

**Wednesday 7 August 2019**

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

## **QUESTIONS**

### **Ambulance Services - Government Support**

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

[10.02 a.m.]

Tasmania's ambulance system has been stretched beyond its limits. Almost every day we are hearing stories of ambulances being stuck on the ramp of our major hospitals for hours on end leaving communities with little or no coverage. You have refused to provide any guarantee that your Government's \$450 million budget cuts will not make the situation worse.

On 25 July a very sick patient needed to be transferred from Queenstown to the LGH. This patient had to wait 90 minutes for an intensive care paramedic to come across from the north-west coast and then be transferred by road late at night to the LGH. For the paramedics accompanying this patient that was a six-hour round trip, late at night and under extremely high pressure circumstances. This left only one ambulance crew located at Zeehan to cover the entire west coast community from New Norfolk to Smithton.

How can you ignore the persistent pleas from paramedics for more support? How can you justify budget cuts that paramedics are telling you will push the ambulance system to breaking point?

## **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for the question and, again, for the member's benefit I confirm that our Government will not make cuts to essential services that impact on Tasmanians and important services, including in our health system. In fact, we are investing more into our health system. We have a strong track record for delivering more resources into our health system and to do all we can to boost our ambulance services and provide better access to care, including through those services.

**Mr O'Byrne** - What about the radio? What about the call centre?

**Madam SPEAKER** - Order, Mr O'Byrne.

**Mr HODGMAN** - In fact over the last four and a half years we have employed new ambulance crews around Tasmania. We have seen response times improve as we have invested. I acknowledge the work of our paramedics and the fantastic job they do, and Ambulance Tasmania and its highly-skilled paramedics who provide an excellent medical response service around the state.

**Mr O'Byrne** - The Auditor-General's report.

**Madam SPEAKER** - Mr O'Byrne, warning number one.

**Mr HODGMAN** - We have seen positive progress in a number of key areas. Patient care is always a top priority for our paramedics and the Tasmanian Health Service staff and our Government. We will continue to invest more, as we have done. We acknowledge the hard work they are doing and the real demand and the challenges that are being faced. We are attacking it head-on because this year's Budget delivers \$438 million over the next four years for ambulance services. That is over \$200 million more than in the 2013-14 budget. That is an 87 per cent increase into these services in just five years. I can advise the House that as at March of this year there were 92 more full-time paramedics and despatch officers at Ambulance Tasmania than five years ago. That is an increase of almost 30 per cent.

With respect to the question about efficiencies and savings measures in the Budget, which we have clearly said will not impact on essential services, our track record is one of investing more. We can only do that when our budget is under control and, despite the claims or suggestions from Opposition members that it would not be possible for a government to make any efficiencies or be more productive in its services, we will keep our budget in good shape so that we are able to invest more into paramedics, into ambulance stations and into the ambulance fleet so that we can continue to see this important improvement in ambulance services.

### **Ambulance Services - Government Support**

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

[10.06 a.m.]

Last week paramedics in Launceston were reporting a horror 24 hours of ramping. On Thursday afternoon, all but one ambulance for the entire north of the state was stuck on the ramp at the Launceston General Hospital. This continued through the night and into Friday afternoon. This left just one ambulance available to respond to the entire population of Launceston and surrounding areas. We know this is not an uncommon event. Paramedics are also reporting that 10 per cent of all rostered hours in Launceston in July were spent on the ramp. Your \$450 million budget cuts will make this situation worse. There is no way to deny that. How can you possibly justify compromising the safety of the community by cutting more from ambulance services?

### **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for the question, which is the same question as the one she just asked. It does not deny the facts that I have outlined in my answer to that question and which I will do again because we recognise the increased demand for services.

**Mr O'Byrne** - I do know you like the north-south stuff.

**Madam SPEAKER** - Order please, Mr O'Byrne.

**Mr HODGMAN** - We are responding in significant ways to address that right across the state. The \$438 million in the budget over the next four years, \$200 million more than was in the budget in 2013-14, an 87 per cent increase, 92 more paramedics and despatch officers at Ambulance Tasmania -

**Ms White** - You are cutting \$450 million.

**Madam SPEAKER** - Order, Leader of the Opposition, warning number one.

**Mr HODGMAN** - Then five years ago, an increase of 30 per cent. We have acknowledged clearly that the demand is growing.

**Ms Butler** - You have done nothing for six years.

**Madam SPEAKER** - Order, Ms Butler.

**Mr HODGMAN** - Our population is growing. Demand for health services across the state is growing. We need to be able to address that. In order to do so we need our budget to remain in good shape. I have to say the dishonest claim of the Leader of the Opposition that we would make cuts to essential services, such as Ambulance Tasmania, is not founded.

**Ms Butler** - You have done nothing in five years in ambulances. You know that.

**Madam SPEAKER** - Order, Ms Butler, warning number one.

**Mr HODGMAN** - We have clearly and explicitly said we would not affect essential services but by managing our finances responsibly we can deliver on our commitments, including our \$125 million plan which will bring on 42 new paramedics in regional areas. Recruitment processes are underway: a supercharged aeromedical helicopter service that can provide a better access to health quicker and save lives, as the health professionals have told us. New ambulance stations for Glenorchy and Burnie will be built -

**Ms White** - Tell that to the people of Queenstown.

**Madam SPEAKER** - Order, Ms White, warning number two.

**Mr HODGMAN** - by this Government, as well as regional and rural station upgrades. More staff in our operations centre, a further boost on top. More positions that we announced last year, a secondary triage, new training equipment and more support for volunteers.

We recognise there are significant challenges facing our health system and that includes the ambulance and paramedic service. We understand that. We are responding.

**Mr O'Byrne** - No you do not.

**Madam SPEAKER** - Order, Mr O'Byrne.

**Mr HODGMAN** - We are able to do so because our budget is in better shape than the one we inherited. We need to continue to manage our finances well so we can make these important investments and, most importantly, see more patients getting access to health care sooner.

### **Auction of Nazi Memorabilia**

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

[10.10 a.m.]

In Launceston today, Nazi memorabilia including a Hitler Youth belt buckle and a SS ring will be sold at auction. We can only imagine what sort of buyer it will attract. As you know, the SS were

the most extreme military unit of Hitler's Third Reich responsible for the murder of six million Jews. Nazi memorabilia listed for auction in Melbourne last October was withdrawn from sale by the auction house in response to a request from the Jewish community. Do you agree with Dvir Abramovich, Chairman of the Anti-Defamation Commission, that the items for sale were 'sickening', 'perverse' and symbolised 'humanity's darkest period'? As Dr Abramovich says, 'If you ignore something, you empower it'. Will you today, on behalf of all Tasmanians and in particular the Jewish community, condemn the auction of these items and, further, will you consider banning the sale of Nazi memorabilia?

## **ANSWER**

Madam Speaker, I thank the Leader for the Greens for the question. It is a serious matter and of great importance to our community, especially those with Jewish heritage and those who would hope not to see this sort of thing occur, which I would strongly suggest is the vast majority of Tasmanians. I do not appreciate the sale of items such as these nor believe it would be welcomed by the Tasmanian community. While this particular organisation is not breaking any law, it clearly does break a community standard and it creates unnecessary distress and concern to our Jewish community and Tasmanians more broadly.

I do not believe, as I think the member suggested on radio interview, that items such as these should be destroyed because there is a place for things like this including museums and other places that reflect on atrocities committed in the past. They serve as a prompt and reminder of what occurred but also as a symbol of what must never, ever happen again. There are appropriate places for that to occur and they exist in Europe and across the world in relation to the Holocaust and other atrocities that have been committed. I believe there is a place for these items but it is not at auctions for private sale.

With respect to the second part of the question, I will take that on notice and further consider the matter.

I would hope the business involved would do the right thing and not put these items up for sale. It creates unnecessary distress for what I could imagine would only be a material exchange. The sale will impact on our community, especially those with a heritage and connection with the atrocities that were committed and it will only bring great distress.

## **Genetically Modified Organisms - Jobs and Investment**

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

[10.13 a.m.]

Can you update the House on how the Hodgman majority Liberal Government's policy on genetically modified organisms will continue to support jobs and investment in Tasmania's brand and reputation for premium food and agricultural products?

## **ANSWER**

Madam Speaker, I thank the member for raising a very important matter. Tasmania has a strong reputation for producing premium products that are safe, clean and reliable. It is a key target for

the Hodgman Liberal Government to grow our agricultural sector to \$10 billion by 2050. At a time when our domestic and international markets and our partners are placing an increased value on food providence, a growing number of our food producers and our businesses are capitalising on this reputation.

