

Thursday 19 March 2020

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

QUESTIONS

COVID-19 - Communciation about Self-Isolation Measures

Ms WHITE to PREMIER, Mr GUTWEIN

[10.04 a.m.]

I want to start by saying by saying thank you. Thank you on behalf of all Tasmanians. We believe the decision that you took today will save lives. We know that these decisions are hard and they will have lasting impacts. We will back you to take every possible step to keep our community safe. Politics has no colour right now. Liberal, Green, Labor or Independent - there is no greater challenge than protecting the most vulnerable people in our community from this insidious disease and supporting businesses so they can survive this crisis.

While we congratulate you for requiring everyone coming into Tasmania to self-quarantine it is time for more dramatic social distancing measures for all Tasmanians, particularly those at greatest risk of getting sick.

What steps are you taking to communicate with vulnerable people, including the elderly, the chronically unwell and immuno-compromised that they should be self-isolating right now? They need clear instructions delivered directly to them so they can take the steps needed to protect themselves. What support are you providing to ensure these people can remain in their homes where they are safest from the spread of COVID-19?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for the question and her interest in this matter. We have a broad-based communication strategy that is in concert with the federal government, leveraging off the back of their \$30 million-worth of advertising they are providing on a day-by-day basis with messaging, in the print media, electronic media and on social media platforms.

At a state government level, we have begun to leverage off that with print media and with the social media messages as well. We have reached out to all the NGOs and we are providing the NGOs with information about their circumstances. I understand that Communities Tasmania is engaged almost, in fact, on a daily basis with those organisations.

For all Tasmanians that messaging is clear: they need to adopt appropriate social distancing, ensure they take appropriate measures with their own personal hygiene, and be mindful of their own personal circumstances.

Regarding the group of people you have raised - I was just looking for the minister but he is not with us today, which is appropriate for the social distancing taking place here - our direct contact is through the NGOs and Communities Tasmania. Regarding the measures and strengthening of

the measures to older and more vulnerable Tasmanians, I will take on board the intent of that question. I will look today to see whether there is more that we can do.

The steps we have taken today, based on advice to strengthen our borders, will keep more Tasmanians safe. Importantly, in taking that measure, it strengthens Tasmania as a whole compared to the rest of the country. I expect we will see other states with vulnerable communities follow our lead, and territories for that matter. I have said constantly through this that we will take advice, we will do whatever we can to ensure the health, wellbeing and safety of Tasmanians is our number one priority. The actions that we have taken today is another step down that path.

COVID-19 - Testing Criteria

Ms WHITE to PREMIER, Mr GUTWEIN

[10.08 a.m.]

Across the nation there is concern that there is not enough testing taking place to get a true picture of the COVID-19 crisis. Here, the testing criteria is limited to people who have recently travelled overseas and are displaying symptoms, people who have been in close contact with a confirmed case of COVID-19 and are displaying symptoms, or healthcare workers who are displaying symptoms. These criteria are extremely narrow. There are numerous examples where people have met the criteria but have been advised they do not need to be tested. The World Health Organization has said:

It is urged the identification and diagnosis of suspected cases and symptomatic contacts of confirmed cases to be increased as much as possible.

Other states have moved to provide more tests to ensure they have a fuller picture of the extent of the transmission of coronavirus. Are you taking similar actions to increase access to testing and expand this to regional areas? Are you 100 per cent confident that enough testing is taking place to ensure the coronavirus is not already being spread in the community?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for that question and her interest in this matter. As I have said throughout the course of this week, and publicly leading up to this week, we test in line with the national guidelines. We take the health advice that we receive and we test to those national guidelines.

Regarding the circumstances we have in Tasmania, my understanding is that we have enough tests. I understand that Greg Hunt yesterday confirmed that there will be nearly another 100 000 tests arriving in the country shortly. That will bolster our national testing stock. We have relied on health advice through this, and I intend to do that.

Regarding testing, we will ensure we conduct ourselves in line with the national guidelines. As I have said in response to a question yesterday or the day before, if Tasmanians in a regional area are concerned because they have travelled, or they believe they have been in close contact with somebody who has, or who may have the virus, my advice is to call the public health hotline and discuss your circumstances with them. They are best placed to make the determination as to whether or not you should be tested.

COVID-19 - School Closures

Ms O'CONNOR to PREMIER, Mr GUTWEIN

[10.11 a.m.]

Today you have declared a state of emergency, a clear acknowledgment of the great danger COVID-19 poses to our island community. On behalf of every vulnerable Tasmanian I say thank you.

Overnight the United Kingdom closed all its schools, joining governments across Europe and Asia in moving to stem the spread of this virus through their education systems. Tasmania has the oldest, sickest and poorest population of any Australian state. There is high vulnerability to COVID-19's most devastating human impacts. Doctors, the *Australian Nursing and Midwifery Federation*, teachers and parents are all calling for school closures. At what point in this pandemic's progression in Tasmania will you move to close schools?

ANSWER

Madam Speaker, I thank Ms O'Connor, the member for Clark, the Leader of the Greens, for that question. I have constantly said we are taking advice from the Australian Health Protection Principal Committee on this matter. While I note what has occurred in the United Kingdom, they are much further advanced in the transmission across their community than we are.

We will continue to take a precautionary approach. We will act on the advice of the Australian Health Protection Principal Committee. That is the key decision-making committee for health emergencies, and is collectively drawing all of its information and advice from the heads of their public health services from every state and territory on a daily basis and feeding into that process.

The Department of Education is working closely with Public Health. The situation is constantly evolving, and we will take expert advice on a day-by-day basis.

I make the point that if there was a confirmed case at a school, that school would close. We have made that perfectly clear, and that school would be appropriately cleaned.

It is important to note that we do not know how long this circumstance will last. The measure we have taken today hopefully flattens the curve and ensures community transmission is kept at a minimum in Tasmania.

At some stage, there will be community transmission. We can all reasonably expect that to occur. It is important, though, that we keep some normality and routineness to what is occurring in our community. Certainly the advice we have received is that having that routine and normality is beneficial for the mental health and wellbeing of young people - and importantly, for many in our community, the schools will be the safest place for their children. I note that you have given a nod for that.

We are providing fact sheets to parents; the department remains in constant contact with our schools. We have introduced precautionary measures. Social distancing measures are being adopted in schools, and we have cancelled assemblies, presentation nights, excursions, travels, fetes, fairs, concerts with audiences, all sports carnivals and school camps. The Department of Education has ensured we have the contracts in place to ensure we have the appropriate supply of

washroom products and soap. As I said yesterday, there has obviously been an increased demand, but we are working with individual schools and will do everything we can.

I was asked a question this morning about additional cleaning. We will make the necessary resources available so that, if they need to, schools can contract in additional cleaners. We will not spare any expense on this. We will do what needs to be done. At times there will be challenges with our supply chains, but as a government we will do everything we possibly can to make certain our schools have what they need.

COVID-19 - Support of Members of Parliament

Ms OGILVIE to PREMIER, Mr GUTWEIN

[10.15 a.m.]

Today I think we are all 'Team Tasmania' and as I have hit the phones and messages have come in again, having been inundated overnight through social media - which I am sure is what is happening to everyone in this Chamber - there is strong community support for the measures you have taken this morning. I have been asked to thank you on behalf of my constituents who have been pushing for the measures you have taken. I also note the social media tiles you have put out. I have shared those widely and I hope everybody in this Chamber has also done that. You are the captain of 'Team Tasmania' and I express to you my personal gratitude for the work the Government, the people at the front line, the teachers and everybody is doing, to keep things rolling at this particular time. I am breaking the golden rule of question time by not really having a proper question, but if there was one, it would be to ask what more can we do as MPs to help in this situation?

ANSWER

Madam Speaker, I thank Ms Ogilvie, the member for Clark, for that question and comment. I make the point that this is a team effort. The decision that was made today was made by my Cabinet with the full support of the Liberal Party and, importantly, the full support of every member in this place, and I thank you all for that. It is important that we conduct ourselves as we have been, ensuring that at the forefront of what we do is the health, wellbeing and safety of all Tasmanians. This will be difficult. We will all be challenged as we work our way through this and it will be important, as leaders in our community, that we all step up and take on that responsibility to ensure we provide the leadership, both when we are in this place and in our communities as well.

I say to everyone in this place, if there are gaps or issues, bring them to the Government's attention, bring them to my attention or any of my members, and we will do whatever we can to solve those issues, because there are going to be many of them. The people we represent are going to be even more affected than they are today and it has been significant for some. People are concerned about the impact of the virus on their personal health. We are already seeing business failures occurring and we will see more, and we will see more Tasmanians who are going to require assistance. As a government we will use all the measures at our control to do what we can to support Tasmanians through this.

In response to your question about what we can do, all of us can work together to ensure that we do our very best for Tasmanians.

COVID-19 - State of Emergency Declaration

Mr TUCKER to PREMIER, Mr GUTWEIN

[10.19 a.m.]

Can you update the House on the strong action the Government is taking to keep Tasmanians safer and slow the spread of coronavirus?

ANSWER

Madam Speaker, as I have said, at all times the health, wellbeing and safety of Tasmanians is the Government's number one priority. As well, we have to support the Tasmanian economy and protect as many jobs as we can, and we are doing everything we can to manage and mitigate the economic and social impacts of the virus. We will work together to ensure that businesses, our workforce and our communities are well positioned for a successful recovery, because that recovery will come. We need to work our way through this sensibly and responsibly to ensure we have a proportionate but scalable response. There will be challenges in front of us, there is no doubt at all about that, but we will get to the end of this.

Today we have taken the step of declaring a state of emergency for Tasmania. We have also introduced the toughest border restrictions in the country and I thank this parliament and the members here for their support on that.

From midnight tomorrow, Friday 20 March, all non-essential travellers departing for Tasmania will be required upon arrival here to quarantine for 14 days. This is a tough but necessary decision to flatten the curve, slow the spread of the virus, putting Tasmania's health and wellbeing first.

The quarantine period will not apply to essential travellers such as healthcare workers, other emergency workers, defence personnel, air and ship crew; specialists that we need. If, for example, we need to bring somebody in for a piece of mining equipment or specialist technology, they will be able to receive an exemption, as will essential freight personnel like truck drivers who will be required to bring our freight into the state.

I make the point that in discussions with TT-Line, they have said that 90 per cent of the freight they carry has no driver with it. They drive onto the *Spirit*, they leave their trailer, they exit the *Spirit* and then on the other end a driver will pick that freight up, and likewise coming into the state. I want people to understand that the *Spirit* will remain an essential freight route for us. In fact I think we will see more freight carried on the *Spirit* during this period, but we will manage it appropriately and ensure that appropriate measures are taken so people can rest assured that they will be safe.

The travel restrictions will not apply to Tasmanian residents on our islands for travel into Tasmania; I want to be clear about that. We are not going to isolate our two islands. They will be allowed to travel into Tasmania and will not need to go into quarantine. However anybody travelling inbound to the island from mainland Australia or an island resident returning home will need to quarantine. They will need to apply the same measures that we have here in Tasmania. The local councils and Biosecurity Tasmania will work closely to ensure we can put into effect those measures. Any traveller from the mainland using the island as a transit point into Tasmania will need to be quarantined, so if somebody flies into Flinders Island, spends a couple of hours there at the airport and then takes another flight into Tasmania, they will be quarantined when they get here.

I make no apologies for these measures and I welcome the support of this House for them. They are tough; the penalties will be up to \$16 800 if you do not comply with the direction that you are given, or up to six months in jail. We are serious about this. The health, wellbeing and safety of Tasmanians is it at the forefront of our thinking and we will ensure we do whatever we can to ensure that people are safe.

I mentioned that freight will continue to come in and out of the state and I will take a moment to explain that. It is important that freight routes remain open, but we will work with the freight providers to ensure we take every step to ensure that where a quarantine is required it will be but, importantly, that we keep our border open for freight. The clothes we wear, the food we eat, the medical supplies we need, need to keep coming in, and importantly, the produce, the goods that we make here need to keep going out, so we will ensure that those shipping routes remain open but with appropriate measures in place.

I have activated the State Control Centre in previous weeks and stood up Darren Hine as the State Controller. Darren Hine will do an exemplary job in this role. I could not think of anyone better to take on that position under the circumstances we are in at the moment. I want to explain what that actually means.

Darren Hine will, as the State Controller, be able to take a 'helicopter view' across all agencies across the state. If he needs people from an agency to do something else in another agency, Darren Hine will be able to do that. He has the powers necessary to ensure that he can take resources from any part of government to another part of government and utilise them. He has the powers to ensure that these tough border measures that we have put in place are appropriately policed. He will ensure that where necessary, he can engage with local government, and utilise resources that they have, to ensure that we could provide what we require for Tasmanians.

I assure Tasmanians that the steps we are taking have been proportionate, they have been scalable, but they are necessary. We have taken the steps today to ensure that, as a Government, as a parliament, that Tasmanians can know and understand that everyone in this place is doing what they possibly can to keep Tasmanians safe, to look after their wellbeing, and importantly, look after their health.

COVID-19 - Increased Funding for Family Violence Services

Ms WHITE to PREMIER, Mr GUTWEIN

[10.26 a.m.]

