the recruitments he examined had neither the consultant nor the council able to provide documentation that rated and compared applicants using the appropriate selection criteria at the short-listing and interview stage. For the majority of councils, conflicts of interest were not documented or reported after the short-listing process had been completed. He also found no council conducted a performance assessment process consistent with contemporary human resource practice.

These are damning comments but the Auditor-General saved his most damning findings for his separate assessment of the Huon Valley Council. He did this because that fell after and outside the previous assessment processes. The appointment of the general manager in the Huon Valley has been highly controversial; a matter of public discussion for months. The reason for that is that after the board of inquiry, where the whole council was sacked and an independent administrator was brought in for a period of time to set the council on the right course, in the 2018 local Government elections a new council was voted in by the community, specifically on the issue of governance and transparency. The community are sick of bad governance, they are sick of secret deals and they are sick of a failed accountability mechanism of the previous council. Mayor Enders came in specifically on the back of people in the valley who wanted her to commit to overseeing good governance.

Mr Whitehead looked at the recruitment process for the general manager from 31 March to 15 September and he made comments about that and particularly the recruitment agent, Ms Joanne Inches from the company RedGiant, and the processes around that. His conclusion about the processes were: that the panel's consideration of the conflict of interest in the recruitment process did not demonstrate an understanding of the significance of the consultant's reported conflict of interest and pecuniary interest; that the panel accepted the consultant RedGiant's suggested approach to managing the conflict of interest and did not appropriately mitigate it; and that the council decided to proceed with the recruitment of the general manager, despite knowing after receipt of a report from a legal adviser, that the process lacked integrity.

The community has been aware of this as the months have gone by. The council panel appointed Ms Joanne Inches from RedGiant. On 26 May Ms Inches learnt that her partner had applied for the job that she was hired to recruit for. She could have withdrawn herself from that process at that point but she chose not to. Forty days passed before Ms Inches informed the council that she had a conflict of interest. By that time, she had excluded 71 of the applicants for the Huon Valley General Manager position out of the 85 total number. So, 71 were binned and at the time the selection panel of four councillors, chaired by Mayor Bec Enders, could have halted the selection process and employed a new, independent recruitment agent who was unbiased to review all the 85 candidates, but the council panel chose not to do that.

When all nine councillors were subsequently made aware of the flawed selection process, in fairness to all candidates at that point, they could have abandoned the proceedings and readvertised the position, but they chose not to do that.

Finally, many community members personally and publicly implored the council to delay the appointment of the general manager until a thorough investigation into the selection process was undertaken but the council, under Mayor Bec Enders, chose not to do that. These opportunities were not accidentally overlooked. They were actively overlooked; they were deliberate choices at each part of the process.

As the head of the selection of the general manager and as the head of the council, the buck stops with the Mayor, Bec Enders. She came into the council on the back of a commitment to the community to rewrite the history that led to the board of inquiry and to usher in a new era of unbiased processes, accountability and transparency for people in the Huon Valley. It has not happened.

The minister needs to read this report. He needs to act on the recommendations of the Auditor-General. The Auditor-General is very clear. Huon Valley Council had inadequate management of conflict of interest and the potential for bias and unfair treatment of applicants was significant throughout the process. The process undermined the public confidence required in an appointment as significant as the general manager of a council.

It stinks. It is a disgusting situation that these sorts of appointments continue and the minister needs to step in.

Time expired.

Northern Tasmanian Football Association

[6.27 p.m.]

Ms COURTNEY (Bass - Minister for Education) - Mr Speaker, I rise tonight to pay tribute to another successful season for the Northern Tasmanian Football Association and indeed, the last two weekends have seen at the Launceston Country Club a celebration across the men's and women's competition of the best and fairest for 2021.

It has been a fantastic season for all divisions within the NTFA. I commend president Scott Rigby and his team for all the work they have done to ensure community football has been able to return in a COVID-19-safe way in 2021.

The level of competition across all levels has been exceptional and football in northern Tasmania is proving to be one of the strongest leagues in the state. I commend all the premiership teams for the season 2021.

It also has been brilliant to see within the women's competition, 12 clubs fielding teams which has seen the women's competition strengthen again this year. The talent has been put on the field, week in week out for the third season of women's football, which has been phenomenal. I commend all players, coaching staff and clubs on their continued hard work to make women's football such a success.