The Hodgman Liberal Government is delivering on our comprehensive Agri-Food Plan to create jobs. Evidence shows that the plan is working with a 9 per cent increase in agricultural production in the last 12 months. That 9 per cent increase takes us to just over \$1.6 billion, which is very good news. Our GMO-free status is an important part of the Tasmanian brand, offering a marketing advantage for our high-quality, high-value primary industries.

Tasmania has been well served by the moratorium on the commercial release of genetically modified organisms to the environment since it was introduced in 2001. The current moratorium was set to expire in November this year. The recent review conducted by the department received a total of 76 submissions with an overwhelming number of respondents in favour of extending the moratorium. For example, strong support for continuing the moratorium came from submissions from the beef industry and the honey, salmon, fruit, wine and organic sectors. As previous reviews found, the benefits of maintaining the GMO moratorium in Tasmania still greatly outweigh the risks of any benefits from ending the moratorium. I am pleased to announce today that the Government intends to extend the moratorium in Tasmania for 10 years. Extending the moratorium for a decade provides certainty -

**Ms O'Connor** - Are we the only state that hasn't signed up to changes to the regulations?

**Madam SPEAKER** - Ms O'Connor, if you would like to ask a question through me, you may.

**Mr BARNETT** - I have announced the 10 years and the 10-year moratorium will provide certainty and confidence for our producers and our businesses that rely on the state's GMO-free status to continue to invest, to grow and to further develop their markets.

A bill to amend the Genetically Modified Organisms Control Act will soon be tabled in the state parliament. The longstanding Tasmanian gene technology policy and associated gene technology guidelines that provide the necessary detail on how the moratorium will be implemented will also be updated. There will continue to be regular reviews of developments in gene technology, markets and consumer sentiment that can trigger a review of the policy earlier, should developments warrant that.

Tasmania regulates our moratorium on GMOs for marketing purposes under the National Gene Technology Scheme. Other aspects of gene technology are regulated by the Australian Government, including human health, safety and environmental impacts. One of the issues highlighted in submissions were amendments to the federal gene technology regulations that will come into effect later this year. This followed a review by the federal Gene Technology Regulator to clarify the status of organisms developed using certain new gene editing techniques.

Most notable is, a technique known as SDN1 will not be regulated as a GMO on the basis that organisms modified using this technique pose the same risk as, and are indistinguishable from, organisms carrying naturally occurring genetic changes. We have always strongly advocated for Tasmania's interest in maintaining our brand and our markets. This federal regulation in no way impacts on Tasmania's ability to have a moratorium on GMOs. We will continue to work with our exporters and our stakeholders to address any potential market implications if they arise. A

Hodgman majority Liberal Government believes that a 10-year moratorium is commonsense, it strikes the right balance and it meets the needs of today and sets us up for tomorrow. I commend this decision to the House.

### **TAFE - Issues with Courses**

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

[10.18 a.m.]

Your Government has failed to invest in TAFE over the past five years and as a result TAFE is clearly failing young people who are trying to get a job. Persistent budget cuts imposed by your Government, low morale and staff shortages mean course cancellations have become the norm. Last month, students in the information technology certificate IV course in Launceston were told that the course would be postponed for completion until next year. This has left these students in limbo. They are unable to progress their studies and they are unable to get a job with a qualification that you are not providing them. It is little wonder that there are fewer full-time jobs in Tasmania now than when you were elected. When will you admit that your failure to invest in skills is damaging the economy and is destroying job opportunities for young Tasmanians in future?

#### **ANSWER**

Madam Speaker, I thank the member for her question. Our commitment to invest in the education of Tasmanians stands very strongly in terms of what we have done to open up educational opportunities for young Tasmanians, especially those from a disadvantaged background, and to extend the opportunities for Tasmanians to complete years 11 and 12 and to go on to further education or into a career or another vocation has been a significant move that is benefiting Tasmanians considerably, as is our strong commitment to rebuild TasTAFE after it was decimated by the Opposition. I will at least credit the Leader of the Opposition with having acknowledged that Labor had a role to play in setting TasTAFE back. The policy decisions of a former government set it back. In the 2019-20 Budget, there is an additional \$2 million for TasTAFE to employ more teachers, offer more student places and -

**Ms O'BYRNE** - Point of order, Madam Speaker, going to relevance. It goes to the fact that students who were studying Information Technology Cert IV cannot complete their course this year but have been told they could come back next year to finish it. What is the Premier going to do about this?

**Madam SPEAKER** - That is not a point of order but I am sure the Premier will try to address that.

**Mr HODGMAN** - Thank you, Madam Speaker. It is important to provide the right context on this matter because the Labor Party did have a hand in setting TasTAFE back. We are rebuilding it and have taken deliberate systematic actions to do so, including with additional funding in the Budget. There are skills shortages in our community, there are areas where we are increasing the ability for Tasmanians to get training and apprenticeship training right across technology sectors, trades and engineering, for example. With so much work happening in our state our employers need to get the right qualified tradespeople to meet these demands. TasTAFE has taken a number of steps to address this and to respond, also in collaboration with Skills Tasmania and industry to

attract tradies into teaching but also to open more opportunities for people to get the training that they seek.

With respect to the specifics of the question and the Cert IV to which the member relates, I can seek further advice as to that. I do not have that information to hand. However, I want the member who asked the question to acknowledge that whilst there is a lot more to do, we have invested more into the rebuilding of TasTAFE. I want to commend the leadership at TasTAFE as well. They have taken strong action to deal with a number of matters that have been raised and publicly acknowledged. A lot of good work is being done but of course there is always more to do, and that is why this year's Budget has more for TasTAFE in it.

### **Visitor Economy - Growth**

**Mrs PETRUSMA question to MINISTER for TOURISM, HOSPITALITY and EVENTS, Mr HODGMAN**

[10.22 a.m.]

Can you update the House on how the Hodgman majority Liberal Government is continuing to deliver on our plan to grow our visitor economy?

### **ANSWER**

Madam Speaker, I thank the member for the question. I restate the Government's very strong commitment to our tourism industry. We are the greatest supporter of our tourism industry. It is driving the growth in our economy and it is a very important part of Tasmania's economic and social fabric. Our plan is for more visitors to come and stay here longer, see more of the state while they are here and, most importantly, spend more while they are here. Our plan is working. We recently hit a record high of \$2.49 billion annually in expenditure by our tourists. This is up an incredible 48.7 per cent since when we came to government, and we have hit the target under the T21 Visitor Economy Strategy 18 months ahead of schedule. There are now 1.3 million visitors coming to our state, which is up 24.6 per cent from when we came to government.

This does not happen by accident; it requires increased investment and support by government, which we have done in successive budgets. It also requires an ongoing collaboration with industry and that is what we have through T21, the Visitor Economy Strategy 2015-2020. That is a very important partnership between government and the tourism industry represented by the Tourism Industry Council of Tasmania that sets targets to grow the industry and looks at how we will achieve those targets and our vision. As 2020 approaches, it is now time to reshape the actions and also to focus on the next stage of the strategy and our vision and to make sure we stay ahead of the pack and increasingly compete in the marketplace as well as we do now that keeps Tasmania as such a strong destination of choice for people from across the globe and a visitor economy that now supports close to 40 000 Tasmanians in many businesses.

In the coming months we need to refocus and direct our attention to the next stage of T21, so government and industry will be consulting broadly across all regions of the state to capture the views of community and the goals of industry. We will consider all important issues such as increasing yield, the return on our investment, the dispersal of visitors into our regions, the infrastructure that is required, building the experience, the product and the skills of our workforce.

Our goal is to continue to increase the value of our visitor economy which is so important to our state economically, socially and culturally.

We will continue to strongly support our great tourism industry and our hospitality sectors. I was delighted with other members to this week attend the Tasmanian Hospitality Association's awards for excellence where we celebrated excellence in this great industry which is a cornerstone of our visitor economy. I want to acknowledge the THA and thank them for being such important partners -

**Ms O'Connor** - They should be very thankful to you.

**Madam SPEAKER** - Ms O'Connor, in the interests of fairness you get a warning.

**Mr HODGMAN** - I am delighted also today to see the great news, the strong vote of confidence in Tasmania, from another of our key partners, Qantas, which will be adding more than 8000 extra seats on the key Sydney to Hobart route. That is another critical element of our strategy to increase access and aviation marketing to secure new flights and increase capacity with more routes and that is what is happening. An additional 40 return flights will operate from November to March on Qantas planes. It adds to the more than the 628 000 seats added on regular passenger routes from Hobart and Launceston airports over the past four years alone, including to the Gold Coast and Perth, and from Strahan to Hobart, a new service from Par Avion which the Government is supporting.