We know that the true menace of COVID-19 is not just that it will make people sick. It will bring massive social dislocation and stretch the very fabric of our social support system. With the increased pressure on household budgets, and heightened stress, it brings a threat of increased domestic violence and demand for child safety services. Internationally, there has been increase in incidents in domestic violence due to COVID-19. We simply must get ahead of this looming crisis. This means supporting service providers so they can continue to support their communities.

You have announced \$1 million for mental health organisations, and that is very welcome, but will you commit to boosting funding for child protection, and finally increase funding for the Family Violence Counselling and Support Service in line with how other states have responded at this time?

ANSWER

Madam Speaker, I thank the Leader of the Opposition, Ms White, for that question.

As I announced on Tuesday, we provided additional funding to support non-government organisations. We have set aside additional funding for mental health. As we work through the next period, we know there are many people who are going to be affected by this, and it will affect some of the most vulnerable people in our society.

As I have consistently said, as a Government we will do what we need to do. There will be no expense spared, and in the areas you have raised, consideration is being given in the upcoming state Budget to ensure that we can provide additional support and services. If we do need to move sooner, we will. I understand that already we have Tasmanians out of work. Already families are starting to face stress, and it is important that we do what we can in respect of the support services that we have available to them.

To be frank, we are on the same page on this. This is a concern that we understand. It is one we are working through, and we will ensure that we respond.

COVID-19 - Self-Isolating Procedures

Ms WHITE to PREMIER, Mr GUTWEIN

[10.29 a.m.]

We have been advised that Tasmanian passengers who disembarked from a cruise in Sydney at 6.30 a.m. yesterday, and then flew home to Launceston yesterday afternoon, have had conflicting information about the requirement to self-isolate. You have stated that anyone who is returning from an international destination must self-isolate upon their return to Tasmania for 14 days.

The advice from the cruise line was that the self-isolation includes the time on the ship from their last port, unless a case has been identified on board, despite them not being confined to cabins. This means that they are advised they only need to serve the balance of their 14 days in isolation at home, and in this case, that is just eight days.

These people who arrived yesterday afternoon were given no additional information, and were not provided an arrival card upon their arrival into Launceston. Even when they advised staff that they had been overseas, they still received no further information or an arrival card, and then they caught taxis home. These people have arrived before the mandatory quarantine protocols that take effect from tomorrow.

How long do people who have been on a cruise ship need to self-isolate when they return home, and what would your expectations be for these arrivals I have described to you? How can you guarantee that people who are self-isolating are doing it appropriately, if they are getting conflicting information or no information on arrival in Tasmania, and they are not issued an arrival card?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for that question. Interestingly enough, we must have been speaking to the same people. I was contacted yesterday by an individual who

raised this matter with me. The steps that I have taken is to have the Secretary responsible for biosecurity to contact them directly.

What has occurred is not acceptable. We need to ensure that we can contact those Tasmanian travellers to ensure they have an appropriate period of self-isolation.

Ms White - Not just serve the balance of the 14 days?

Mr GUTWEIN - In terms of the time frame, I do not have public health advice on this, but my understanding of what the guidelines were was that the time frame started when you left the international destination; if you had a period of time, then you could count that as time served.

Ms White - But they are all mingling together on the ship.

Mr GUTWEIN - But they have all had the same amount of time. If they arrive here and had six days on the ship, and needed a further eight days, they have done their 14 days. If everybody else on the ship followed that same protocol, then everybody would have done 14 days.

The information I was provided yesterday was that the cruise passengers at the Customs terminal at Sydney were provided with a letter, which they were to provide to biosecurity in Tasmania, then they were to go into the remainder of their period of self-isolation. There obviously was some confusion. As I have said, on hearing that, I contacted the Secretary responsible for biosecurity yesterday. I understand he was making attempts to contact them last night or this morning. I am not sure if he has, but we will work through that and ensure an appropriate quarantine period is conducted.

Ms O'Byrne - There may be others, though, that we do not know about on other ships. Is there a mechanism to deal with them? I think it is a genuine question.

Mr GUTWEIN - Let me provide a message. What was evident yesterday by the contact that I received - and can I take that as a second question, Madam Speaker, or not?

Members laughing.

Mr GUTWEIN - No? This place is operating a little differently.

Ms O'Byrne - It is about the confusion.

Mr GUTWEIN - What was interesting yesterday, and what I found really encouraging, was that the call that I had was from somebody who wants to do the right thing. It was not looking to trip up the biosecurity person at the border. They genuinely wanted to do the right thing.

My message would be, for anybody who is uncertain of their circumstance, if they came off that cruise ship or any other method of travel into the state and they are uncertain, get in touch with one of the hotlines and ask the question.

I genuinely believe Tasmanians want to do the right thing, because they understand that it is their family at risk, it is their community at risk. With the person who contacted me yesterday, I was so very pleased to get that call - annoyed that the circumstance had arisen, but I was pleased that they felt they could ring and they could ask the question and I could get somebody in contact.

My message to people in that circumstance or any circumstance where they are confused is to err on the side of caution, contact the help line, get advice and then take whatever necessary steps you are advised to take.

COVID-19 - Request for School Closures

Dr WOODRUFF to MINISTER for EDUCATION and TRAINING, Mr ROCKLIFF

[10.35 a.m.]

ANMF Tasmania has added its voice to the growing number of teachers, parents and medical professionals calling for our schools to be closed. While it is the case that children often do not get sick with COVID-19 and do not show symptoms, they can still spread the virus to families and to vulnerable family members.

Social distancing cannot work properly in the school situation. Children do not understand it, cannot internalise it, and travel to school on crowded buses. It is fearsomely difficult to enforce effective hand hygiene in a school environment for infection control. Rather than waiting until Tasmania is much further advanced in the stage of the epidemic to close schools, which is tragically what has happened in the United Kingdom, will you act to protect Tasmanians and close schools now?

As the ANMF has said, you can ensure special arrangements for the schooling of children of healthcare workers to make sure they can stay and be schooled so parents can remain in the workforce. Will you extend the Easter holiday period by two weeks either side for at least a six-week closure?

ANSWER

Madam Speaker, I thank the member for her question. We recognise that there is very understandable concern and anxiety right now within our school communities. We are doing everything we can to ensure that the most current advice is communicated to schools and families. As the Premier has said, the health and safety of staff and students is our top priority. We are taking a precautionary approach in implementing measures in public schools on advice from the Australian Health Protection Principal Committee, which is the key decision-making committee for health and emergencies. It is comprised of all state and territory Chief Health Officers and is chaired by the Australian Chief Medical Officer.

The Education department is working closely with Public Health to support schools and students and to ensure the right information is communicated in relation to coronavirus. The situation is constantly evolving as you would appreciate. We will continue to take expert advice and we will respond accordingly.

As the Premier has said, if there was a confirmed case in a school it would close for the appropriate cleaning. The importance of education and continuing learning is also a priority. We do not know how long our state will be dealing with this issue. It could go on for some time and remaining focused on the importance of routine and normality is beneficial and for the mental health and wellbeing of our students.

We have also distributed fact sheets on how to talk to young people about the coronavirus and we are in close contact with other sectors of education. I met with all sector heads yesterday by telephone conference so we can keep those communication channels open and support each other. Precautionary measures have been introduced into our public schools this week to reduce exposure and lower the chance of spreading coronavirus. The Premier has outlined a number of those measures this morning.

The restriction on activities, as the Premier outlined, will be in place until further notice and will be weekly reviewed. I have written to all principals about the importance of supporting good hygiene practices to limit the spread of coronavirus and this means ensuring strict handwashing protocols are in place.

On your question about hygiene, schools have been advised that hard surfaces in classrooms, such as door handles, keyboards and desks should be regularly disinfected. Handwashing and appropriate cleaning are top priorities at our school sites. The Department of Education has contracts established for the supply of washroom products and this includes soap which is supplied in all bathrooms. The COVID-19 Coordination Unit has been set up within the Department of Education and has responsibility for ensuring all schools have access to essential supplies such as soap and hand sanitiser. Support is being provided to schools to ensure that orders and adequate supplies are in place. There is daily monitoring occurring, as you would appreciate. Yesterday there were eight issues relating to soap or hand sanitiser products and all of those issues were resolved.

The department is also exploring avenues to access more product and this includes a discussion with a local business, not normally in the production of hand sanitiser, another product, who has offered to dedicate a proportion of their production time to manufacturing hand sanitiser to a World Health Organisation standard. These discussions are in the early stages but it is a good example of the innovation occurring to ensure essential supplies can be maintained and adaption by industry. I welcome that and thank all our businesses and the one I mentioned, which I will not name as yet, for thinking about how they can support our community at this very difficult time.

Advice from Public Health is that the most effective way to reduce the spread of COVID-19 is by washing hands with soap and water. Alcohol-based sanitisers are not as effective in reducing the spread of COVID-19 as washing hands with soap and water, and that is being repeated within our schools. Schools are being encouraged to promote good hand and respiratory hygiene and they have been provided with information to distribute to parents and the school community. The department continues to be guided by Public Health on the very best preventative measures.

The appropriate cleaning of school sites is a top priority. Today, schools are being told to ramp-up cleaning and the department has relief cleaners who can be utilised as needed. Schools have been advised to follow the Australian Government Department of Health advice to prevent the spread of COVID-19.

The department has also met with representatives of United Voice to discuss requirements. I thank them for the very good discussions -

Ms O'Byrne - United Workers Union. They changed last year.

Mr ROCKLIFF - Good point, United Workers Union. Notwithstanding the name change, I thank them for the very good collaborative arrangements that are in place with the Department of

Education. I thank their members and their union representatives who have agreed to send out further advice to cleaners this morning about prioritising the cleaning and disinfecting of hard surfaces. It is terrific to see the great collaboration across all school sites and sectors and key stakeholders within our school communities. That includes the United Workers Union as well.

There is very good communication between sectors of education. Yesterday was an opportunity where I could lead a discussion with the key representatives of the independent schools, Catholic schools and our public schools, led by our Secretary, Tim Bullard. They were all very collaborative discussions. We are sharing ideas and further ideas on how we can also utilise existing resources within our school communities to ensure that we have the most consistent messaging as well.

I recognise that as Minister for Education and Training, I am responsible for all three sectors of education, albeit Independents and Catholics have their own governance arrangements. They are looking to their minister for Education and our public school administration for guidance in this respect. We want to ensure that irrespective of sector, that there is a consistent approach across those sectors when it comes to all matters relating to the very challenging time at this moment.

The message I send to all our staff within all our schools right across Tasmania is a humble thank you.

Members - Hear, hear.

Mr ROCKLIFF - This is a very challenging time for all our staff and there is an increased anxiety amongst our school communities. I am in regular contact with our school communities and direct contact with teachers, who are reflecting some of these challenges. We always thank our educators, our support staff and our school leaders in good times for the work they do, but these are unique times and very challenging circumstances and my heartfelt thanks for the work they are doing.

COVID-19 - Communication with Schools

Mr STREET to MINISTER for EDUCATION and TRAINING, Mr ROCKLIFF

[10.45 a.m.]

Can you update the House on how the Government has communicated with schools, parents and others in the education sector to ensure the health and safety of everyone on our school sites and a coordinated response to the coronavirus?

ANSWER

Madam Speaker, I thank the member for his question and I probably covered a couple of those topics in my previous answer, but nonetheless I will make sure I get to the point and do not cover the ground I just covered as a result of Dr Woodruff's question. I repeat that the health and safety of staff and students is our number one priority. We recognise as a government, as would all members, the understandable concern and anxiety felt right now within our school communities and we are doing everything we can to ensure the most current advice is communicated to schools and families.

Earlier this week I wrote to all principals and child and family centre leaders to share advice from the Australian Health Protection Principal Committee that has recommended school sites remain open. The Department of Education is facilitating Skype sessions with all child and family centre leaders, principals and library managers to share any concerns and ask questions. I understand the first session this week was well received and productive. The information gathered is being used to create up-to-date resources for all our sites. We have also developed a fact sheet to answer parents' questions, along with guidance on how to talk to children about coronavirus.

These are uncertain times and it is vitally important that we are able to respond in a timely way to people's concerns and reassure them. To this end, the department has established a COVID-19 coordination unit which includes a 1800 816 057 helpline for parents to call. The unit is also responsible for ensuring that all schools have access to essential supplies such as soap. Support is available 24/7 for staff, including an HR helpline to assist with questions. We are also in regular contact with Catholic Education and independent schools and I note the Catholic Education Commission has indicated support for keeping schools open.

We are working together to ensure that every student is safe and well and we need to support them to learn wherever they are. Ongoing learning is important to maintaining children's sense of security and wellbeing, and recognising the very challenging circumstances, and maintaining as much as possible a sense of normality is key to this. We appreciate that not every family has access to the internet at home and we need to ensure there are opportunities for all students to continue learning. In fact Tasmania has been invited to lead some national work on the development of home learning packages.

The reality is we all want our children to stay safe and based on the most current advice from the public health experts, keeping our school sites open is the best way forward. If and when that advice changes we will respond swiftly and close school sites. We all know that sadly there are many families in Tasmania - and this is to Ms O'Connor's point in her first question today - who just do not have the resources to be able to provide optimum learning environments and wellbeing support for their children. Schools are the heart of our community and for a large proportion of our children school offers far more than just a place to learn to read and write.