I pay tribute to NTFA best and fairest winner, Georgia Nicholas from the Old Scotch Football Club on taking out this year's best player award. Having watched Georgia play on a number of occasions, it is clear she is extremely talented and I wish her all the best for her football endeavours in the next season. She is clearly a talent to watch.

I wish to acknowledge Luke McCarty from South Launceston Football Club in the premier division competition on successfully taking out the NTFA best and fairest for the Premier League in season 2021. Sadly, Luke was unable to attend the NTFA awards on Saturday night. However, he had a good excuse as he was attending his own wedding.

With many award winners over both nights, I also wish to commend all the players who were acknowledged in the Team of the Decade and Team of the Year team which were announced as well as the coaches named to lead these teams.

Mr Speaker, given you were in the chair, it is also apt to acknowledge the Bracknell Football Club and their extraordinarily successful season after a somewhat dry spell and significantly, the acknowledgement of some of your volunteers within the organisation. It clearly showed on the evening what a strong club that is.

It has been a privilege to be patron again for the NTFA in 2021. I am excited by what next year holds and in closing, I acknowledge the hundreds of volunteers each and every week that ensure competitions like this can be played. We know from club level through to on ground, on the day, the hours that are put in by so many people underpins the success of these organisations. I thank them for their hard work. I thank them for being such an enormous part of the Launceston and greater northern community.

National Carers Week

[6.30 p.m.]

Mr O'BYRNE (Franklin) - Mr Speaker, I rise on the adjournment tonight to acknowledge Carers Week. This week is Carers Week and the theme this week is 'Millions of Reasons to Care'. We know in Tasmania there are 80 000 Tasmanians who are carers and they provide a fundamentally important role in ensuring that our community exists, survives and thrives. Their role should never be underestimated. It should never be forgotten. Weeks such as this are very important for us to understand the important role of carers.

Carers may not see themselves as a carer. It is a part of who they are and what they do. The care provided to another may be needed suddenly due to illness or injury, or gradually over time, or may fluctuate or be episodic. Anyone, any time, may become a carer.

A carer is someone who provides unpaid physical, practical or emotional support to a family member, friend, neighbour or colleague who has a disability, a mental illness, chronic condition, life moving condition, addictive behaviour or who are frail and aged. It may be a family member. It may be a friend, a neighbour, a colleague, an old mate. In this House we all know people who are playing an important role to support either their family member or their friend to ensure that they can have a level of dignity in their life, they are supported and too many times they are on their own.

It is important for us in this place, across Tasmania and across Australia, to acknowledge the important role that carers play in our society to ensure that people can live with dignity, they have the support and that we acknowledge they are not alone and that we see the work that they do and that we acknowledge it.

Police Remembrance Day

[6.32 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, on 29 September I was honoured to attend the Rokeby Police Academy to commemorate Police Remembrance Day. Police Remembrance

Day is a day to acknowledge and pay our respects to police officers who have fallen in the line of duty, an opportunity to recognise their service and sacrifice. The sombre ceremony was beautifully organised with a wreath laying ceremony and included five historical bereavements which were added to the Tasmanian Police Memorial Baton.

The first, Constable George Lucas, died in 1829 aged 37 years. Constable Lucas died after a blow to the head from a captured runaway convict who he was transporting to Oatlands.

The second was District Constable Blackburne, who died in 1849, aged 40. Constable Blackburne died after he was accidentally shot by a colleague whilst disembarking from a boat in Rokeby while returning from a callout.

The third, Constable Ferdinand Christopher Hauth, died in 1869 aged 32. Constable Hauth drowned after a guard boat overturned in Norfolk Bay while collecting supplies from the Norfolk Bay Convict Station for the Woody Island Guard Station.

The fourth commemoration, Constable William Doodie, died in 1863, aged 54. Constable Doodie drowned while on duty delivering mail on the Tasman Peninsula.

Deputy Commissioner, Donna Adams, said that the day offered police a chance to reflect on the dangers of their work. 'A number of the police officers that we have honoured and celebrated today I have worked with', she said. One of those was Sergeant Rob Cook who served with Tasmania Police for 31 years before his death. I know that Tasmania Police previously held a commemorative service for Rob Cook. He was greatly missed by many who served for Tasmania Police and also his family and friends. Deputy Commissioner Adams went on to say that there will be many people who would fondly remember his friendship and his policing contribution.