There are many good things happening in our visitor economy but there is always much more to do. We are getting on with the job of doing that and we will work very closely with the tourism industry to develop the next important stage of Tasmania's great T21 strategy.

### **TasTAFE - Access to Courses**

**Ms O'BYRNE question to PREMIER, Mr HODGMAN**

[10.27 a.m.]

In failing to answer the question on the IT Cert IV course being cancelled you talked up investment in training and construction. Tasmania's construction industry is crying out for skilled labour but your failure to invest in skills and training means that they are having to bring workers in from interstate. It is a disgrace when our unemployment rate is the worst in the country. This year 100 Tasmanians applied to study for Cert II in Construction at TasTAFE and 57 were interviewed. However, due to staff shortages only 12 could be accepted. The unsuccessful applicants were sent letters to apply for courses in other areas such as electrotechnology and plumbing. However, neither of these courses will be offered this year either. That means that nearly 90 per cent of those young people who wanted to study construction have been left without a pathway to a job and at the same time the construction industry is crying out for skilled workers.

What are you doing to repair the damage you have done to TasTAFE and will you adopt Labor's policy for free TAFE courses in areas of key skills shortages including building and construction?

**ANSWER**

Madam Speaker, I note again the strong efforts we are making and have made to deliver and strengthen TasTAFE to respond to increase areas of demand. In building and construction, which



was mentioned in the member's question, last year the building and construction sector saw 3300 enrolments with 2250 apprenticeships and trainee training at the end of 2018. Similarly, in other sectors as well, there has been a significant increase in Tasmanian apprenticeships compared to other jurisdictions. Nationally we are performing well and we are responding to those areas where there are demands on particular skill sets and appropriately so. Our businesses with whom we work in collaboration with and industry sectors make it clear to us that one of the things they need to grow more in Tasmania's strong economy is to have more access to skilled Tasmanians so we are increasing our funding to TasTAFE from \$73.5 million to \$76.5 million in the financial year. That is approximately 80 per cent of Tasmania's training funds. That is more than before and what was spent by a Labor government that claims now to be such a strong supporter of TasTAFE and skills and training. We are funding it more than you did when in government and we are also rebuilding TasTAFE that was decimated under the Tasmania Tomorrow reforms. Importantly, it will allow for increased capacity for one of our key educational providers that has had issues publicly canvassed but is now very firmly on the right track. So I dispute -

**Ms O'BYRNE** - Point of order, Madam Speaker. On two matters - one relevance and one misleading. One, I would not want the Premier to mislead this House because there are no Certificate II courses until 2020; they are not being run. Also, the question was, would the Premier adopt Labor's policy of free TAFE?

**Madam SPEAKER** - Standing order 45, relevance, as you know, it is not a point of order. The second one you are putting under standing order what?

**Ms O'BYRNE** - It is to do with misleading the House that actually gets picked up by standing order 2, but is covered in other standing orders as well. I was worried he was inadvertently -

**Madam SPEAKER** - I do not think either of them are points of order but I am going to ask the Premier to stand and he can correct you on that if that is necessary.

**Mr HODGMAN** - Thank you, Madam Speaker. What I am doing is correcting the false claim by the Opposition that our support for TasTAFE is diminishing. In fact, we are increasing it so we will continue to do so where can. We are only able to do so with the Budget being back in good shape. Our strong commitment is to deliver good initiatives and policies, working in collaboration with industry to address skills shortages to increase the capabilities of TasTAFE and other education and training providers. If there are areas in which more can be done, we will do so but we would most likely first go to our educators and also to industry themselves for guidance, not so much the Labor Party.

### **Water Quality - Monitoring**

**Dr WOODRUFF question to MINISTER for ENVIRONMENT, PARKS and HERITAGE, Mr GUTWEIN**

[10.32 a.m.]

A recent water monitoring study conducted by prominent scientist, Christine Coughanowr, has detected disturbingly high levels of fish waste in the upper Derwent River catchment. Nutrient and bacteria levels at the outflow from two salmon hatcheries were up to 128 times higher than levels upstream.

In 2014, Hobart's drinking water was plagued by an unpleasant taste and odour. TasWater identified two organic compounds, methylisoborneol and geosmin as the likely source and were required to make costly upgrades to their New Norfolk treatment plan to process that tainted water.

Excessively high nutrients that cause algal blooms as well as methylisoborneol and geosmin have been linked to fish hatcheries elsewhere.

Why has our Environment Protection Authority failed to detect or take action on these concerning high levels? With progressively hotter summers expected, what will you do to protect the quality and reliability of our drinking water supply? Will you commit to an investigation into the impact of these salmon hatcheries?

## **ANSWER**

Madam Speaker, I thank the member for the question and I am aware of the matter and it has certainly been raised. Environment Tasmania put out a media release on this particular issue not that long ago.

I can inform the House that the independent EPA director is the regulator for these inland fish farms in this catchment and it is the EPA's role to ensure they comply with environmental requirements. I understand that the two farms in question have been operating for decades so these are not new enterprises.

I am advised that the EPA director issued new environmental licences earlier this year following an assessment by the EPA board. The conditions of the licence were updated to contemporary standards through the board's assessment. The conditions now include detailed requirements for monitoring of water quality and biological impacts in the downstream environment and the environmental performance of drum screens in relation to water quality treatment.

I am advised further that the business, Saltas, submitted a draft ambient monitoring plan for each farm and these plans are currently being reviewed by the EPA. The discharge limits will be reviewed following receipt of the required ambient monitoring report and any non-compliances with the licence conditions will be investigated and enforcement action taken, where appropriate.

**Dr Woodruff** - Will you investigate this particular finding?

**Madam SPEAKER** - Order. Could you do that through the Chair please, Dr Woodruff?

**Mr GUTWEIN** - I make the point very clearly that this is a matter for the independent EPA. I also make the point that it took this Government to take those steps to ensure that it was fully independent and not as it operated under the previous government. This matter will go through its processes and will be concluded appropriately under the very strong stewardship of the EPA.

## **Family Violence Counselling and Support Service - Budget Cuts**

**Ms O'BYRNE question to MINISTER for PREVENTION of FAMILY VIOLENCE, Mr HODGMAN**

[10.36 a.m.]

You have repeatedly failed to commit to quarantining the Family Violence Counselling and Support Service from any of your \$450 million of budget cuts. Staff from the service wrote to you

a month ago seeking a meeting to discuss their concern about the already significant under funding of this vital service. Demand for the service has grown by 200 per cent and yet under your Government, staffing has decreased. The service is only funded to take around 2000 referrals a year and yet they are dealing with over 6000. That means, Premier, that the average FTE case load for the 9.4 FTEs who do this valuable service is 651 cases each.

If you will not meet with them in person they are in the gallery today. Can you commit to quarantining the service from budget cuts? Can you commit that you will not outsource any of the services and will you now commit to increase funding to meet the actual demands now and not whatever funding level you have chosen to fund?

## **ANSWER**

Madam Speaker, I welcome the opportunity to speak on this matter and to respond to the question from the Deputy Leader of the Opposition. It is a matter of which I am well aware and have read the correspondence. I welcome the opportunity, and would do so, to meet with members of the service. I acknowledge the extraordinary work they and others do.

**Ms O'Byrne** - They wrote to you a month ago. They have heard nothing.

**Madam SPEAKER** - Order, Ms O'Byrne.

**Mr HODGMAN** - No, there has been an acknowledgement to the correspondence. I am advised there is a meeting shortly with departmental officers to discuss the concerns raised and appropriately so, I would suggest, to get to the bottom of the issues, to have them addressed and to deal with this in a way that delivers the desired outcomes that we all share.

**Ms O'Byrne** - There are 6126 referrals.

**Madam SPEAKER** - Order, Ms O'Byrne.

**Mr HODGMAN** - This cannot be questioned when it comes to eliminating family violence and sexual violence against Tasmanians, which is so strongly supported by this Government, as has been acknowledged by the community more broadly, including on occasions the Opposition. I want to make that point. Any suggestion by the Deputy Leader of the Opposition as to our level of commitment in this area, I will not stand for, because our strong commitment is well-reflected in additional services -

**Ms O'Byrne** - Fund the service then.

**Madam SPEAKER** - Ms O'Byrne, warning number two.

**Mr HODGMAN** - and support for our response to family and sexual violence, which is contained within our new plan released just last month by me as the first minister in this state for the Prevention of Family Violence.