Our schools in Tasmania are safe places, providing a range of essential wraparound services in response to high levels of disadvantage in our communities, and we all recognise that. We need to remember that closing school gates means breaking a vital chain of support for these families. At a time when there is great anxiety we need to consider how our schools continue to support our most vulnerable children and communities.

If school sites should close at a point in time, I reassure Tasmanians that a lot of work is being done in providing alternative home learning options. Preparations currently occurring include a Tasmanian web page called Learning at Home. There are also paper-based learning activities being developed for home learning. In addition, individual schools are collating resources to suit their context and these will be shared more broadly.

I acknowledge and thank the many people within the Department of Education who are working around the clock to assist our schools and our students, and I thank all sectors of Education as well. This is an unprecedented situation but by taking a coordinated approach through clear communication we can ensure our teachers and learners feel both safe and supported.

COVID-19 - Supplies of Personal Protection Equipment for Medical Workers

Ms WHITE to PREMIER, Mr GUTWEIN

[10.50 a.m.]

Yesterday we asked what you were doing to ensure GPs had access to adequate supplies of PPE. You pointed to the \$2 million in your stimulus package to allow GPs to purchase equipment. However, the problem is not buying PPE, it is finding it. There are now reports that even our hospitals are running out of basic items like hand sanitiser and masks before the COVID-19 crisis hits. There are concerns that these items may have even been stolen. Disability workers with at-risk clients, hospitality workers cleaning the rooms of quarantined travellers, and school cleaners are all struggling to access PPE. When will additional stocks of personal protective equipment be delivered to our workers who need it, and can you guarantee that you can keep them safe if they do not have this basic protective equipment?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for that question and her interest in this matter. I think it is understood by everybody that there are global challenges and supply chain issues that need to be worked through. Certainly we are engaging with the primary health sector and we understand those challenges. I know that Greg Hunt confirmed yesterday at a national level that the federal government was examining further options to boost the production of masks and other equipment, including ramping up domestic production of critical supplies.

Over the last couple of weeks as I have been dealing with COAG and my federal colleagues I know that every effort is being made in this country to work with suppliers whose operations can be modified, changed or enhanced to ensure that they can produce the supplies that we need. I understand as well that 230 000 of the new P2 masks which support the testing process have arrived in Australia as of today, my note says, but certainly I would imagine within the last 24 hours. They will be shared with states and pathology providers and the general practices taking samples around the country.

It is important that we remain focused on maximising availability for where they are clinically needed, such as in dental practices, GPs and other settings, as well as the medical sector, and for those who have suspected cases. We will continue to work closely and engage with the federal government as they work to secure more masks and other PPE from the national medical stockpile. They are working very hard. It is a matter that is before the National Cabinet, and the Health minister and the Prime Minister are taking a keen interest in this. We have to ensure that medical stockpile remains well stocked because this will go on for some time. We need to ensure that we have the protective equipment to support our medical professionals and as a state we are engaged in that process.

Ms White - Do you know when we will get more supplies?

Mr GUTWEIN - I do not have that advice in front of me but I can assure you that our engagement is regular and constant in terms of ensuring we can have the supplies we need. As the Deputy Premier mentioned in one of his recent contributions, even local suppliers are looking at what they can do in terms of some of those stocks and items where they can modify equipment to provide the necessary products that we need. The country is faced with this but the country is working through it and the country is looking at what options there are available to ensure that with

those national supply chains and international supply chain problems that we have, that we can ensure we have available the necessary equipment that we need.

Dairy Sector - Government Support

Mr TUCKER to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[10.55 a.m.]

Can you update the House on measures the Tasmanian Government is taking to support our vital dairy sector?

ANSWER

Madam Speaker, I thank the member for his question and his interest in the dairy industry and agriculture more generally. The Tasmanian dairy industry is the largest contributor to our agriculture sector, some \$430 million in the 2017-18 year. As Tasmania responds to the extremely challenging times ahead with the threat of coronavirus, our primary industry, our farmers and fishers are there to play that essential role going forward.

As the Premier has indicated, the health, safety and wellbeing of all Tasmanians is the top priority as we face that challenge. As we do everything we can with respect to our response to the coronavirus, we also do everything we can to manage and mitigate impacts on business, jobs, families and all Tasmanians. The cost of doing business is part of that. I acknowledge the range of measures in the stimulus package announced by the Premier a couple of days ago, the \$420 million support in that package.

Today, I am pleased to announce that we are extending the successful On Farm Energy Audit and Capital Grants Program for the dairy sector, specifically to help dairy farmers to manage their cost of electricity and their cost of energy and to provide energy savings for the dairy sector. We will be opening a \$250 000 dairy-specific round of this program. To date, \$740 000 has been expended to support our farmers across Tasmania to take practical steps to help reduce their energy costs through those savings initiatives. That program provides funding support for capital grants and also for audit purposes, reviewing their energy needs, providing and identifying savings and then implementing those energy efficiency measures to support those dairy farmers in their work. That might be providing professional advice, capital infrastructure, solar support, domestic usage and a review of efficient irrigation systems and making them more efficient in terms of energy use.

The funding will be delivered as part of our AgriFood Plan for Tasmania to achieve the \$10 billion by 2050. That is our plan and we are on track for that, as you know, with the 9 per cent increase in the last year assessed. We are pleased with that. In terms of the dairy sector, our plan is to grow more, milk more, make more. It is quite simple. We have a plan. We have a \$900 000 commitment over four years to support the dairy farmers on productivity improvements, to support them in their business activities and value-adding strategies.

Last week I met with 47 dairy farmers, the next generation. They are our future of the dairy industry. I was presenting certificates of thanks and congratulations for the dairy farm managers' course that was put on by DairyTas and funded by the state government. The feedback on the program has been positive and they now have a waiting list for the next course.

The agriculture sector is fundamentally important to our economy and particularly during these challenging times, as the Premier and others have outlined. To make it clear, we will work with our agriculture sector to ensure we remain on target not just to reach our \$10 billion target by 2050 but to continue to support our farmers and fishers. They support us in providing our essential services to deliver the milk, the vegies, the bread, the meat and the many other food and fibre products that we need to live and support our families.

In conclusion, yes it is 'Team Tasmania'. We are working on it. Together everyone achieves more - T.E.A.M. - Team Tasmania.

Madam SPEAKER - Thank you. One of your better ones.

COVID-19 - Support for Sole Traders and Self-Employed

Ms WHITE to PREMIER, Mr GUTWEIN

[11.00 a.m.]

It is quickly becoming apparent that the stimulus measures you announced earlier this week will not be adequate to help people survive the COVID-19 crisis.

A full two-thirds of the \$420 million package comes from not proceeding with Budget cuts over the next three years. It is neither immediate or direct support for business. Sole traders and those who are self-employed have been forgotten by both the state and federal Liberal governments. In both state and federal stimulus packages, there was almost nothing for the nearly 20 000 sole operators who rely on their businesses for their income.

These businesses do not pay payroll tax, they do not withhold income tax, and particularly, at such a challenging time, they often do not have the resources to take advantage of tax concessions for large equipment purchases. Not all of them are tradies who can take advantage of screwdriver and paintbrush-ready projects. One of the things that will hit these people really hard, in coming weeks and months, is an inability to pay their bills.

Will you urgently commence the introduction of an additional package of measures including: instructing GBEs to defer the issuing of utility bills for the coming quarter; allowing businesses in affected industries to defer land tax payments for the next 12 months; calling on councils to provide rates remissions to affected businesses; and immediately begin working with landlords and finance lenders to ensure that no-one is evicted from their business premises if they cannot generate enough income?

ANSWER

Madam Speaker, I thank the Leader of the Opposition, Ms White, for that question. I have been clear in the language I have used in this place since Tuesday - and it was on Tuesday as well - that the package we announced was the first step. We will continue to work through this because we know there will be further assistance that is required.

Many of the matters you have raised are under consideration. We need to look at what we can do to keep people in the game, because the game will come back. We need to ensure that those people have the opportunity, and the hope, that as they work through what is a tough time, at the

end of day they will still be able to have a business and they will still be able to provide the services that they have been providing.

In the first package, we took the view that one of the most important things we could do was to try to underpin the small construction sector, which will have, as you have noted, sole traders who work in it. Not every sole trader, I accept, does work in those industries. The most important thing that we have attempted to do is to keep our economy going.

From the point of view of the construction sector, we know if that is strong, then there will be flow-on benefits to other businesses as well, as a result. I made the point yesterday. The circumstance that that photographer finds himself in, a sports photographer, at the moment, when there is no sport, what do they do? We know with social distancing, and some of the measures that are being taken, that weddings are being cancelled. Those sorts of events are not occurring.

I understand that there is more to be done. However, and I want to be clear, we will not be able to save everyone. It would be foolish of me, or anyone in this parliament, to expect that we can. What we will need to do is to provide a proportionate and scalable response in the actions we take.

Regarding the sole traders and some of those ideas, as I have indicated, they are already under consideration. As a Government, in the lead-up to the coming budget we will need to respond to their circumstances.

In relation to the social distancing that is occurring for all Tasmanians - I hope - I just encourage people, again, to be mindful of their movements through our community and the need to appropriately take social distancing measures, be aware of their own personal hygiene and work with others.

I want to make the point that social distancing should not mean social dislocation. Make certain that you are in contact with people. Make certain that you take the necessary steps. It does not mean that you necessarily need to lock yourself away. You just need to be sensible in the way you go about things. Very clearly, social distancing should not mean social dislocation, but you need to be sensible.

The other point that I want to make is about some of the panic buying we have seen. We have, to some degree, exhibited some of the very un-Australian actions that we have seen on the mainland in how people have gone about some of their behaviours. Yesterday I spoke with Coles and Woolworths, and the independent supermarkets as well. I was assured by the two big chains - and obviously the independents utilise the warehouse and arrangements that are the statewide park up at Launceston airport; I am looking for the name -

Ms White - Translink.

Mr GUTWEIN - Translink. That is it.

Ms White - My pleasure. Happy to help anytime.

Mr GUTWEIN - It is fantastic to have such a helpful parliament at the moment.

I was assured by Coles and Woolworths that the supply chains remain open and, even at the very worst, they will still be able to supply Tasmania. That is the message I want Tasmanians to understand. Be sensible in your purchases. Be mindful of others, and treat others with respect as

well, in the way we are going about this. There is no need for the panic buying. I want to be very clear about that. Even in the worst circumstances, we have been assured that supply will continue.

In many of the regional areas, we have small supermarkets under pressure for certain lines. Speaking with the independents yesterday, they are doing their very best. The freight routes remain open and they are getting stocks out as quickly as they can, and they will continue to do that.

I say to Tasmanians: we are not going to run out but be mindful of the way you go about your purchasing. It is quite normal and understandable to want to stock up at a time like this and to take extra precautions, but we are not going to run out. We will be able to continue to supply. The things you need will continue to come. Be kind to each other, and importantly, be Tasmanian. We are all in this together.

COVID-19 - Preparedness of the Health System

Mr STREET to MINISTER for HEALTH, Ms COURTNEY

[11.08 a.m.]

Can the minister please update the House on the state of the Tasmanian health system's preparedness to deal with the COVID-19 pandemic?

ANSWER

Madam Speaker, I thank the member for his question. As has been outlined by my colleagues, we have made it clear that the health, wellbeing and safety of all Tasmanians is our highest priority as we confront the challenges posed by COVID-19.

The Department of Health and the Tasmanian Health Service, as well as those areas outside the public system, have been working day and night in our preparedness, and I thank all the staff. They are working tirelessly, and I know there have been sometimes quite challenging circumstances.

We want to both minimise the spread of the virus around our community, as well as increase our system's capacity as required. We are in advanced stages of planning for our ICUs, our emergency departments, as well as our general ward capacity.

Our hospital management teams, guided by clinicians, are focused on ensuring that hospital services are maintained, while minimising the risk of spreading infection. Measures will support all four of our major public hospitals: the Royal Hobart, the Launceston General Hospital, the North West Regional Hospital and the Mersey Community Hospital.

Already plans are underway to reconfigure these hospitals to allow for the triaging and treatment of COVID-19 patients while limiting exposure to other patients. This includes implementation of separate clinical spaces for assessment and treatment of people presenting in our emergency departments with symptoms consistent with COVID-19. We are also working with our private hospitals to identify capacity for transferring suitable private and public patients to help manage increased demand, and also, opportunities to accommodate patients in alternative settings.

Internally, the Tasmanian Health Service statewide health commander has been appointed, supported by the regional health commanders, and the standing-up of regional emergency medicine teams. These teams meet regularly to ensure clear and consistent communication flow through the Tasmanian Health Service, and to ensure that preparedness measures are in place and ready to be activated when needed.

Tasmanians can be assured we are doing all we can to support our staff, so that Tasmania is as best placed as possible to respond to the challenge and increasing pressures. We continue to engage closely with the federal government, and through the Premier with the National Cabinet, especially as the Commonwealth is focused on delivering masks and personal protective equipment to ensure that the national medical stockpile remains well stocked.