Deputy Commissioner also stated that, 'The day is a solemn reminder of the dedicated men and women who wear the badge and often put themselves in danger to protect our community. We thank all police officers for their service and the danger they place themselves in to protect us every day'.

Eric Mobbs - Tribute

[6.35 p.m.]

Mr ELLIS (Braddon) - Mr Speaker, I rise tonight to pay tribute to my old mate, Eric Mobbs, who recently passed. Eric was a tireless contributor in many ways in our community. He was a friend, a mentor, an occasional drinking buddy, and despite his gruff exterior, one of the most generous spirits I have personally had the pleasure of meeting.

Eric was into just about everything in the local community. I want to quickly go through some of the groups and people that would be feeling his absence this week. He was well known in the broader community as I think the longest serving Devonport Chamber of Commerce and Industry president that we have had. Eric has done a fantastic job over the course of many years with that very proud institution. He has been involved in all sorts of important aspects, fighting for small business in the north-west coast and coming from his accountancy background, did a fantastic job with it.

He was a tireless contributor with things like the education committees, the chamber alliance which brought together regional chambers from right around Tasmania and brought them into the fold with the Tasmanian Chamber of Commerce and Industry; a passionate advocate for the visitor's centre and tourism in the region; the renewed Devonport project which in many ways was the forerunner of the enormous urban renewal project, Living City, which has done an amazing amount of good in Devonport. I know that the work that he has done with colleagues such as people like Sylvia Sayers over the course of the journey has really brought Devonport into a thriving regional town that has so much going for it, whether it is to live, work, start a business, raise a family or retire.

Eric was also into singing. He had a beautiful baritone voice which you could tell when he spoke to you although it really had to be heard to be believed. He was involved in about half a dozen church choirs around the place. The contribution he was able to make to those groups and lifting up a song of praise was a special part of his life and one that, for those of us who knew him through business or politics, maybe did not fully appreciate. Eric did have a deep and quite understated faith and he was a regular attendee at a lot of church community events and functions and groups. I know he will be sorely missed there.

He was of course, as those in this place will probably know, one of the most incredibly keen Liberal Party members that you could ever hope to meet. He held nearly every office within our illustrious organisation and did so with aplomb, whether it was Devonport branch secretary through to the candidature committee right up onto state executive. He kept everyone in line, gave everyone a run for their money, and really put the Liberal Party in such great stead.

Personally, I remember working on a drain job in Tullah as a 26 -year old plumber and getting a call from Eric to say our branch president of Devonport City has resigned and what do you think about having a go. I thought, who is this bloke, and this is just mad, but from there big things grow. I know I thanked Eric in my first speech in this place for so much of the volunteer work that he put towards my first campaign. Basically, everything that I have done in the Liberal Party, Eric has been an enormous supporter both for me, the members for Braddon who are in this place, candidates we have had over the years, and every other Liberal member with his statewide influence that he has put in place.

In the later years of his life, he was an avid member and president of the Devonport Senior Citizens Club. I remember when Eric took the job on again only in recent years he said to me that he was going back in there to shake them all up and really get stuck into them. He raised a number of very important matters for that little organisation down on the waterfront including things like parking and a huge membership drive, the likes of which I do not think the senior citizens who elected him really saw coming. But that was Eric Mobbs - he was a real, can-do, get in there, get stuck in and get things happening kind of a guy.

Mr Speaker, it reminds me of a quote from the great Austrian psychoanalyst, William Stekel, that the mark of an immature man is that he wants to die nobly for a cause while the mark of a mature man is that he wants to live humbly for one.

While I do not think there are too many people who would associate Eric Mobbs and humble in the same sentence quite so easily because he was such a larger than life character, by his actions and deeds, he really displayed an enormous humility and put the causes and others before him at all times which is the mark of a really wonderful person.

We send our love to his wife, Anna, and his whole family. We know he will be enjoying a glass of red or a Guinness, and reviewing Heaven's constitution and accounts for the rest of time. I am sure he will be enjoying that.

The House adjourned at 6.41 p.m.