In response to some of the matters that have been raised and for the benefit of the member and the House, the advice that I have received with respect to the service and again I acknowledge the extraordinary work that members of the service and others who are the front line for our response to family and domestic violence. This service is not under threat, as the Deputy Leader of the

Opposition has asserted. As I have said in this House previously, since 2015 an additional 4169 hours of counselling for children, and 4117 hours of additional counselling for adults has been provided. Both our 2015 and 2019 action plans have included additional funding for family violence counselling.

The Government has invested additional funding into the family violence counselling and support services, the extended hours service and safe kids abuse and referral line. We have invested additional funds for two full-time children counsellors for this service. The Family Violence Counselling and Support Service is one of a suite of specialist counselling services being delivered across the state with the Government now funding counselling services by non-government organisations, such as Engender Equality and the Australian Childhood Foundation, for the first time in Tasmania -

**Ms O'BYRNE** - Point of order, Madam Speaker. I have given the Premier ample opportunity to deal with this issue. We are talking about funding to the Family Violence Counselling and Support Service who have lost staff since this Premier took Government.

**Madam SPEAKER** - Ms O'Byrne, I appreciate your passion and the sensitivity of it so I am giving you a moment of grace but that is not a point of order. Please proceed, Premier.

**Mr HODGMAN** - Thank you, Madam Speaker. It is important to provide the full context. The member can cherry-pick or selectively refer to our response to the family violence effort but I am advised that these are the facts with respect to the additional services, both government and through non-government sectors that have been provided, with more services being delivered. I am also advised, in relation to staffing and demand, that there has been no reduction in staff numbers of the Family Violence Counselling and Support Service. As I said, this Government provided for two extra staff to the children's counselling service.

I place that before the House and for the benefit of the member who asked the question. I am aware of the matter raised. I have discussed this with our senior officials. I am aware that Family Violence Counselling and Support Service raised concerns with senior management at Communities Tasmania. A meeting between staff and senior management has been arranged for 12 August to work through those concerns. At any time, in response to that meeting and any further outstanding issues, I will be prepared and happy to meet with staff from the service.

### **Brighton - Education Facility Improvements**

**Mr TUCKER question to MINISTER for EDUCATION and TRAINING, Mr ROCKLIFF**

[10.42 a.m.]

Can you update the House on how the Hodgman majority Liberal Government's plans to extend and improve educational facilities in Brighton are progressing?

### **ANSWER**

Madam Speaker, I thank Mr Tucker for his question and interest in this matter. I know how important this is to his constituency. The Hodgman Liberal Government was re-elected in majority because Tasmanians saw the progress we had made in delivering a long-term plan for Tasmania. We have seen evidence of this in the reports this week of the improvement in the strength of the

Tasmanian economy under this Government's policies. We are also showing strong improvement in other important indicators such as education and skills. We are continuing to deliver our long-term plan in Education to extend all high schools to year 12, and improve retention and TCE attainment. We have made strong progress in these areas as well. I congratulate all our hardworking principals, teachers and support staff in their efforts.

Our plan to improve and extend educational facilities in the Brighton township represents a \$34.3 million investment. This includes \$30 million for a new high school at Brighton and \$4.3 million to revitalise the current Jordan River Learning Federation School Farm. The new high school will provide state-of-the-art facilities for students and families across the Brighton municipality now and into the future. It will be one of the largest public works projects ever undertaken in Brighton with construction expected to commence in around 2022. It is important that the Brighton community is given every opportunity to play a vital role in shaping the new high school and the redevelopment of the school farm. That is why the department started the first stage of a consultation process in late 2018.

We have now commenced the second round of community consultation for the new high school. The consultation process will include a further community meeting in Brighton on Tuesday 13 August, a direct mail out, social media engagement, online survey and one-on-one engagement as well. We are keen to provide local residents and businesses the opportunity to review this project, including the three site options for the school and provide further important feedback. Three possible sites for the high school have been shortlisted and these are Racecourse Road, alongside sporting facilities at Pontville and Elderslie Road. All three shortlisted sites were previously identified on a list of potential sites as part of the Inspiring Place study commissioned by the Brighton Council and suggestions were taken from the community during the first phase of consultation last year. The Government is committed to an open and transparent consultation process on the project, site options for the high school and to working collaboratively with the Brighton Council and the local community to deliver high-quality high school education opportunities to year 12 for young people living within the municipality.

Education provision in the area will be further enhanced by our revitalisation of the school farm. The Jordan River Learning Federation School Farm is a key learning facility in our farm network. It is one of our three hubs that provide leadership and models of best practice for other school farms to enable access to direct experiences professional learning and program support. The school farm receives strong and continuing community involvement through the lens of a paddock to plate concept, with the size and location of the site supporting sustainable management and high-quality educational opportunities for learners. Our plan for schools in Tasmania is to improve opportunities for young Tasmanians across our state and we look forward to working with the Brighton community to deliver the next part of that plan.

### **Family Violence Counselling and Support Service - Ministerial Responsibility**

**Ms O'BYRNE question to PREMIER, Mr HODGMAN**

[10.46 a.m.]

You did not answer the question about the very serious matter of appropriate funding for Family Violence Counselling and Support Service. Is this because, despite your title, you are not the minister responsible? Can you confirm that Roger Jaensch, Minister for Human Services, is

responsible for operational aspects of family violence, including the Family Violence Counselling and Support Service?

**ANSWER**

Madam Speaker, I thank the member for the question. The Department of Communities Tasmania plays an important part of supporting our efforts to assist all those working on our family violence response. That is appropriately done by those within the department who have engaged with this service to understand the issues of importance to them, their work load, the number of referrals and the number of contacts -

**Mr O'Byrne** - It's just a title, is it?

**Mr HODGMAN** - No, it is not. You want to undermine the significance for Tasmania having a minister responsible and accountable for this issue for the first time. Yes, I am happy to take questions of significance and as to how we are dealing with family violence and sexual violence. I am the member responsible. I will lead the response with the strong support of ministers, including Mr Jaensch.

**Ms O'BYRNE** - Point of order, standing order 2 says that we should conduct our House with honesty. There is a letter from the secretary to staff saying that Mr Jaensch is responsible for the operational aspect, including the Family Violence Counselling and Support Service. Is he the minister responsible?

**Madam SPEAKER** - Ms O'Byrne, given the sensitivity and the ladies in the Chamber I will simply say that it is not a point of order.

**Emergency Services - Government Support**

**Mrs RYLAH question to MINISTER for HEALTH, Ms COURTNEY**

[10.48 a.m.]

Can you update the House on the Hodgman majority Liberal Government's delivery of life-saving health infrastructure and how this will support emergency services coverage across our state?

**ANSWER**

Madam Speaker, I thank the member for Braddon, who is a keen advocate for the delivery of health services in her electorate. The Hodgman majority Liberal Government has a strong commitment to boosting emergency services across our state. At the last election, we took a clear plan to supercharge our aeromedical services. Tasmanians voted for us and we are delivering. We have dedicated flight paramedics, specialist emergency doctors in the aircraft, and more flying hours. We have put in resources of almost \$40 million over the next four years and we are providing more coverage and faster responses than ever before. Our investments are saving crucial minutes and saving lives, estimated at around 40 minutes faster on average per response. This service is being boosted with significant infrastructure upgrades as well. We delivered the new helipad at the North West Regional in 2017. This helipad has been used 23 times during the last financial year, so that is more than 20 Tasmanians who received faster access to the crucial emergency care they needed.

I am pleased today to confirm for the House that the \$2 million helipad at the Mersey Hospital is now completed. This is another step forward for service coverage in the north-west constructed by a local firm, including special deck lighting to support night-vision technology and future-proofing to ensure we can cater for larger rescue helicopters in years to come.

In the past, aeromedical teams arriving at the hospital have had to land on the roundabout on the Bass Highway, causing major traffic disruption and raising serious safety concerns at this busy intersection. As of last week, with the completion of this important infrastructure, this is no longer the case. With a new helipad on the roof of the Royal Hobart opening once K Block is commissioned, our aeromedical service will finally be a fully connected integrated service.

What is clear, Madam Speaker, is that you know you cannot trust Labor with these services. Tasmanians will never forget that Labor removed the helipad from the redevelopment despite advice back in 2007 that it was -

**Members** interjecting.

**Madam SPEAKER** - Order. Excuse me, I expect good behaviour on both sides of the House.

**Ms COURTNEY** - They removed the helipad despite advice as far back as 2007 that it was vital, as well as not laying a brick on this important infrastructure project.

**Mr Bacon** - Remember the advice you got about mental health?

**Madam SPEAKER** - Mr Bacon, you have not received a warning yet but you are going to get one.

**Ms COURTNEY** - It took the Hodgman majority Liberal Government to reinstate this in 2014, with the Opposition dragged kicking and screaming to this delivery action. That is the clear difference between that side of the Chamber and ours. We have clear plans, we have clear policies and we will deliver on our commitments, unlike the other side. We know from what we have seen in here this week as well as earlier this year that they have no policies with regard to health. They have failed to be able to provide a costed alternative on any of the few policies they do have and they stand for nothing except voting with the Greens. We have seen that nine out of 10 times this year.