I take on board the comments from the Opposition. We have been working hard with the primary health sector as well, to ensure professionals in delivery of primary health care and also other people who need to have the appropriate personal protective equipment are supplied with it. The Tasmanian Health Service is engaged with local private hospitals to identify capacity for transferring suitable patients, and this will also help manage our demand.

The impact of COVID-19 will place increasing pressure on our system. We have seen this in other jurisdictions, which is why it is critical that the entire health sector works collaboratively and constructively to deliver the outcomes for Tasmanians.

As we go through these preparations, we will be guided by the best clinical experts to ensure we have the most pre-emptive and precautionary approach. I take this opportunity, as my colleagues are, to thank all those stakeholders who have worked in such a collaborative way in Tasmania. We do that well, and it is clearly being demonstrated at the moment. The goodwill I am seeing across both geographic areas and different areas of our community is heartening, and I thank those people for their contribution.

COVID-19 - Assistance for Vulnerable People

Ms WHITE to PREMIER, Mr GUTWEIN

[11.12 a.m.]

It is not only small business owners who face eviction. Tasmania faces the 'perfect storm', with a highly casualised workforce in the tourism and hospitality industry particularly, and the most unaffordable rents in the country. The \$250 payment you announced this week is only for people who are forced to self-isolate and would not even cover a single week's rent.

Similarly, the \$1 million for additional brokerage accommodation will not assist people who are homeless or sick, because shelters are already full, and they are not equipped with personal protective equipment or medical support to look after those who are unwell. You need to act decisively and quickly to prevent more people becoming homeless in the first place.

Yesterday I was contacted by a single mother who is in a high-risk category, and is in self-isolation and can no longer work. Once she pays her \$410 per week rent, she has no money for bills, food or medicine, and she is now facing eviction in a week's time. She has asked, and I quote, 'if the Government has any measures to protect my family from homelessness?'. I have raised

this matter with your office, and the advice back to me, and to her, is to call the hotline. That simply is not enough.

You already have the power to suspend forced evictions from public and community housing. Other jurisdictions are now moving to legislate against evictions during this crisis time. Will you introduce a safety net to ensure that private tenants are not evicted if they cannot work or lose their job as a result of the COVID-19 crisis?

ANSWER

Madam Speaker, I thank the Leader of the Opposition, Ms White, for her question. This will be a difficult time and I understand that. I am aware of some of the measures that are being considered in other jurisdictions. We will consider those.

I say to private landlords, whether it be a commercial property or in the residential sector, this is going to be a difficult period. It will be an extraordinarily difficult period, and people should be sensible regarding the way they approach this, and I think most people in many cases will be. I am aware that some people are already starting to look at lowering rents, being cognisant of the challenges that people are facing. I would say again to Tasmanians that we will get through this but we are going to need to work together. Asset values will change, rents that are appropriate today will not be appropriate tomorrow, and we will need to work through that.

Regarding the circumstances you have raised with my office, I am aware of it but I will look into it more closely today and see what matters can be undertaken there. I accept that for many people the circumstances they are in are dire and have been forced upon them so we will look to see what we can do in terms of that particular set of circumstances.

Time expired.

CRIMINAL CODE AMENDMENT (SEXUAL ABUSE TERMINOLOGY) BILL 2020 (No. 5)

Second Reading

Resumed from 18 March 2020 (page 40)

[11.18 a.m.]

Ms HADDAD (Clark) - Madam Speaker, yesterday I had just finished reading from a supportive statement from Laurel House in Launceston which made a submission to the Government's consultation on this bill and were very supportive of it. Likewise, TasCOSS, the peak body for Tasmania's community services sector, welcomed the bill and they made a comment I thought was worth reading into the *Hansard* in terms of the importance of changes such as this legislation.

Their approach to the review of language of the Criminal Code starts from the principle that crime causes harm and that justice requires repairing that harm. They say:

Under this logic, it is imperative not only that the justice system require offenders to take responsibility for their actions and the harm that they have caused, but

also that the justice system takes every step to avoid causing additional harm to victims-survivors of crime.

TasCOSS agrees with the premise of the discussion paper, the consultation paper that the Government released on the bill and with the royal commission's findings that inform it. They say language that minimises the gravity of sexual crimes can cause further harm to victim survivors and that outdated language in the Criminal Code should be modernised to reflect current community expectations. TasCOSS supports amendments to the Code's language that are appropriate, consistent and in general line with other jurisdictions. This goes further to the comments I was making yesterday in agreement with the minister's comments that words matter, including the words that we use in legislation.

Similarly, Community Legal Centres Tasmania welcomed the bill strongly. They said:

We strongly support the Tasmanian Government's intention to amend and update the names of some sexual offences so that they better reflect community expectations and accurately describe the crime alleged to have been committed.

I make note and agree with the very first change that occurs in the bill, which is to rename the chapter where most of these offences fit within the Criminal Code from its current wording 'Crimes against Morality' to the new wording 'Sexual Crimes'. As the minister said in her second reading speech, these crimes are not matters of subjective moral standards. That is true. They are objectively terrible acts, that is the way they should be described and it is right that we are updating not only the names of the offences but also the name of the chapter of the Criminal Code where they sit to reflect the seriousness and severity of the crimes.

There were significant contributions from legal academics, practitioners and others who submitted on the bill around each of the changes. I cannot quite recall yesterday whether I made the point so I will make it briefly again that while this started out as a suggestion to address the wording in section 125A, I am very appreciative and supportive of the fact that it has grown to a much broader review of that chapter of the Code and we are updating not just the wording in section 125A but also several other sections to make sure they match the current public perceptions and understanding of those offences.

There are around a dozen updated offence names. I do not intend to go into all of them but I thought I would touch on a couple of the main ones. Section 124 is currently named 'sexual intercourse with a young person under the age of 17 years' and will now be known as 'penetrative sexual abuse of a child or young person'. One submission from Dr Helen Cockburn, who is a lecturer in police studies, criminal law and evidence at the University of Tasmania, objected to this new wording. Dr Cockburn said she did not support the change in language to 'child sexual abuse' because, in her view, cases where there is a close age differential, for example, and the offender is three years and a few days older than the complainant so they only just meet the threshold of that charge, could be problematic. The Bar Association also opposed the change. They also felt that changing the terminology to 'child sexual abuse' is misleading, suggested a lesser form of conduct than that required to constitute the crime. They thought that it should be renamed 'unlawful sexual intercourse with a young person'.

Others argued that simply adding the word 'unlawful' to the words 'sexual intercourse' further sanitises the crime, and I agree with that position. I do not feel that the new name in any way diminishes the severity of the offending. In fact, it shines a light on it and I support the change.

Ms Archer - It elevates it more.

Ms HADDAD - It does, I agree.

Ms Archer - Even though it is a bit of a disturbing word.

Ms HADDAD - That is right. I agree with what the minister says by interjection. It is true that the term 'child sexual abuse' can cover crimes that do not require proof of penetration, which of course this offence does and did with the old wording, but it is important that the penetrative aspect of the offending can be retained to avoid the risk of making its title reflective of a less serious offence. They are the words of the Bar Association. It is my view that it is right that the penetrative aspect has been retained in the new name of the crime. The reason I went into those two comments from people who were not supportive of the change is to reiterate my understanding. The Attorney-General made it clear in her second reading speech that the elements of the crimes that we are dealing with in these changes are not intended to be changed in any way. The legal jurisprudence going through current cases in the courts, and future cases in the courts - the elements of those crimes are not altered in any way. That message needs to be clearly understood by prosecutors and defence lawyers when it comes to charging under these new offences.

I intended to go into much more detail, but in the circumstances of the week that we are having, I will make a few comments about section 125A. This was broadly welcomed. The Bar Association suggested different words, which were 'persistent unlawful sexual acts involving a child'. That wording would also have been okay, but the wording we have here is the wording that was suggested last year, and it has been replicated against each of these crimes to make them consistent. Using the words 'penetrative sexual abuse of a child or of a young person' and maintaining that use of the term 'penetrative sexual abuse' throughout this section of the code is the right way to go, and I am supportive of it.

I was going to read several quotes, but I will stick with the one from the Community Legal Centres of Tasmania's contribution to the consultation, specifically to do with changing the words in section 125A. They said -

We strongly agree that the crime of maintaining a sexual relationship with a young person should be changed. As it is currently expressed the term implies that there is consent between an adult and child in circumstances where the consent either does not exist or cannot exist due to a power imbalance. To ensure consistency with the new crime of 'persistent family violence'

which we discussed yesterday -

we believe a more appropriate term would be 'persistent child sex abuse.

This is similar to where the drafters have gone.

Similarly, others who contributed to the consultation, including End Rape on Campus, and Know More, which is a legal service assisting people accessing the National Redress Scheme, and others, were all very supportive of the change specifically in 125A, and with the other changes as well.

Similarly with the sections that deal with what is now going to be known as 'grooming offences'. These also represent an important change. Those sections - 125D(1) and 125D(3) - had wording that did not reflect current modern understandings of how these crimes can be premeditated and planned for, so 125D(1) will change from the current wording, 'communicating with intent to procure a person under the age of 17 years to engage in an unlawful sexual act', to the words 'grooming with intent to procure a child or young person for sexual abuse'. Similarly, 125D(3) will change from 'maintaining communication with the intention of exposing a person under the age of 17 years to indecent material', to 'grooming with intent to expose a child or young person to indecent material'.

As I said in my broad comments yesterday, those new words are much more digestible by the public. They display a much deeper understanding of the way that those kinds of horrible crimes can go on for years, and indeed can be premeditated and planned for in horrible ways. The old wording was clunky and outdated, and I support the new wording of those offences and all the others contained in this bill.

Shorter than usual, I will conclude my comments there, other than to say that one of the really important things that has been included in this drafting is those transitional provisions, which mean that for people who are already facing charges under the wording of the old charges, those cases will all be changed to being heard under the new named offences. That is deeply important, and a change that complements the intent of the bill, which is to update the wording of those offences to highlight the importance of addressing child sex abuse in all its forms - and also to make it abundantly clear to the profession, to prosecutors, and to the public, that the elements of those crimes - the way that they have been charged in the past, the way that cases have been heard in the past - is not intended to change.

[11.31 a.m.]

Dr WOODRUFF (Franklin) - Madam Deputy Speaker, I rise to provide the Greens' support on the changes to the terminology in a number of subsections to section 124 of the Criminal Code. For one section of that act, quite a degree of thinking and careful consideration has gone into the proposed changes from many different bodies.

I will start with the work of the Tasmania Law Reform Institute in their *Sexual Offences Against Young People* paper. These discussions have been around in the legal profession and the community for much longer than that report, which was in October 2012, but the genesis of this amendment bill has been a long time coming in the community and legal professions. It is not a simple matter to weigh up the issues of naming, and consider the issues of consent. In this bill we are talking about acts between people who may be 12 to 15 years of age, or people who might be 15 to 20-and-a-half years old.

There are actually lines that are made, that do obviously differ - the mental capacity for consent, the age at which a person is making a decision, and their ability to be aware of the entirety of the impact it is having on themselves and the other person. These are not hard lines, where on our 15th birthday or our 12th birthday or our 20th or 21st birthday, we do not all achieve the same level of maturity and social ability and emotional selves. We are all different beings, and so moving to make changes to law for people who are under the formally recognised age of consent of 18 years is a very murky area, and we tread cautiously. We have to think about the impacts on each case that has come before the courts.

Saying that, of course the year of 18 is often contentious in many different areas - the move of the rights of people the age of 16 years and older, for example, to vote. There are strong moves that have been in place for a long time to grant the right to vote for 16-year olds and older, not having to achieve the age of 18. It has been a longstanding policy of the Tasmanian and Australian Greens that people of that age ought to be able to make decisions about their future. Clearly, we take these matters on a case-by-case basis and here we are talking about the impacts on children and young people.

I preface our support for this bill by recognising the serious intent that people brought to the submissions they prepared on this matter. I thank them for the thought they have given to this matter. They include the Community Legal Centres, the Tasmanian Bar, the Tasmanian Law Reform Institute, academic Dr Helen Cockburn from UTAS, the Australian Lawyers Alliance, the Commissioner for Children and Young People, End Rape on Campus, Engender Equality, No More, TasCOSS and the Sexual Assault Support Service. They are the ones I have been able to access and I apologise to those who I have not been able to refer to, if there were more. These bodies represent a significant diversity of views in Tasmania.

We are persuaded that supporting the bill in the form it is in is the right thing to do. We recognise that the term 'relationship' in an act in law has a particular prescribed meaning, which many in the community do not accept or understand because it is not daily parlance. Whilst it can be justified in a legal context to keep the term 'relationship' in terms of maintaining a sexual relationship, and whilst it could be argued technically that it is appropriate and has a meaning in law, it manifestly no longer keeps pace with the view of the community about acts of sexual abuse of a child or young person, and 'the persistent sexual abuse of a child or young person', which is the proposed new charge in place of 'maintaining a sexual relationship with a young person', which was there.

I had a couple of small questions, and I can understand what the Attorney-General will say, but I would like to get on the record one of the comments raised by the Community Legal Centres around 125A(d), which we have been talking about, around the use of the word 'permitting' instead of 'persistent'. I understand that 'persistent' might have been chosen because it is about an action that has been taken more than once and therefore best captures what a relationship is meant to be, which is continual action, not a single action. It was their recommendation to make the change to 'permitting'. I wondered whether the minister could comment on the reason for 'persistent' in subclause 5(d).

In subclause 5(h), replacing 'communication' with the term 'grooming', could the minister discuss the meaning of the term 'grooming' in that context? I understand the meaning of the term 'grooming' in another context. It is probably defined but could you clarify the use of that term?

There are many other things that could be said on this bill but I am also of a mind that we have a commitment to keeping our contributions as short as possible. On this matter, I am comfortable to leave our contribution there and to thank the staff for the work they have done in this space and to support the changes proposed in the amendment bill.

[11.42 a.m.]

Ms ARCHER (Clark - Minister for Justice) - Madam Deputy Speaker, I thank members for their contributions as always and their full support for this bill. It was deliberately introduced at the same time as yesterday's Evidence Amendment Bill in relation to section 194K because the issues in more recent times because of the Let Her Speak campaign in particular have combined

concerning the impact on victims, so we felt it was timely to release these bills at the same time and appropriately debate them in the same sitting week scheduled. Little did we know then of the week's events, but I am pleased we are sitting this week and can deal with this important bill, as we dealt with the other important bill yesterday and we are about to deal with another important bill of mine following this.

I appreciate that members have kept their contributions short, so unlike yesterday's long summing up I will try to keep my comments as succinct as possible. I will summarise exactly what the bill does to clarify things. It makes amendments to the Criminal Code Act 1924, which we never take lightly. This bill has gone through a thorough and rigorous process in terms of departmental advice and examination, and public and stakeholder consultation, of which there has been quite a lot of input. We have reacted appropriately to that in taking on board suggestions where needed and we have dealt quite closely with stakeholders.

It is fair to say that there has been less appetite from legal stakeholders in relation to the changing of the naming of a lot of these crimes in the past. Some of that has changed but there has been still a little resistance and I do not mean resistance in a negative sense. They are all very good reasons and arguments that they have raised. As members in the House today have acknowledged, the language - and certainly from my perspective as Attorney-General - I think the language not only modernises the language but elevates some of these crimes to appropriately describe the offence that has been committed consistent with current and contemporary community standards. That is important and changing the title of the section in the Criminal Code that these crimes come under is the first step in acknowledging contemporary community standards. I thank Ms Haddad for agreeing with me on that point as well. It not only has dealt with replacing outdated terminology in our criminal law as it relates to sexual crimes but it has dealt with an extensive review.

In summary, the bill amends not only the renaming of chapter 14 of the Code but it replaces the inconsistent references to 'victims' in the name of charges. So, replacing it with either a child or a young person and what you will all see in the Code is the wording 'child' and then square brackets 'or young person'. That allows the prosecuting authority to determine the appropriate terminology applicable to the age of the victim. In other words, it gives both the police and the DPP the discretion in what title they can give to victims in each circumstance. This will ensure that the victims are given the dignity of an appropriate title.

It removes the terminology of 'sexual intercourse' as members have acknowledged in relation to children and replaces it with 'penetrative sexual abuse'. I know it is a little bit more difficult to say - I get a bit tripped on it - but it ensures that the gravity of these crimes against children is properly reflected in the terminology that is being used. That particular crime is something I mulled over for quite some time. It was probably a most difficult one for us to reconcile. I am getting a nod from Amber from my department who has worked on this extensively. I will take this opportunity to thank her and I will do so at the end.

It is perhaps the one that has been commented on frequently by legal stakeholders in particular, and also the words 'sexual abuse' so not only the word 'penetrative' but the use of words 'sexual abuse'. Ms Haddad dealt with that in her contribution as well, but I do feel that this strikes the right and appropriate balance to ensure that the gravity is reflected in the naming of that.

The amendments also incorporate the language of 'grooming' to describe crimes whereby a person seeks to prepare a child or another person for sexual abuse. This will ensure this type of predatory and exploitative behaviour is clearly identified. That partially responds to Dr Woodruff's

question. I will probably be able to go into more detail because I have been provided with something here. In relation to the word 'grooming', those in this place are probably well equipped to understand what grooming does mean. I can mention that Grace Tame's case is probably one of the worst cases of grooming that you can have in these types of crimes where it is continual and it is consistent, that it is clearly predatory, and it is an abuse of trust, and it is all of those things included. I will deal with that in a minute. I want to finish that summary.

It is fair to say that with more people speaking out about these crimes, the general community is becoming more aware of this type of behaviour and familiar with the term 'usage grooming'. Again, it is reflective of a contemporary word. The amendments also incorporate a statement of principle, noting that these amendments are not intended to affect the element or function of the crimes, thereby preserving Tasmania's criminal jurisprudence and ensuring the amendments do not create unnecessary confusion or additional work for the legal sector. Members have acknowledged that I did make that clear in my second reading speech but I want to make it abundantly clear in my summing up.

The amendments incorporate a definitional provision to ensure that any references to the previous terminology for these crimes is taken to include the new amendments so we have a seamless transition of the renaming of these crimes and that nothing in our criminal law is impacted upon in interpretation, intention and meaning.

The amendments also create a transitional provision to automatically change all the prosecutions that are running at the time of commencement to the new terminology. Yesterday, in my second reading speech, I used the example where it would be inappropriate for someone charged with an offence in one court to having different terminology used to another trial, potentially being conducted at the same time but under a different named crime, even though it is now the same crime. Upon proclamation it will automatically apply to current and existing cases so that on those cases' next appearance in court the terminology will switch to the new terminology.

We have dealt closely with the Director of Public Prosecutions on that because that was a concern of his as to how we might implement this in terms of transitional provisions. I think that is the best solution because it does not affect the elements of a crime. We do not have the problems we would normally have where you would see a prosecution through. This is just dealing with renaming so it is quite an easy and swift transition to call it the new crime terminology.

That is effectively, in summary, what this bill does. I did run through my second reading contribution: all of the sections that had changes under Chapter XIV of the Criminal Code and they are sections 124, 125, 125A, 125B, 125C(2), (3) and (1), 125D(3) and 126, 129 and 139. I thought I would refer to them all but not go into them in detail again.

Dealing with the two issues that were raised by Dr Woodruff, first the use of 'persistent' and not 'permitting' and the reason we have used the word 'permitting'. 'Permitting' has a very different meaning at law and rather than repetition it is about allowing conduct to occur. That is the explanation from the department. So allowing conduct to occur is the definition of -

Dr Woodruff - Persistent - it is not repetition.

Ms ARCHER - Moving to that second query of Dr Woodruff's and that is the use of 'grooming'. I have touched on that in my summary already but we also did not define it because it is not different to existing elements, as described by the provision. It is defined by its elements which are

communication by any means, including a third party, and for the intention of procuring a child to sexual abuse. The current elements of the crime adequately deal with the description of grooming. As I have made abundantly clear, the elements of the crime are not changing and so therefore it does not need a separate definition in itself because it is the name of that crime of which the elements are still there.

In conclusion, I will do my usual thanks. They are important on this one because we did tend to fast track a little at the end so that we could meet the same deadline as the section 194K amendment. I have mentioned Amber but her work on this has been extensive. Tim in my office as well, working very closely. I neglected to thank Shaun yesterday in relation to the other bill but I did so outside the House.

We are a bit of a unique office in the instance that under my Attorney-General hat if you like as first law officer, my staff do work very closely with the department on these things because we do have to deal very closely with legal stakeholders as well. They are very good and have developed very pleasing relationships with our stakeholders as well, many of whom are my former colleagues. It is difficult at times but very enjoyable work. I am sure members will appreciate that by difficult I mean we deal with some very challenging subjects and topics at times and this is no different. It is a very difficult area of the law.

Thank you to the victims and survivor groups and support groups who have been exceptionally helpful in the development of both of these bills that I have taken through this week, and I mentioned many of them yesterday in my contribution. Their support through these bills has been enormous and very helpful. Thank you to all the legal stakeholders who have contributed to the department and my group of SLP who develop all of our legislation in policy. To Brooke, who leads that team, thank you. Your work on this has been exemplary, as usual.

The Office of Parliamentary Counsel - where would be without Robyn and her team? Thank you very much to all those people. I know they go above and beyond to get my legislation ready. We do carry a bit of a load in parliament in the Justice space, as evident this week. I wanted to say those specific thanks while I had the opportunity. Thank you to all.

Madam Deputy Speaker, I commend the bill to the House.

Bill read the second time.

Bill read the third time

DUTIES AMENDMENT BILL 2019 (No. 56)

Bill returned from the Legislative Council with amendment.

Motion by **Mr Ferguson** agreed to -

That the amendment be made.

In Committee

Council amendment to clause 11 -

Mr FERGUSON - I move -

That the Council amendment to clause 11 be agreed to.

The Government moved this amendment in the other place and I have now moved that the House agree to it. To be clear, the intention of this clause is that discretionary trusts that have already paid a surcharge will have the opportunity to apply to the commissioner for a refund of the surcharge if, by no later than six months after the bill receives royal assent, they amended their trust deed to remove the ability to distribute 50 per cent or more of the trust's capital to foreign beneficiaries.

The original drafting of the bill may be taken to imply that such an amendment to a trust deed could only occur in the window between the bill receiving royal assent and six months after royal assent. However, the intention of this clause is that the amendment to the trust deed can be made any time after the dutiable transaction occurs so long as it is made by no later than six months after the bill receives royal assent.

The amendment to the bill, while not changing in any way its intention, simply clarifies the matter for the avoidance of doubt and I commend it to the House.

Mr O'BYRNE - We thank the Government and the upper House for that clarification. This is a sensible amendment and it has the support of the Opposition.

Ms O'CONNOR - It would appear to be in the number of words only a minor amendment but it is significant concerning the way the duties amendment provisions will be enacted. We cannot see any issue with it and on that basis we will not be opposing the message from the upper House and the amendment they put.

Council amendment agreed to.

Reported the Committee had resolved to agree to the Council amendment.

Resolution agreed to.

JUSTICE LEGISLATION AMENDMENTS (CRIMINAL RESPONSIBILITY) BILL 2020 (No. 3)

Second Reading

[12.04 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Madam Deputy Speaker, I move -

That the bill now be read a second time.

The Tasmanian majority Liberal Government has clearly established its law and order credentials and putting victims and community safety first is a core priority for me as Attorney-General and Minister for Justice. The law and order reform which we took to the last state election held this value front and centre and our policies were strongly supported by Tasmanians.

One-punch or 'coward's punch' incidents have been the focus of national attention as a result of a number of highly publicised incidents, campaigns in relation to alcohol-fuelled violence and the introduction of reforms to reduce violence, including new offences across Australia. These senseless and sometimes fatal attacks are often unprovoked and indiscriminate but can leave lasting and devastating effects on the victim, their families and our community.

While there are a number of existing offences in Tasmanian legislation that can capture one-punch incidents such as assault and grievous bodily harm, I consider reform is necessary to close a loophole that currently exists for offenders to avoid convictions for manslaughter if they successfully argue that the death was an accident.

The experiences of other Australian jurisdictions, coupled with consideration of the Tasmanian legal context and experience, has informed the drafting of the amendments contained in this bill.

I make no apology for taking the time necessary to thoroughly consider reforms that have occurred in other states to avoid unforeseen or unintended outcomes. Any changes to our criminal law must be carefully considered, analysed and tested with legal stakeholders to ensure they do not have unintended consequences or negative impacts on criminal proceedings.

Our reforms will send a strong message that senseless and cowardly acts of violence will not be tolerated, and will ensure that police and the courts have adequate powers to hold offenders accountable.

Last year the Department of Justice released a draft bill for public consideration. We asked for feedback on proposed legislative changes that will make the defence of accident much clearer and ensure that self-induced intoxication cannot be used as an excuse for random acts of violence.

The public consultation ran for six weeks and concluded in November 2019. Ten submissions were made and were, in general, supportive of the bill. In terms of some stakeholders seeking clarification or raising questions, the Department of Justice undertook further consultation with the Director of Public Prosecutions in order to settle the final version of the bill, and I thank him for his input.

I will now turn to the specifics of the proposed amendments. The bill consists of two amendments to section 13 in the Criminal Code and an amendment to the Sentencing Act 1997. The bill amends section 13(1) of the Criminal Code. This section sets down the general intent requirements for offences under the Code. Under section 13(1) of the Code, a person is not criminally responsible for 'an event which occurs by chance'. This provision is comparable to the defence of accident in the Queensland and Western Australian Criminal Codes.

Common law provides that 'an event occurs by accident' within the meaning of the rule if it was a consequence which was not in fact intended or foreseen by the accused and would not reasonably have been foreseen by an ordinary person. That in my speech is footnoted from Kaporonovski [1973] 133 CLR 209, page 231.

In 2011, Queensland chose to amend its Code to remove the word 'accident' and instead articulate the common law. The Queensland amendment was made as it was suggested that the term 'accident' did not 'reflect the essence of the excuse and may create misunderstanding within the community'.