This side of the Chamber will not be distracted. We will continue delivering across our services particularly in health, with Access Solutions, \$125 million into Ambulance Tasmania to invest in more paramedics and the final stages of the Royal Hobart with a helipad. Our side of the Chamber will not be distracted. We will continue to deliver.

### **Family Violence Counselling and Support Service - Staffing**

**Ms O'BYRNE question to MINISTER for PREVENTION of FAMILY VIOLENCE, Mr HODGMAN**

[10.53 a.m.]

In your answer you took cover from the fact that there were two additional positions in the Family Violence Counselling and Support Service. Can you confirm that their temporary positions are about to finish?

## **ANSWER**

Madam Speaker, I thank the member for the question. I have no advice with respect to that being -

**Ms O'Byrne** - No, because you're not the minister.

**Madam SPEAKER** - Order, Ms O'Byrne.

**Mr HODGMAN** - If there is any wonder why you have very little credibility as a party in the broader community, it is because of this sort of game-playing. I do not have -

**Ms O'BYRNE** - Point of order, Madam Speaker. This is not to do with my question. It is a commentary on the Labor Party. He can make that somewhere else.

**Madam SPEAKER** - As you are aware, that is not a point of order. I need to warn everybody. There are a couple of people here on two warnings and I intend to be quite firm, so the next suspension will be for 24 hours. Please try to calm yourselves. I know it is a very sensitive issue.

**Mr HODGMAN** - Thank you, Madam Speaker. With respect to the substance of the question asked of me, I do not have advice to that effect. It is a matter of importance, I acknowledge, but the Opposition should not in any way try to diminish what is and has been a bipartisan approach to dealing with family violence and now sexual violence captured within a plan that has, under my Government and with the support of all my colleagues, and appropriately so the Department of Communities Tasmania, with expertise in this area, should be part of delivering this program with our support. With the additional \$26 million attached to the second stage of our action plan, I place on record that from 2015 to 2019, an additional \$4 million has been provided by this Government for direct family violence counselling, \$3 million for children's counselling, \$1 million for adults' counselling, and those additional hours to which I have referred. There has been an additional \$7.5 million into new services to provide support and referral, including to Safe Choices, support for children in government and non-government schools and perpetrator behavioural change programs. Under our new plan we are investing \$14.8 million into response and recovery which includes counselling services -

**Ms STANDEN** - Point of order, Madam Speaker. I hope the Premier might take the opportunity to come back later in the day to update the House in relation to the very specific question that was asked.

**Madam SPEAKER** - As you would be aware, that is not a point of order but the minister -

**Ms Haddad** - Are they permanent jobs or temporary jobs?

**Madam SPEAKER** - Sorry, Ms Haddad, I cannot answer that and I cannot tell the Premier, as you know, what to say.

**Mr HODGMAN** - These are the inconvenient facts for the Opposition which, as we so often say, lacks any substance and credibility and they are demonstrating it by the tone of the questions, as they claim to be, put to us. I am very prepared to answer questions with respect to all we are doing to address family and sexual violence. I accept that there is increasing demand but we are



responding. It is under this Government and under the state's first Minister for the Prevention of Family Violence that we are delivering what other sensible people recognise to be nation leading. I acknowledge those who work at the front line of us doing so -

**Ms Standen** - Come back to the House with some advice.

**Madam SPEAKER** - Ms Standen, warning number one.

**Mr HODGMAN** - If anyone thinks they are being aided by the Opposition that simply wants to play games with names and titles and make cheap political points on what should really be an issue of most importance to this parliament - and it certainly is to my Government - what we have seen today is a demonstration of what we have always said. This Opposition under their Leader, Rebecca White, lacks substance, credibility and cannot be trusted on matters such as this, including one as important as dealing with family violence in our community.

### **Housing Tasmania - Eviction of Tenants**

**Ms O'CONNOR question to MINISTER for HOUSING, Mr JAENSCH**

[10.57 a.m.]

You kicked off Homelessness Week yesterday by claiming evictions of Housing Tasmania tenants are always a last resort and only occur if a tenant seriously and repeatedly breaches their tenancy agreement. Can you confirm how many of the 20 tenants that we raised yesterday who were evicted without being afforded procedural fairness were provided with three strikes, as set out in Housing Tasmania policy? Could you also confirm whether any of the 20 tenants who were evicted was then served with a notice to vacate outlining the breach?

### **ANSWER**

Madam Speaker, I thank the member for her question. I answered the question yesterday and there were many parts to the question today. I need to confirm again that the Director of Housing will be responding directly to the Tenants' Union regarding claims that have been raised in their letter to me. I am advised that the director does not intend at this stage to review the other eviction matters and they have been appropriately determined by the courts.

The other matters raised in the letter from the Tenants' Union of Tasmania have taken some investigation because they make claims and allegations regarding a number of cases. Our Director of Housing has investigated and provided me with advice that Housing Tasmania will not be reviewing those other eviction matters because they have been determined by the courts and no further action is necessary or warranted.

**Ms O'CONNOR** - Point of order, Madam Speaker, under standing order 45. I know you cannot tell the minister what to say but he has obfuscated and said there are lots of questions in our question. There are not. We need to know how many of those 20 tenants who were evicted were afforded procedural fairness, and how many were given a notice to vacate. He is repeating what he said yesterday.

**Madam SPEAKER** - As you know, Ms O'Connor, I have to rule against that but I have allowed you to put it on *Hansard*.

**Mr JAENSCH** - I can confirm that evictions are a matter of absolutely last resort -

**Ms O'Connor** - I do not believe you.

**Mr JAENSCH** - for Housing Tasmania tenants. We have a management approach which is geared to supporting people in tenancies in Housing Tasmania properties to maintain their tenancies using a three strikes approach -

**Ms O'Connor** - How many of the tenants were given three strikes?

**Mr JAENSCH** - to manage the breach of tenancy agreement issues as they arise. It gives the tenants the opportunity to rectify any breaches in their tenancy agreement that have been identified with a view to avoiding notice to vacate as a last resort. Tenants are provided always with clear information about their responsibilities and consequences for breaches or continued behaviours which constitute breaches. We have two tenancy intervention officers whose job it is to assist tenants with multiple and complex issues which may affect their ability to meet their responsibilities under their tenancy agreement, to work with them and support them.

**Ms O'Connor** - Point of order, Madam Speaker. Standing order 45, if the minister does not have the information on the 20 tenants perhaps he could commit to coming back into the House later and providing that.

**Madam SPEAKER** - Again, it is not a point of order, but I will leave that for the minister to decide.

**Ms O'Connor** - Well, could the minister do that.

**Madam SPEAKER** - Thank you, minister.

**Mr JAENSCH** - Madam Speaker, I can confirm that the three strikes approach often results in changed behaviour before we need to proceed to that last resort of a notice to vacate. As at the end of March this year, 25 tenants had received a first strike under the three strikes program, 13 a second, and eight a third strike for the 2018-19 year. This shows that this intervention, this process of working with people to maintain their tenancies -

**Dr Woodruff** - You are deliberately and wilfully refusing to answer this question.

**Madam SPEAKER** - Order, Dr Woodruff.

**Mr JAENSCH** - and improve their behaviour or their compliance with their conditions of their tenancy is working and does have an effect on the way people conduct themselves.

**Dr Woodruff** - The High Court found you out.

**Madam SPEAKER** - Order, Dr Woodruff.

**Mr JAENSCH** - When it comes to antisocial behaviour, Housing Tasmania is committed to upholding the right of all citizens and all of our tenants to the quiet enjoyment of their properties. Unfortunately, antisocial behaviour does occur from time to time in our community. It can involve both social housing and residents of privately-owned properties and it can adversely affect the lives

of people residing in the surrounding area. We have very limited legal means to influence tenant behaviour but we do invest significant time and energy in managing it and supporting tenants to interact appropriately with their neighbours.

**Ms O'Connor** - You have not answered the question.

**Mr JAENSCH** - Housing Tasmania tenants are encouraged to establish positive relationships with their neighbours and we frequently work in conjunction with other organisations, including Tasmanian Police and local government who have legislative roles and statutory roles in managing anti-social behaviour as well -

**Ms O'Connor** - Can you come back to the House on those 20 tenants?

**Mr JAENSCH** - and trigger neighbourhood disputes. As at 31 March, three tenants have been evicted for antisocial behaviour for this financial year.