For similar reasons, this bill amends section 13(1) of the Code to remove the reference to 'chance event' and clearly state the principle set down by the High Court in the decision in *Kapronovski*. This states that for a person to be criminally responsible for an event, it must have been intended or foreseen as a possible consequence, or an ordinary person would have reasonably foreseen it as a possible consequence.

The first arm is a subjective requirement that the accused intended or foresaw the event as a possible consequence. The second arm sets down an objective test, asking whether an 'ordinary person' would have foreseen the consequence as possible. Therefore, even if an accused did not intend for death or grievous bodily harm to occur and they did not foresee the death or grievous bodily harm, the law will still find them criminally responsible for this event if an ordinary person similarly situated would have foreseen the event as a possible consequence.

Secondly, the bill enshrines the 'eggshell skull' principle within section 13. Both Queensland and Western Australia have amended their respective Codes to ensure that an accused is not excused from criminal responsibility for death or grievous bodily harm that results to a victim because of a 'defect, weakness or abnormality'. This was in response to ambiguity in several cases in these jurisdictions about the appropriate use of the defence of 'accident' where the victim's death was a result, or may have been a result, of a pre-existing 'defect, weakness or abnormality'. This bill similarly provides that 'a person is not excused from criminal responsibility for death, or grievous bodily harm which results to a victim because of a defect, weakness, or abnormality, of the victim'.

The third amendment is an addition to the Sentencing Act 1997. The Government committed to ensuring that intoxication could not be used as an excuse for a one-punch attack. This bill therefore specifically prohibits self-induced intoxication from being considered a mitigating factor in sentencing. The Government is committed to providing a clear message that self-induced intoxication by alcohol or drugs is not an excuse for violence in our community, and we will always stand up for the safety of the community.

Finally, in order to fulfil the additional commitment to review the existing provisions in the Sentencing Act 1997, which give the courts the power to ban offenders from certain areas, I propose to refer this aspect to the Sentencing Advisory Council for their consideration and review. The Department of Justice is currently working on the terms of reference.

Our Government also committed \$200 000 towards the Stop the Coward's Punch campaign to increase awareness and educate people. Developed in line with champion boxer Danny Green's national program, it aims to give young people advice on how to avoid and de-escalate violent situations. After all, and I am sure members would agree, prevention through education is far more preferable than dealing with the consequences of these horrific incidents. This work has commenced and will continue in parallel to the proposed legislative changes.

I commend the bill to the House.

[12.12 p.m.]

Ms HADDAD (Clark) - Madam Deputy Speaker, similarly to what I said in concluding my contribution on the last bill, in light of what we are all dealing with this week I do not intend to give a long contribution on the Justice Legislation Amendments (Criminal Responsibility) Bill 2020 - colloquially referred to as the 'one punch bill' - but I will put my comments on the record.

As the Attorney-General said in her second reading speech, this bill attempts to close what is perceived as a loophole in the existing law, allowing offenders to avoid convictions for manslaughter, which is what people would usually be charged under, in the event of an unprovoked attack such as this that causes death. They are able to avoid convictions if they successfully argue that death was an accident.

Other jurisdictions have been dealing with unprovoked attacks that cause death. I understand this bill, creating a new crime, is not going to stop those kinds of attacks occurring. Each state and territory has taken their own approach, depending on whether they are a code-based state or a common law based state. However, every time that any state has dealt with one punch laws, they are met with significant opposition and suspicion, based on comments from the legal profession and from legal academics around the motivation behind new offences to deal specifically with one punch attacks, when there are already existing charges such as manslaughter available for such an attack that causes death.

I am going to quote one paragraph of an article by Dr Andrew Hemming, a senior lecturer in law at the University of Southern Queensland. The name of the paper is 'Please Mind the Gap', and is an assessment of fatal one punch positions in Australia. In that article, Dr Hemming explains that -

In Australian academic scholarship, the one punch provisions have been generally unfavourably received for a number of reasons. It has been suggested that the laws were born out of a 'moral panic' based on sensationalised media rather than rational necessity; that they have been hastily introduced in a 'knee jerk' fashion; that they potentially weaken homicide prosecutions and hinder just sentencing; that they are superfluous, particularly in common law jurisdictions; and, lastly, that they tamper with existing concepts of criminal law such as the availability of 'accident' and other defences.

Each state has taken its own approach to dealing with these kinds of attacks.

Western Australia introduced legislation in 2008.

New South Wales had two highly publicised one punch or coward punch attacks - one in 2012, when Thomas Kelly was punched and killed in an unprovoked attack in Kings Cross in Sydney, followed by the death of Daniel Christie in 2013 in similar circumstances. In 2014, the New South Wales Parliament chose to deal with those highly publicised and tragic deaths by creating new offences. They included an offence in their law for assault causing death, and an aggravated version of that offence when intoxication was a factor, as well as an increase in available maximum sentences.

Other states, including Victoria, have also increased available maximum sentences for people charged and convicted of these kinds of crimes. Victoria introduced legislation in 2012. I could be wrong about that, noting that they are both common law states, and we are a code state.

I put on record my general reservation about laws that respond to highly publicised media campaigns around tragic deaths. Some of the states that have acted to introduce new offences are reassessing those decisions - and when they have introduced new offences, these have usually come with a suite of measures, including things like lock-out laws, as we have seen in New South Wales, which are also now in a period of reassessment.

I wanted to start by putting on the record my general reservation about law reform of this nature motivated by those things, and the necessity for parliaments to tread cautiously when it comes to introducing new offences for things like this. The reason I say this is that this bill does not do that. We are not creating a new offence. This bill attempts to codify the common law position around the use of the 'accident' defence, and that common law, as the Attorney-General said, came from the case of Kaporonovski.

Also enshrined is what is known as the 'eggshell skull principle' which, as I was taught at university, means that you take your victim as you find them. If someone is more susceptible to a particular reaction to an attack, that basically deals with the accident defence used in respect of people who die as a result of unprovoked attacks. It enshrines that common law principle into our legislation, and it also makes that amendment to the Sentencing Act to make it clear that self-intoxication is not an excuse for violent crimes causing death. That is something that is expected in the community.

It is always quite galling for the community when they see things like accident and self-intoxication can be used as defences in tragic cases like this. For those reasons, and treading cautiously as I believe this bill does, the Opposition will not be opposing this bill, because I think it does take a cautious approach. We are not creating a new offence. If we were, my comments would be quite different. We reiterate that we thankfully haven't seen, to my knowledge, attacks like this that have caused death in Tasmania.

Ms Archer - We had the university professor.

Ms HADDAD - I am so sorry. I forgot. We have tragically had one case.

Ms Archer - We moved on this before that, but we said it was probably inevitable which is unfortunate.

Ms HADDAD - Yes, we did. This is why my thinking is still in that mode. I put on the record my sincere apologies for forgetting there was that horrible, horrific attack.

In the context of that - thank you for that interjection - I will reiterate what I said. States that have moved to create new offences, I believe, have not taken the right approach. Creating a new offence when offences already exist, which we have in our Code, the offence of manslaughter which is usually the charge that would be used for unprovoked attacks like this that cause death, that offence exists and should remain the charge that is used for cases like that.

As I said, if we were creating a new offence, my comments and my feelings on this bill would be very different. This bill codifies Common Law around foreseeability and enshrines that scalable principle and deals with the use of self-intoxication as a defence.

For those reasons, we will not oppose the bill but we will watch it carefully, in the upper House. Once it is proclaimed, we will monitor it - as we all do as parliamentarians and members of the community - to see what practical effect these changes have over time.

[12.22 p.m.]

Dr WOODRUFF (Franklin) - Madam Deputy Speaker, I want to speak about the sort of tragic circumstances that have led to this bill coming before us today. There was a brief mention just then of an academic, an incredibly widely-loved man, who was a terrific person in his own right, a kind and caring human being. He was an amazing leader in his field and his life was taken from him through no fault of his own, in the most cowardly and awful act of violence. The unprovoked attack that happened to him, and to other people, is awful and it is repellent. It stands condemned.

That is the context for this very important discussion about how to proceed in these situations.

It is difficult to balance the requirements for a person to be able to be held to account for such cowardly acts, as what are called 'one punch acts' of violence. They should be held accountable and the full weight of the law should be brought against people who commit those random acts of violence against other people. It is not a society we want to support in any way because it is not safe, it is aggressive, and innocent people's lives are taken and their families are forever affected.

I am bearing in mind the importance to balance the things that are already able to be done in law, and charges and convictions that are already able to be laid, for somebody else cowardly murdering somebody else, and killing them in such a surprising manner.

The issue here is the role of the context in which these events happen, the role of alcohol and the role and responsibility of governments to place restrictions so that the context for these acts of violence changes and they do not occur.

What is clear is that there are a number of restrictions that work and that have been shown to work. We are very concerned that the Government is reaching for a legislative response to a situation that we believe, and that many experts and just average everyday people in the community understand, is the responsibility of this Government to focus on first and foremost. That is, to place restrictions on the availability and sale of alcohol in the venues where these acts of violence occur or where people flow out from, and acts of violence on the streets occur afterwards.

This is not peculiar to Tasmania. This is well documented around the world. There is a very strong - if not 100 per cent - relationship between those sorts of coward punches, random attacks against other people occurring in cities where alcohol licensing has been loosened to such an extent that there are not the restrictions placed on venues about the sale of alcohol. People become alcohol primed; big groups of people, typically men but not always. Acts of violence by women against other women have also happened, so-called 'glassings', and horrible acts of violence that people perpetrate against others when they are drunk or out of it in other ways.

The point was made strongly in March this year by a University of Newcastle academic who reiterated his calls for Tasmania to follow the lead of other states and introduce a package of evidence-based measures that would curb the supply of alcohol at late night drinking establishments. Mr Tony Brown said the package of conditions that had been introduced into Newcastle over the past decade included reducing the serving time of alcohol, cutting off the supply of alcohol to patrons in venues from 5 a.m. back to 2 a.m. It had seen the number of inner city

licensed venues in New South Wales increase and a greater increase in safety diversity and vibrancy in the city night.

What Newcastle has done, which this Government has not done, was to introduce a package of measures to control the supply of alcohol and that works. It is not just Newcastle that has shown this has worked. Other countries around the world have shown this has worked, time and again. It is a well-established, well-validated public health measure.

We all saw it in Melbourne. The city of Melbourne was grappling with horrible displays of violence that occurred as soon as they loosened up their nightclub alcohol sale times. There was an explosion of violence in the city. Even modest reductions in late drinking hours can produce a quite disproportionate measure in the number of lives saved. There is, unfortunately but usefully, a very clear dose response relationship between the later at night people drink there is increase in violence. Deaths due to assaults and coward attacks are the ones that get to the front page of the newspaper but they are just the tip of the iceberg. Alcohol harm is so much wider and deeper than that. For every person who dies, there are many more people who are left with brain injuries and disabilities.

It is the role of government to protect the public, not protect commercial interests. It is the commercial venue operators who push back time and again, the loudest groups in the community, bleating about how it will have such a terrible effect on their businesses, holding up their hands and saying, 'It's not us, look at them, look at the coward'. It is the approach of businesses always to not take responsibility for the culture they create and the priming they are responsible for and to externalise it to one bad person.

The public health evidence speaks for itself. It is not about one bad person and locking up one person. This is about taking an approach so we are not just picking at these sensational, tragic, awful points, but actually having an effect for the whole of the community. Let us make Hobart and Launceston really safe, wonderful places to go out in the evening. Wouldn't it be nice to wander around Salamanca at 2 a.m. or 3 a.m. and feel calm walking past venues with big groups of people inside dancing and drinking, knowing they are not continuing to get primed with alcohol after that time, that they would be seriously supported and that the staff would be directed and trained to stop selling alcohol to people who are clearly intoxicated? This is a society that is healthier. That is something that can be done by this Government to support people.

With that comment in mind, it is no surprise that the Tasmanian Hospitality Association and their CEO, Steve Old, came out and said that the industry was working with the state Government to bring in some new laws and that individuals need to take responsibility for their own bad behaviour. It is no surprise that they are denying any responsibility for the vast sums of money they make from priming people with alcohol into the early hours of the morning. What a surprise.

Ms Archer - That's a bit distasteful at the moment when they're all feeling the pinch, don't you reckon?

Dr WOODRUFF - No, hold on. This is much bigger than today, this month or this year. This is about a whole-of-society law change and the sorts of things that your Government could be doing to make a difference to alcohol-fuelled violence in the streets. When you have the CEO of the Tasmanian Hospitality Association, Steve Old, coming out and backing this Liberal Government in, you have to remember where the money for the last election campaign came from and how much money the Tasmanian Hospitality Association donates to the Liberal Party. There is an uncomfortably cosy relationship here.

The Greens want to make sure that when we are talking about reducing alcohol-related deaths we remind the Government of its responsibility to put money into prevention and the laws that would reduce the sale of alcohol late at night, because that would really have an effect. What we are talking about here is the unfortunate use of this incident to distract from the actual laws that you need to be introducing. This is one approach and it is a tiny impact. It is not doing anything to stop the conditions where this alcohol-fuelled violence occurs and that is my point. We have to stop the conditions and you should be bringing laws into this place that prescribe that alcohol cannot be sold late at night and puts much stronger conditions on the training and conditions around which alcohol can be served.

Yes, every individual needs to take responsibility for their behaviour but we also live in a society where our behaviour is affected by being in groups of people. Our behaviour is affected by staying up really late at night and our behaviour is particularly affected by alcohol.

The Community Legal Centres also made a point about the importance of the criminal justice system punishing people who have committed criminal offences and there is nothing today that prevents that person from being brought to justice for their cowardly attack. There is nothing in law that means that person cannot be brought to justice for taking another person's life in that way. However, the criminal justice system is also importantly providing rehabilitation and treatment services so that when the offender is released after the sentence has been served they are not going to cause an offence like that again. In other words, if a person is sent to jail for an alcohol-related offence they need to be given treatment and rehabilitation in jail so that when they are released into the community they do not still have an alcohol dependency. That is what we should be doing with their time in jail. As the CLCs say, the Government has taken steps to improve treatment services for offenders who abuse alcohol and other drugs, but more needs to be done, particularly when it is recognised that of the offenders who are sentenced to a custodial sentence in Tasmania, 85 per cent of those people had a history of alcohol abuse and almost 75 per cent had a history of problematic drug use.

We recognise the gravity of the terrible circumstances from which this bill springs but we will not be supporting it because we do not believe this is a measure in law which is required to bring people like that to justice for what they have done and we believe that it is not in the best interests of the Tasmanian community for this Government to be focusing on a law that will comfortably keep the status quo and do nothing to change the circumstances within which that person was cowardly attacked and killed. That is what we think the Government should be spending their time preparing laws about. They should have a chat to the Tasmanian Hospitality Association and prepare them for the inevitability of doing something substantial and strong which will reduce the amount of alcohol-fuelled violence in Tasmania.

[12.40 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Madam Deputy Speaker, I thank members for their contributions. I do not agree with a lot of the second part of Dr Woodruff's contribution. The Tasmanian Hospitality Association is working very closely on the campaign, because they recognise that they have a responsibility as hotel and bar owners, and licence holders and sellers of liquor at licensed venues. They are involved in that campaign, particularly with Danny Green nationally for that very purpose, in recognition of their involvement in the industry.

The reason for my interjection throughout some of those comments was because today - or this week of all weeks - I thought it was perhaps more appropriate to temper those types of comments. Dr Woodruff is entitled to her opinion on this issue, as are the Greens, and if they wish to oppose it

then so be it. It is their right, but it is a difficult week for all employers and employees - particularly at these venues, where there are a lot of casual workers who are concerned about their jobs, who are already feeling the impact of COVID-19.

Dr Woodruff - Surely you are not arguing that people should get a job to put other people at risk of violence?

Ms ARCHER - No, I am not, Dr Woodruff.

Dr Woodruff - That is drawing a long bow, which does you no justice.

Ms ARCHER - Excuse me, I am keeping the tone of my voice down deliberately.

Dr Woodruff - Yes, but you are inferring something which is very offensive.

Madam DEPUTY SPEAKER - Order, Dr Woodruff. The minister is speaking and I ask that you allow her to finish her contribution, please.

Ms ARCHER - Dr Woodruff, I said you were entitled to your opinion. Please allow me to have mine.

Dr Woodruff - It is a very offensive opinion.

Ms ARCHER - If you are offended then you can always leave this place while my contribution continues because, just like you, I am entitled to be heard. I am responding to what I thought could have been tempered. I am not saying you are not entitled to raise the issues. Let me make that very clear. I do get quite angry when you do that, because I made the point of saying at the outset you are entitled to have that opinion. I do not agree with you. I strongly disagree with you.

Dr Woodruff - But no one would lose their job by reducing the sale of alcohol after 2 a.m., for example.

Madam DEPUTY SPEAKER - Order, the member has made her contribution on the bill. I ask that the minister be given the opportunity to reply, please.

Ms ARCHER - Dr Woodruff, I am not sure what you heard, but I made it clear that my comments about job losses were about COVID-19 this week. How you have somehow derived that there is some connection - that is an astonishing comment, and I encourage anyone reading the *Hansard* to disregard Dr Woodruff's last comment. I am talking about this week, of all weeks, when we are dealing with extenuating circumstances. People this week are losing their jobs because of the lack of work available, not because of this bill.

Dr Woodruff - What is the point if we cannot disagree?

Madam DEPUTY SPEAKER - Order. I ask the member, Dr Woodruff, to allow the minister to respond to the questions that she hears posed. Minister, continue please.

Ms ARCHER - Thank you, Madam Deputy Speaker. I am having to counteract those comments because they are blatantly incorrect. I was encouraging the House to take that more tempered appropriate response when they are raising these issues that they have.

If I can go back to the bill, and it is disappointing that it has been disrupted. The collegial atmosphere has been disrupted by these inappropriate interjections.

I re-emphasise that Tasmania has been dealing with this matter in a very thorough manner. We have taken the time to look at other jurisdictions, and Ms Haddad made this observation. We have looked at other jurisdictions. We have had the benefit now of seeing what has worked and what has not worked in other jurisdictions, or if it has not worked, then they are undergoing review as to whether or not they needed to amend some of their provisions.

We have taken the view that our Criminal Code already has adequate crimes per se. What we are doing is enshrining in places the common law as it currently stands into the code to codify or enact into law the common law, so that is what we are doing, and ensuring, with the addition of the amendment to the Sentencing Act, that intoxication cannot be a mitigating factor. We have done that on the issue of intoxication because the Criminal Code itself already provides that self-induced intoxication is not a defence. We learn that in 'Law 101' when we first go through with introduction to law at university level when we are learning about defences. Intoxication is not a defence.

Therefore, the amendment to the Sentencing Act provides that intoxication is not a mitigating factor at sentencing after a person is found guilty of an offence. That is quite appropriate in these circumstances, because we are dealing with alcohol- or drug-fuelled offences. In doing so, we are sending a very clear message, as I said in my second reading speech, to everyone in the community that being drunk or under the influence of drugs is not an excuse, and will not lead to a court handing down a more lenient sentence. It is worth noting that New South Wales has taken this approach as well, in their Crimes (Sentencing Procedure) Act 1999 at section 21(A)(5AA).

I also make the observation that the accused who struck Dr Williams in February 2019 has been committed to trial, so it is not appropriate for me to comment on current prosecution. What I will say is that we have had, even aside from that awful case, a single-strike prosecution in Tasmania already, and so we have had instances where this has been in the media, and something that we needed to deal with.

I must say, too, that we received only 10 submissions on this bill, despite the length of time we gave for submissions, and they were largely supportive. I note the support of Community Legal Centres Tasmania stating that, 'in our opinion the passing of the bill into law will assist in ensuring that our laws are more accessible, certain and predictable' - and that would be in reference to the fact that the certainty and predictability of it is enshrining common law into our code.

I know that two academics, Dr Cockburn and Mr Pritchard from the University of Tasmania law school, expressed several issues with the amendments. However, I am confident that these amendments will not cause the problems they identified in their submissions. The detail of their submissions can be read on the Department of Justice website. They are publicly available but, as I said, I am confident that the amendments will not cause the problems identified in those submissions.

In closing, I want to explain briefly why we have not created a separate standalone offence, and I thank the Opposition for recognising that this is the best approach. The Department of Justice considered the existing provisions in our Criminal Code and I have also referred to the thorough reviewing of responses of all other jurisdictions to this issue around Australia. Each jurisdiction operates within its own legal framework in terms of criminal law of course and therefore each jurisdiction has responded differently. Some have Criminal Codes and some do not. Because

Tasmania is a jurisdiction that has a Criminal Code the specific response of some of the common law states it is not appropriate to our legal environment so we tend to look towards other states with Criminal Codes such as Queensland and Western Australia.

We have elected not to create a specific one-punch offence for a variety of reasons. There are challenges in framing an offence that captures all of the behaviour intended to be captured whilst not also capturing other behaviour unintentionally. There are also challenges in ensuring the new offence sits appropriately within the hierarchy of crimes within the Code; in other words, the new offence or crime is treated with the appropriate amount of seriousness in comparison to the existing crimes in the Code. Because the Criminal Code deals with indictable offences, being the more serious offences, to summary offences usually dealt with in the Magistrates Court under other legislation, the Government is satisfied that the amendments proposed ensure that the law in this area is now clear and achieves the intended result.

We have tested this carefully and cautiously, to use the words Ms Haddad used, taking our time from when we first proposed this policy to now and taking the approach we have in an act in common law in a number of respects. There has been an enormous amount of work and comparative work that has gone on in this area and again I thank the department, my staff, OPC and others who have worked hard on this. I thank the stakeholders and the hospitality industry for their support and participation in education. I want to make the very important point that the educative element of our policy we took to the campaign is the most vital and important response to this issue. It is about educating people to act responsibly when they are consuming alcohol, to not consume too much alcohol or indeed not to take drugs, and that is the message that I want to get across. This is my opinion, Dr Woodruff, and I am entitled to it, as is the Government. Do not take drugs because it can lead to these sorts of consequences, obviously has health ramifications and is breaking the law.

Regarding education, I would much prefer to see prevention any day than having to deal with these instances in a criminal way, and I am sure everybody would agree with that. We do not want to see people end up in the courts, not only destroying the lives of others in terms of their victim or in the case of a fatality, the victim's family and friends and others, but destroying their own lives because they will be harshly dealt with under the law.

I want to send this strong message that in all respects the education component of our policy is the most important. This is another element to it and it sends a very strong message to those in our community that this type of behaviour will not be tolerated, is incredibly serious conduct and has devastating impacts on their families, loved ones and associates. It has a deep impact on our community and we do not want to see these events occurring.

Question - That the bill be now read the second time -

The House divided -

AYES 15

Ms Archer
Mr Barnett
Ms Butler
Ms Courtney
Ms Dow

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

Mr Ferguson
Ms Haddad
Ms Hickey
Mr Jaensch
Mr O'Byrne
Mr Rockliff
Mr Shelton
Ms Standen
Mr Street
Mr Tucker (Teller)

Bill read the second time.

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

**JUSTICE LEGISLATION AMENDMENTS (CRIMINAL RESPONSIBILITY) BILL 2020
(No. 3)**

Resumed from above.

Bill read the third time.

POLICE OFFENCES AMENDMENT (REPEAL OF BEGGING) BILL 2019 (No. 49)

Second Reading

Resumed from 13 November 2019 (page 45)

[2.32 p.m.]

Mr SHELTON (Lyons - Minister for Police, Fire and Emergency Management) - Madam Speaker, as I outlined in my summing up late last year, the purpose of the bill is to amend the Police Offences Act 1935 to repeal the offence of begging while still providing police with the powers to move beggars on in the rare instance that their behaviour extends to include activities that rightly cause community concern.

I neglected last time to thank Ms Butler of Lyons for her considered contribution on the bill. Regarding her query relating to the number of charges in 2017-18, I can advise that there were 42 calls to police complaining about instances of begging with police that year proceeding against beggars on only three occasions. These charges related to only two individuals with one of them being a repeat offender. This compares to 2018-19 where there were 61 complaints to police, with prosecutions on seven occasions relating to three individuals, one individual being dealt with on five occasions.

These statistics highlight that the police do not routinely prosecute people for begging and in dealing with beggars are responding to community concerns. The low number of prosecutions highlights the empathetic response from police. It also highlights that complaints are usually resolved through other mechanisms, such as moving people on.

In relation to the proposed additional move on powers to be added to section 15B of the Police Offences Act, substantial consideration was given as to how to frame these to address the problematic behaviour associated with begging but also to constrain any powers so that it does not inadvertently extend to others, particularly those who may be involved in lawful protests.

By requiring that a person be begging and also that they be intimidating, harassing, deterring customers or patrons of a business, or deterring persons from utilising a public facility, the legislation clearly constrains this additional move on power so that it cannot be applied to any other class of persons, including those engaged in protest activity. With regard to Ms Butler's suggestion that amendments be reviewed after one year, I do not wish to formally commit to a review for issues with such a low incidence. However, I will ask Tasmania Police to monitor the issue and report back to me should there be any issues resulting from the change.

Moving on to Ms O'Connor's assertion that the proposed extension to the move on powers is an overreach, I reject that and I respectfully disagree with it.

Ms O'Connor - As you would.

Mr SHELTON - Thank you. The department has been careful in drafting the proposed amendments to make sure it is constrained as tightly as possible. As I highlighted in my second reading speech, police receive complaints from the community about very real issues associated with begging. The community expects the police to act on these. As I have already outlined in response to Ms Butler, the proposed move on powers is limited and only applies to a person who is begging and also has intimidated and harassed a person, prevented or deterred a person from patronising a business or the conduct of that business, or prevented or deterred a person from using a public facility.

Ms O'Connor - Minister, I asked a question in my second reading: where in the Police Offences Act those powers were not already covered?

Mr SHELTON - If I could continue, I will get to that. I confirm that these amendments create no such power to move a person on simply because they are just begging, including when they are located in a business or a shopping district. The legislation is clear that they must also be engaging in one of the other named behaviours before a direction can be given. If they comply with that direction there is no further consequence to them. In regards to the suggested duplication as a result of other public order offences within the Police Offences Act 1935, these public order offences do not cover some of the issues associated with begging.