**Ms O'Connor** - We are talking about the ones who are evicted on lease expiry.

**Mr JAENSCH** - Evictions due to arrears: sometimes tenants can be evicted for rental arrears and, as with all responses, considerable effort is made to remedy this. This is why Tasmania has the lowest level of social housing rental arrears in the country right now. Evictions do go up and down over the years but we maintain that they are an absolute last resort. We assist people wherever we can and we comply with our obligations under the Residential Tenancy Act and the additional provisions that we have in place through the three strikes process.

I will examine the *Hansard* to see if there is additional information I am able to provide in response to Ms O'Connor. An absolute last resort, our tenants are people we have responsibility for over and above our legal responsibilities as landlord. We do everything we can to assist them to manage their tenancies and to be good neighbours as well for the people around them.

**Time expired.**

## **TABLED PAPER**

### **Public Works Committee - West Tamar Highway Safety Improvements**

**Mrs Rylah** presented a report of the Public Works Committee West Tamar Highway Safety Improvements together with the evidence received and the transcripts of evidence.

**Report received.**

## **MATTER OF PUBLIC IMPORTANCE**

### **Budget Cuts**

[11.05 a.m.]

**Mr BACON** (Clark) - Madam Speaker, I move -

That the House takes note of the following matter: budget cuts.

I will try to give a talk on budget cuts but it is very difficult to do when there is no detail. We are still being provided with no further detail since the budget came out. We are now over a month into the financial year and the Government still refuses to say where this \$450 million will come from.

This is because we have a Government that is hell-bent on secrecy, on a lack of transparency, keeping details from the Tasmanian people. We know that that has been the hallmark of this Government for five years. Now we know there are \$450 million in budget cuts to different services, jobs to go in the public service and the Government refuses to tell the Tasmanian people exactly where those cuts are going to occur or which services will be affected. They have gone so sparsely into the detail that they have not even told us which departments are going to be responsible for how much in cuts.

They have refused to quarantine very important areas of the budget. We are talking about our health and hospital system; we are talking about ambulance services; we are talking about family violence counselling. Time and time again this Government has been asked to quarantine those important areas from this savage \$450 million in cuts. They refuse to do it and the secrecy goes so far that they even refuse to say who is on their razor gang - their budget subcommittee of Cabinet. They refuse to say which members of the Cabinet are on it. They refuse to confirm.

In media interviews on ABC radio, the Premier has been asked if he is on the committee himself. We know that this is a Premier whose lack of leadership, his weak leadership, has been shown over and over again over the past five years, but we do know on this one occasion he has stepped up. He is a member of the razor gang. The Premier along with the Treasurer, the Deputy Premier and of course the Attorney-General are the razor gang here in Tasmania. What we need to know today is not only for the Treasurer to confirm that the Premier is the chair of the razor gang and that those other members are on it, but also to tell the Tasmanian people why he has refused to tell them who is on that subcommittee.

We get a front page of the *Mercury* to say that the four big heavy hitters in the parliament for the Liberal Party down the line - the Premier, the Deputy Premier, the now minister for Infrastructure, and the Treasurer - were going to get us three teams in national competitions. However, when it comes to \$450 million worth of cuts to vital Tasmanian public services, the Treasurer and the Premier have been asked time and time again who is on this committee and they have refused to answer.

They can confirm today that those members are members of the committee and that the Treasurer should outline for the House why he has been determined to keep this matter secret. Is it because the Attorney-General does not want the people of Clark to know that she is on this razor gang? Is it because the Premier does not want people to know that he chairs the razor gang that is making the decisions around this \$450 million worth of cuts?

When he gives his contribution on this matter of public importance, the Treasurer should also outline what decisions have been made by that budget subcommittee. Which departments are going to be cut? How much will be cut from each department? Which services are going to be cut and which jobs are going to go? These decisions have been made by this budget subcommittee, chaired by the Premier. Why will the Government not tell Tasmanians what decisions have been made? We know that any cuts, particularly to areas like our health and hospital system - we have experts

out there, experts that are on the ground telling the Government that they cannot cut a further dollar from our hospital system without impacting on frontline services. The Government keeps saying they are not going to impact the front line but nobody can believe that unless they provide some detail of where these cuts are going to occur. They have refused to quarantine all those important areas, we know that.

We have seen comments from people on the ground saying, as Frank Nicklason, of the staff association at the Royal Hobart Hospital said, 'It is hard to imagine how we can do this without a substantial negative consequence for patients.'. That sounds like an impact to the front line, Treasurer. We know that there is going to be an impact to the front line but we do not know how much of an impact that is going to be. You look at areas like ambulance services, another area that again today the Premier refused to quarantine from cuts. We have seen some horrendous things going on in our ambulance service, which is another area the Premier refused to quarantine from cuts. The west coast has been left with one ambulance in Zeehan, expected to cover the whole area of the west coast from New Norfolk to Smithton. We have seen four-hour round trips from Launceston to cover ambulances in Brighton.

This Government wants to take a further \$450 million from our public services. Somehow, they want to do it without telling people where those cuts will occur. This is over a month into the financial year. These decisions have been made. They have been made by this secret committee the Treasurer and the Premier have been so determined to keep secret, for whatever reason. It boggles the mind as to why they will not tell the Tasmanian people who is on that budget sub-committee. We have seen Launceston left with only one ambulance to respond to the entire population of Launceston and the surrounding areas on occasion and that is before these cuts occur.

We have seen, highlighted in question time again today, what is happening in individual courses in our TAFE system, in building and construction and other areas such as information technology. People currently undergoing courses have been told that they cannot continue their course until next year, with others told there is no room in the courses they have applied to and who are then told to apply for other courses that are not being run this year. This is before the rubber hits the road with this Government's \$450 million in budget cuts.

We know this Government is hell-bent on not telling the Tasmanian people which services will be affected but they have to come clean and that time is now. These decisions have been made. They have been made by the chair of the budget sub-committee, the Premier, the Deputy Premier, the Treasurer and the Attorney-General. They are the four members of that budget sub-committee. It is time for the Treasurer to confirm that, to confirm the Premier is the chair of that sub-committee and confirm where these cuts will take place. Which departments will be cut, how big will that cut be, which services will be affected and which jobs will go? It is well past time for the Treasurer to come clean. He should have come clean on budget day. Now is the time.

[11.12 a.m.]

**Mr GUTWEIN** (Bass - Treasurer) - Madam Deputy Speaker, that contribution sums up the Labor Party as it stands. It was vacuous, puerile and the vast majority was focused on who sits on a committee. He is making the claim that the Premier chairs it. I have chaired the budget sub-committee for six years and I continue to chair it. We will not engage in these silly games with the Labor Party as to who is on it. They want to make a political point. They want to call the budget sub-committee of Cabinet a razor gang. We are not going to play your games. We will continue to sensibly manage our state's finances. As to transparency in this process, the member either makes mistakes or is wilfully ignorant.

**Mr Bacon** - You have told everyone?

**Mr GUTWEIN** - I have said clearly that we will provide an update at the end of the first quarter, which is at the end of next month. We will then report through the budget process in the mid-year report as to our progress toward savings. We have outlined the process. The member is aware of that. He now understands that I chair the budget sub-committee of Cabinet, have chaired it for six years and continue to do so. We will be responsible in all our deliberations. We will be sensible. We will ensure that we protect essential frontline services.

It is easy in the political rhetoric to name a big number and focus on \$450 million but we outlined total savings of \$50 million this year. I have already informed this House that we expect to receive additional revenue of \$15 million from our government businesses, as I said in the Budget. The efficiency and savings we are looking for this year are \$35 million, around 0.5 per cent of overall government expenditure.

Look at what has occurred in other jurisdictions that have not taken the responsible approach we have taken in this state to begin to ensure that our public sector is as efficient as it possibly can be. Other jurisdictions have put in place efficiency dividends of between 2 per cent and 3 per cent. The Victorian Labor Government is now arguing about a 1.5 per cent pay increase because their budget is in tatters. They had pay increases well above CPI in previous years. They have not managed their budget situation well, so they are introducing another significant efficiency dividend and are cutting frontline staff. New South Wales has put themselves in the position of needing a 2 per cent to 3 per cent efficiency dividend. Queensland has introduced one. The Northern Territory is a basket case and they are having to cut very deep.

In Tasmania, under our stewardship, we have increased funding to record amounts into Health, Education and to protecting the most vulnerable. We are now looking to ensure we introduce a modest, affordable and sensible efficiency dividend of around 0.5 per cent to ensure that we manage our finances sensibly and that we do not have to take the drastic action that other states have. It is a sensible and responsible approach but all we hear from the other side are these puerile positions. What they want to know is only for political gain, so that they can name and shame people for being a part of the budget subcommittee. I have no issue with saying to this House that I chair that subcommittee and I have chaired it for six years. I have chaired it sensibly and responsibly and I will continue to do so.

As to the updates the member requests, I am on the public record and have explained that we are going through a process. I informed the House last week that we have already identified that around \$15 million of the \$50 million worth of savings this year will come from government businesses. Therefore, the efficiency dividend we seek will be only around 0.5 per cent, not 0.75 per cent this year. We will update the House at the end of the first quarter and we will update the House again in the mid-year financial report, which is on the public record. Everybody understands that, except Mr Bacon.

This Government has invested record amounts into Health, into Education and looking after the most vulnerable. We have made landmark decisions and increased funding, as was explained by the Premier this morning regarding family violence and sexual support services. This Government has done that because it has managed its finances well and is in a position to invest, unlike those opposite.

**Time expired.**

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Deputy Speaker, what an interesting discussion it has been this morning. Unfortunately for the Treasurer, there is a lack of trust about anything he says in relation to the budget because of the Treasurer's track record of not telling the truth or concealing the truth and not being open about some of the most basic questions like who is on the expenditure review committee of Cabinet. I point out to the House that we have now been compelled to put a question on notice for one of the most basic questions: who is on the expenditure review committee of Cabinet? We do not care that the Treasurer chairs it. That is not the question. The question is which ministers make up arguably the most powerful subcommittee of Cabinet that makes the decision about where savings are to be found? We expect that question on notice to be answered honestly and in full.

I wanted to talk today about what is not in the state Budget and what is not in any position that Labor has put in relation to the state's finances, and that is the lack of action on responding to global heating. We have a state budget and a Labor Opposition whose vision for the future extends only as far as the next election or, in the case of the Treasurer, as far as the forward Estimates. Did you know, Madam Speaker, that on 31 July and 1 August this year, 22.5 billion tonnes of ice melted off the Greenland ice sheet? That is enough, according to the scientists, to cover all of Florida in five centimetres of water. The climate emergency is here. It is the most important issue that this parliament should be dealing with. There is no sound adaptation planning in the state Budget.

There is lip service paid to the need to bring our economy into a zero emissions economy but nowhere can you find any mention in the Budget of a coherent policy and legislative and funding response to the need to prepare our people for the future, because the future is here. We saw it in the 2016 summer bushfires where the south-west of Tasmania was ablaze. We saw it again in the 2018 and 2019 summer bushfires. Climate change is here and we need to rethink the way we frame up budgets. Every government does and every parliament should be looking at its budget through this lens.

We need to make sure we are assisting landowners and farmers to become carbon farmers and do as some of our outstanding primary producers are doing right now, people such as Roderick O'Connor, who is investing time, resources and skills into biodiverse carbon plantings. They should be working to restore landscapes to make sure we are keeping the carbon that is in the ground in the ground, to make sure that we are not clear-felling forests that are some of the most outstanding carbon stores there are and to make sure we have excellent adaptation planning for our communities.

We have more scientists per capita here than any other Australian state or territory, right here on our doorstep in Hobart, and this Government should prioritise in its budget planning pulling together all the best climate brains we have in Tasmania, seeking expertise from the mainland and overseas if necessary, and developing the best climate adaptation plan in the country.

That is what a responsible government does. That is what a responsible opposition advocates for and that is why the Greens are in this place - to remind this parliament daily that when you engage in political games, trivialities and superficialities, when all you are about is political point-scoring, you are neglecting your responsibility to the people of Tasmania. As legislators and policy-makers we need to recognise that we have a huge responsibility to get our people ready for the future. This touches on every single portfolio in government.

Our health system will be impacted by global heating. We will see more diseases that have never been seen in Tasmania arrive here. You will see more people presenting at our emergency departments because of extreme heat or bushfire events that are impacting on their capacity to

breathe. There will be an impact on the Housing portfolio. We cannot keep building houses that put people in hot boxes in summer and ice boxes in winter. We need to build housing that will prepare people for the climate emergency and a hotter world.

Every single area of the budget should be looked at through the lens of the future that is here now. We should be investing in landscape restoration skills through TasTAFE, for example. We should be investing into making sure that our young people think critically and we are equipping them for a world that is very different from the world we grew up in. There is artificial intelligence coming that is taking the jobs of young people. We need to equip our young people to be able to take the jobs that robots cannot and be able to prosper and thrive in a planet that is heating.

I am very happy to participate in this debate on behalf of the Tasmanian Greens. I again recommend our fully costed alternative budget to the House and point out to Labor that it is a bit hard to stomach when you come in here and start talking about budget cuts when we have not heard anything from you about what you would do differently. It is your responsibility as the Opposition to do that. A responsible opposition does not take a four-year holiday when it is in opposition, spend its entire time bashing up the Government and not telling us what it would do differently. The Greens in this place recognise that.

**Mr Bacon** - You don't think we should find out which services are going to be cut? You don't think that is important?

**Ms O'CONNOR** - Of course we should, but we should also be able to hear from the alternative government what services you would cut or not cut, or where you would restore funding.

**Time expired.**

[11.27 a.m.]

**Mrs RYLAH** - Madam Speaker, well, did we see it again! Triviality and just a waste of time. It was your opportunity to prosecute the Government on budget cuts and you spent all your time talking about an absolutely trivial matter. You have no credibility on financial matters.

**Mr Bacon** - What is trivial?

**Madam DEPUTY SPEAKER** - Order, Mr Bacon. Mrs Rylah heard you with respect during your contribution. I ask you to do likewise for her, please.

**Mrs RYLAH** - Labor's record is there to see and Tasmanians have not forgotten that sorry experience. Ten thousand Tasmanians lost their jobs. Tasmania's economy stagnated, with years of low growth. Hundreds of Tasmanians left this state in droves, business conditions collapsed, business confidence fell to the lowest in the country and two-thirds of the businesses thought the government was working against them and not with them. Under Labor, when faced with revenue writedowns, they sacked a nurse a day for nine months. When we took government in 2014 Tasmania's finances were in a mess.

**Mr Bacon** - Tell me what is trivial.

**Madam DEPUTY SPEAKER** - Order, Mr Bacon, your next interruption will be your first warning.



**Mr Bacon** - Tell me what is trivial.

**Madam DEPUTY SPEAKER** - Alright, warning one.

**Mrs RYLAH** - An unsustainable budget position -

**Mr Bacon** - Tell me what is trivial.

**Madam DEPUTY SPEAKER** - Warning two.

**Mrs RYLAH** - that was on a course for disaster, with projected deficits of more than \$1.1 billion. Since Labor was booted from office, the failed former finance minister has not bothered to put forward one single alternative budget, not one in five years, proving that you have no long-term plan. The Opposition Leader's budget reply speech did not propose a single thing for our budget and the only thing the Opposition Leader confirmed was that Labor would show less discipline on wages and spending.

Let me turn to our situation today. The Tasmanian economy is the strongest performing in the nation. For the first time in 15 years annual growth in state final demand topped every other state and territory.

**Mr Bacon** - Tell me what is trivial.

**Madam DEPUTY SPEAKER** - Mr Bacon, this is your last warning.

**Mrs RYLAH** - There has never been a better time to live, work and invest in our great state because of our sensible management and strong plan. It is not just the Government saying this. The National Australia Bank's monthly survey for June showed that Tasmanian businesses continue to enjoy the strongest business conditions in the nation for the sixth consecutive month in a row. In July 2019, in its state of the state report, CommSec confirmed that Tasmania leads the nation on equipment investment, relative population growth, housing finance, housing starts and vehicle starts and is pushing New South Wales and Victoria for top position in the year ahead on their metrics.

Our housing sector is strong, with Tasmania being the fastest growing state for building approvals, commencements, completions and leading for home construction.

Our retail sector recently hit record highs of \$549 million turnover in 2019.

There is no doubt that the Hodgman Liberal Government is delivering, unlike Labor who cannot even deliver an alternative budget. We will maintain the momentum. That is why 2019-20 Budget looks to maintain the extraordinary momentum we are seeing in Tasmania and to invest for even more growth. That is why we are investing record amounts in Health and Education, whilst looking after the most vulnerable. It is why we are investing even more into intergenerational infrastructure with a record \$3.6 billion across government and government businesses to underpin and stimulate further economic growth. This investment supports Tasmanian businesses and will help to support another 10 000 jobs over the next four years.

We are seeking to improve the efficiency and the effectiveness of the public sector, whilst ensuring that the delivery of essential services is not impacted.