Beggars who make approaches so persistently that they intimidate or harass would not commit offences such as disturbing the peace or committing a nuisance. These type of public order offences require more substantial interference with the enjoyment of public space and where such a threshold is reached, amounts to an offence. The purpose of the proposed move on powers is to give police a tool to intervene before problematic begging behaviour escalates to where prosecution action needs to be taken.

I acknowledge that section 13(1)(d) of the Police Offences Act 1935 contains an offence of annoying a person but this is archaic and not something the police utilise. Instead of depending on something so broad, the proposed amendment clearly articulates the limitations around when the move on powers should be applied. Currently, there is nothing in the Police Offences Act 1935 that

would give rise to the move on power where a beggar is preventing or deterring a person from patronising a business or using a public facility.

I highlighted in my second reading speech that this is a real issue, with a large proportion of the complaints to police coming from businesses. I emphasise that the proposed move on powers is significantly constrained to ensure that it cannot be applied simply because a person is begging in a business district. I note that the definition of 'public facility' is also similarly constrained so as not to extend to a business or shopping district, pedestrian mall or to parks or gardens. I hope this satisfies the members in the Chamber.

I thank the department for their work and effort to come up with this bill. I thank the House.

Bill read the second time.

**POLICE OFFENCES AMENDMENT (REPEAL OF BEGGING) BILL 2019
(No. 49)**

In Committee

Mr DEPUTY CHAIRMAN - Honourable members, for the purposes of the maintenance of social distancing, I shall chair the Committee of the whole House from the Speaker's chair.

Clauses 1 to 4 agreed to.

Clause 5 -

Section 15B amended

Dispersal of persons

Ms O'CONNOR - It is some while since the House debated the Police Offences Amendment (Repeal of Begging) Bill 2019. I again thank the Government and the minister for listening to the voices of the community sector, Community Legal Centres and the Greens, as we had brought in our own repeal legislation, which was voted against by Government on the grounds that legislation to reflect the intent of the calls from the community sector and the Greens would be prepared.

Now that we have all agreed clause 4 stand read as part of the bill, clause 4 is the really operative clause in this legislation, because - should the upper House also agree, as we have down here, to support this legislation - it will decriminalise begging in Tasmania.

I do not really need to remind the House that we are about to enter into some very dark and difficult economic and social times. There is a realistic prospect that more people in our community will be extremely financially stretched, and may have to resort to asking others for financial assistance. That is another longwinded way of saying 'beg'.

We do need to make sure that the legislative framework in Tasmania is compassionate and reasonable, but also in the dark times ahead that we are not criminalising poverty or punishing people because they are in difficult straits.

The reason that we do not support this clause - and I did talk about this in the second reading debate, and unfortunately the minister has not assuaged our concerns - is that those powers exist under the existing 15B of the Police Offences Act. I listened to the minister talk about an earlier clause in the Police Offences Act, but if the goal, minister, is to prevent people from begging in a manner that harasses or obstructs other people, 15B(1) of the Police Offences Act gives police full powers to move on people who are begging. I will just read it to you -

A police officer may direct a person in a public place to leave that place and not return for a specified period of time of not less than four hours if the police officer believes on reasonable grounds that the person -

- (a) has committed or is likely to commit an offence; or
- (b) is obstructing or is likely to obstruct the movement of pedestrians or vehicles; or
- (c) is endangering or is likely to endanger the safety of any other persons; or
- (d) has committed or is likely to commit a breach of the peace.

So there are at least three provisions within the existing 15B of the Police Offences Act that give Tasmania Police, as they should have, full powers to move someone on if they are begging in a public place. So we do not buy the argument that clause 5 in the amendment bill is necessary. I will simply restate that I believe it has been a bit of face-saving on the part of Government, which initially voted against our legislation, which was a straightforward repeal bill of section 8 of the Police Offences Act, and sections 8(1) and (1AA).

In the clause I just read out - about obstructing, endangerment, a breach of the peace - we are proposing to include underneath it, 'a buyer in the course of, in connection with begging in that place has: (1) intimidated or harassed a person'. We argue that is covered by obstructing, endangering, breach of the peace provisions; or, '(2) prevented or deterred a person from entering or the conduct of a business that is in, or in the vicinity of, the place'. Obviously, the obstruction provisions in the principal act would apply here; or, '(3) prevented or deterred persons from using a public facility that is in, or in the vicinity of, the place'. Again, the obstruction provisions in the Police Offences Act cover that absolutely.

It is disappointing to have the minister, in trying to explain this replication, deflect to another clause in the bill. We cannot in all conscience support clause 5 of this amendment bill, because we cannot come into this place and support duplications in legislation. This is an unnecessary duplication of the existing powers that Tasmania Police have under the Police Offences Act.

My heart was warmed by the statistics that the minister read in his second reading response, and clearly Tasmania Police are taking a sensible and empathetic approach to people who are reduced to begging for money, given the number of charges and prosecutions that have been laid.

Still, however, the law currently punishes people for being poor, and asking for help. From memory, the potential fine is in the order of \$1700, or a stint at Risdon, so we cannot have that. This is an important amendment bill. We must decriminalise begging in Tasmania but we should not, on the way through, add another layer into the Police Offences Act which is unnecessary. It is on that basis that we will be voting against this amendment and calling a division, as I indicated

before the lunch break, so everyone has the opportunity to make the appropriate arrangements when the bells ring shortly.

Ms BUTLER - If I can add to the debate, we are confident that the responses provided by the minister in relation to our questions have been answered. We are confident that the dispersal of persons powers enables police officers to direct a person to leave a public place for a specified period. We have consulted with the Police Association of Tasmania and believe their members are also happy with the provisions. When it boils down to it they are the people who have to enforce these provisions.

We asked for this to be reviewed in 12 months' time and are happy with the assurance that Tasmania Police will monitor this and will come back to us if there are any problems with this provision in the future.

Mr SHELTON - Going to the points that Ms O'Connor made, 15B deals with a physical obstruction. It does not deal with a person who sets up so close to an entrance of a business or a public facility that it presents or deters the use. What we are dealing with here are different interpretations of 15B and how they might be portrayed. That is why we have, unfortunately, many lawyers around because there are always interpretations of the law that need to be done.

You went a bit political when you mentioned the Liberals in this, but I want to emphasise that my advice comes from the department. My main advice comes from the secretary of the department. In discussing the bill with him last year, he indicated that this provision was necessary. That is my advice from him and I am relaying that to the Chamber. We can talk about how somebody else might view this, that and something else, but the reality is there are reasons why 15B is not practical or applicable in certain circumstances. The advice I am receiving is that this section of the bill is required.

I mentioned earlier that there were 61 complaints. Of those, there were only seven prosecutions of three individuals. The police are empathetic to this situation and do all they can to prevent the instance where someone is charged. That is why the move-on power is so important. If someone has found themselves in that situation for whatever reason - too close or whatever - the police go to them, ask them to move on, they move on and there are no further ramifications. The bill is very well balanced. I could go on arguing the case but obviously we beg to differ on the issue. My advice is that it is needed.

Ms O'CONNOR - Minister, I do not see conspiracy here or bad practice on your part. I just see duplication in legislation. I take on board your point about that is why we have lawyers around us, but we are legislators and our stock in trade is reading legislation. I do not need to have a law degree, unlike some people in this place, to be able to read legislation. Often it comes down to the words that are black and white on the page.

My very firm view is that the Police Offences Act already provides sufficient powers for Tasmania Police to move people on if they are problematic and asking for money. The obstruction provisions in the legislation right now would more than cover the circumstances businesses might find themselves in but also access to other public facilities as is detailed in the back of the amendment bill. Again, thank you for responding to the issues I raised. I know you do so in good faith but we will not be supporting this clause.

The Committee divided -

AYES 16

Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ferguson
Mr Gutwein
Ms Hickey
Mr Jaensch
Mr O'Byrne
Ms Ogilvie
Mrs Petrusma (Teller)
Mr Rockliff
Mr Shelton
Ms Standen
Mr Tucker
Ms White

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

Clause 5 agreed to.

Clause 6 agreed to and bill taken through the remaining stages.

Bill read the third time.

ADJOURNMENT

[3.03 p.m.]

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

That the House do now adjourn.

COVID-19 - Education-related Question Helpline

[3.03 p.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Madam Speaker, I have further information regarding support that the Department of Education is providing to families in these very challenging times.

If parents or carers have coronavirus education-related questions, they can call 1800 816 057. I may have said 857 earlier today but let me repeat again, 1800 816 057. I am advised this number is operational from 9 a.m. to 5 p.m. Monday to Friday with message facilities available after hours.

We expect the number will be promoted on the Department of Education's alert page on COVID-19 later today. These are uncertain times and it is important that we are able to respond in a timely way to people's concerns and to reassure them.

Support is also available for staff, including an HR helpline to assist with questions. I thank the Australian Education Union representative for emailing me today about the question and following up on those matters. I thank the Australian Education Union for working with us in a very collaborative way.

International Women's Day

[3.04 p.m.]

Mr TUCKER (Lyons) - Madam Speaker, I rise to speak about International Women's Day. With my wife, Mhari, and also Tania Rattray MLC, I attended the Break O'Day International Women's Day luncheon on Friday 6 March. It was hosted by Break O'Day Tasmanian Women in Agriculture.

Tasmanian Women in Agriculture is a valued rural community that is connected, resilient and vibrant. The spark came in 1993 at a rural women's gathering at Tallangatta in Victoria when Australian Women in Agriculture was formed. Four Tasmanian dairy farmers who travelled to the gathering wanted to have something similar for rural women in Tasmania.

Rae Wardlaw is one of those women who stood for and organised the first Tasmanian gathering in 1994 at Scottsdale. She says over 140 women came from around the state and from that event Tasmanian Women in Agriculture was formed.

Ruth Paterson was employed by the Tasmanian Department of Primary Industries from 1994 to 2003 and was instrumental in developing the Tasmanian Women in Agriculture program. Ms Paterson was the first woman in Australia to chair an agricultural field day committee, Agfest, in 1993 and 1994. She was also the recipient of the first ABC Tasmanian Rural Woman of the Year award. She says Tasmanian Women in Agriculture changed the culture by encouraging women to realise their potential and by calling for recognition and seats at decision-making tables.

International Women's Day on 8 March is a global day celebrating the social, economic, cultural and political achievements of women annually. It is also about unity, celebration, reflection, advocacy and action. The day also marks a call to action for accelerating women's equality which has occurred for well over a century, with the first gathering in 1911. It continues to go from strength to strength.

Internationally, purple is the colour for symbolising women. Historically, the combination of purple, green and white to symbolise equality originated from the Women's Social and Political Union in the United Kingdom in 1908. Purple signifies justice and dignity. Green symbolises hope. White represents purity but it is no longer used due to purity being a controversial concept.

International Women's Day has been observed since the early 1900s, a time of great expansion and turbulence in the industrial world that saw booming population growth and the rise of radical beliefs.

On 19 March 1911, International Women's Day was observed for the first time in Austria, Denmark, Germany and Switzerland. More than one million women and men attended International Women's Day rallies, campaigning for women's right to work, vote, be trained and to hold public office. We only have to look in here today to see how far we have come.

International Women's Day was celebrated for the first time by the United Nations in 1975, then in December 1977. The General Assembly adopted a resolution proclaiming a United Nations Day for Women's Rights and International Peace to be observed on any day of the year by member states in accordance with their historical and national traditions.

The UN commenced the adoption of annual theme in 1996, which was Celebrating the Past, Planning for the Future. This theme was followed in 1997 with Women at the Peace Table, in 1998 with Women and Human Rights and in 1999 with World Free of Violence Against Women and so on each year until the current. More recent themes have included, Empowering Rural Women, End Poverty and Hunger, and A Promise is a Promise. Time for action to end violence against women.

By the new millennium, there was little activity occurring for International Women's Day in most countries. The world had moved on and, in many spheres, feminism was not a popular topic. Something was needed to reignite International Women's Day, giving it the respect it deserves and to raise awareness amongst the masses. There was urgent work to do. Battles had not been won and gender parity still had not been achieved.

In 2011, we saw the 100-year centenary of International Women's Day in the United States. President Barack Obama proclaimed March 2011 to be Women's History month, calling Americans to mark International Women's Day while reflecting on the extraordinary accomplishments of women in shaping the country's history. The world has witnessed a significant change and attitude shift in society's thoughts about women's equality and liberation, with many women in the boardroom, greater equality in legislative rights and an increased critical mass of women's visibility as impressive role models. In every aspect of life, one could think that women have gained true equality.

The unfortunate fact is that women are still not paid equally to that of their male counterparts. Women still are not present in equal numbers in business or politics. Globally, women's education, health and the violence against them is worse than that of men. However, great improvements have been made. We have female astronauts and prime ministers. Schoolgirls are welcomed into universities. Women can work and have a family.

Women have real choices and so each year the world inspires women and celebrates their achievements. Year after year, International Women's Day is certainly increasing its status.

The House adjourned at 3.11 p.m.