What are the initiatives? In the 2019-20 Budget it was about building on our long-term plan to grow the economy, creating jobs, investing in essential services and infrastructure and protecting the Tasmanian way of life. The Government is forecasting surpluses across the budget and forward Estimates, with a surplus of \$57.4 million in 2019-20 and modest surpluses in the out years.

By balancing the Budget, as the Treasurer has said, and providing responsible surpluses we ensure that there is an appropriate buffer against adversity or the unexpected, such as bushfires or unprecedented growth in demand for frontline services.

The strong financial management of the Hodgman Liberal Government has put the state's finances in a far more sustainable position and, importantly, we will continue to deliver in all of the strategic actions in our fiscal strategy. That is why we have been able to continue to deliver our election commitments and further invest for growth to maintain the momentum, despite a revenue downgrade of more than half a billion dollars.

In so doing, we expect to support the creation of 10 000 jobs over the Budget and forward Estimates. We will be doing this by building the infrastructure Tasmanians need and providing a business-friendly environment.

There are four key actions and we have a clear plan. We are investing a record \$3.6 billion into job-creating intergenerational infrastructure, including \$2.6 billion in agency-funded projects and \$800 million in equity to support investments by our government businesses and TasWater. We are investing a record \$8.1 billion into health and hospitals, including an additional \$180 million over the four years to address the demand pressures, \$90.6 million to fund stage 2 of the Royal Hobart Hospital Redevelopment, and \$132 million to progressively open and staff 250 new beds at the Royal Hobart Hospital.

We are investing a record \$7.1 million into Education over the next four years, including \$154.3 million to meet our election commitment of 358 new education staff, and \$194 million in capital investment in new and revitalised schools, and other education infrastructure.

### **Time expired.**

[11.34 a.m.]

**Ms STANDEN** (Franklin) - Madam Deputy Speaker, it is clear to the House that the member for Braddon, Mrs Rylah, is not one of the members of the Government razor gang, or she would be standing up for the people of Braddon in relation to jobs and unemployment. She would be standing up for the people of Braddon in relation to housing and homelessness services. She would be standing up for the people of Braddon against \$450 million of budget cuts, which she calls trivial, but is half a billion dollars and this Government is running scared. They are not prepared to name the members of their razor gang, much less outline to this House how these so-called efficiency savings - not cuts, but efficiency savings - cannot be outlined to the people of Tasmania.

There have been some three months or more since the Budget was brought down and there have been no details as to how this \$450 million in savings will be met. There are weasel words around frontline and backline workers. As a former health professional working on both the frontline and the backline in direct service delivery and vital policy development, I can tell you that the thousands of public servants in this state will not take kindly to this kind of talk of 'frontline' and 'backline'. All services are essential. How dare this Premier and this member for Braddon

come into this House and dismiss \$450 million and claim that just 0.5 per cent of budgets will have no impact on the bottom line.

I have been demanding of the Minister for Housing, Roger Jaensch, who is also a member for Braddon, to guarantee that his budget will be quarantined in relation to housing and homelessness. Today, we talked about the Family Violence Counselling and Support Service funded and serviced by just 9.4 FTEs statewide with caseloads of 651, three times an increase in the case load over the term of this Government. We had confusion over whether the Premier or the minister for Human Services was taking responsibility. The Premier declined the opportunity to update the House in relation to the two positions that he hid behind in relation to what he said was increasing Family Violence Counselling and Support Service. He refused to confirm that these are temporary positions and he refused to come back to this House to guarantee that he would provide an update to the House to defend his Government's record in relation to Family Violence Counselling and Support Service. It is just not good enough.

This week is Homelessness Week. We have had the Minister for Housing standing up without providing further detail in relation to his \$5 million plan. He has failed to provide the work plan that he promised to the people of this state. There is no time for delivery. He has had some seven weeks since supposedly crisis talks and members opposite are smiling and carrying on like this is a trivial thing. Instead of standing up in Homelessness Week and providing details of the deal that the federal Morrison Government has struck to relieve the longstanding public housing debt in this state that would return roughly 50 per cent of budgets back into the operating revenue for Housing Tasmania, instead of talking about the promised extension of brokerage services in the state, what did we have? We had a Housing minister talking about delivery of crisis accommodation into the Greater Hobart area and no further - no services outside the Greater Hobart area and no mention of the promised brokerage services.

Instead, what did we have? We had an announcement on an expo: an expo that will not be delivered this winter, not until next year, I dare say and even then, only in the south of the state. You would think that the member for Braddon, if she were on the razor gang, would have something to say about that. You would think the Minister for Housing, Roger Jaensch, would be standing up for the people in his region to ensure there was proper service delivery; not an expo outlining what services are available but actually delivering services.

The shelters are full and there are 1600 homeless people in this state on any given night. There are 3300 people on the public housing wait list and they are waiting, on average, a year or more to be housed.

This Government has delivered barely half of its promised housing supply in a five-year period. Instead, it beats its chest and talks about delivering on targets when he knows, and the sector knows, - as the Treasurer flees the House because he does not want to know the truth in relation to the cuts that could be impacting further in the housing and homelessness space - the Housing minister hides behind weasel words like 'lots of land' and 'refurbished homes' pretending that that is new homes.

I have written to the Housing minister demanding to know what the net increase in public housing has been in the last financial year. As at the end of May, figures provided by the Housing minister in Estimates indicated that there was just 43. He talks about some 400 or so new homes within a five-year period, a woeful record in itself, less than half of the 900 that was promised, and yet the net increase in public housing looks to be as at the end of May at least less than 50 homes.

It is just as well that the member for Braddon, Mrs Rylah, is on the housing affordability select committee moved by Labor because it will be an opportunity to educate her and the member for Lyons in relation to the dire situation for housing and homelessness services right across this state. There are 1600 people homeless and they are not just in the Greater Hobart area. I have talked with people who are living in cars between shifts because they cannot get decent full-time secure work, much less the petrol to be able to travel to their homes.

**Time expired.**

**Matter noted.**

## **CIVIL LIABILITY AMENDMENT BILL 2019 (No. 30)**

### **Second Reading**

[11.41 a.m.]

**Ms ARCHER** (Clark - Minister for Justice - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The Civil Liability Act 2002 was enacted following the recommendations of a national expert panel appointed to review the law of negligence. This panel released its final report, referred to as the Ipp Report, in September 2002.

One of the major reasons that a review of the law of negligence was undertaken was the fact that public liability insurance had become unavailable or unaffordable, in particular for not-for-profit organisations, following the collapse of HIH Insurance in 2001. It was thought that reform of the common law to restrict liability and encourage greater 'personal responsibility' would lead to lower insurance premiums for recreational providers. The focus was on protecting the providers or organisers of recreational services who are generally responsible for taking out public liability insurance.

The Ipp Report recommended that recreational activities and recreational services be treated as a special category for the purposes of personal injury law. The report clearly stated that this special category was based on the fact that 'people who participate in such activities often do so voluntarily and wholly or predominantly for self-regarding reasons'. The report goes on to say:

People who participate in recreational activities in the course of their employment do not do so voluntarily in the relevant sense ... Therefore any rule limiting liability in respect of recreational services should not apply to them.

The Tasmanian Civil Liability Act 2002 was passed with the intention of following this recommendation in the Ipp Report. The second reading speech package on the bill that inserted Division 5 of Part 6 into the Tasmanian act implies that the division was intended to apply only to sport as a recreation, not to sport as a profession. The clause notes state that 'dangerous recreational activity' is 'confined to those activities which are engaged in for sport, enjoyment, relaxation or leisure'.

A 2017 decision of the New South Wales Court of Appeal has the potential to impact on the original intent of the Tasmanian legislation. The 2017 decision of the New South Wales Court of Appeal of *Goode v Angland* found, amongst other findings, that the jockey, Goode, was knowingly participating in a dangerous recreational activity, horse riding, where falling from a horse is an obvious risk, and was therefore prevented by the statutory provisions of the Civil Liability Act 2002 (NSW) from making a claim for damages for the injury.

The arguments in the appeal centred on sections 5J to 5L of the New South Wales Civil Liability Act 2002, in particular the definition of 'recreational activity' as including 'any sport'. The New South Wales Court of Appeal ruled that the New South Wales act did not make any distinction between dangerous sports undertaken for leisure or as a profession, with the effect that the relevant sections were a 'liability-defeating rule' in respect of Goode's claim.

The Ipp Report recommended a definition of 'recreational activity' as 'an activity undertaken for the purposes of recreation, enjoyment or leisure'. 'Any sport' was not included in the recommended definition.

While many of the recommendations of the Ipp Report were implemented nationally, only New South Wales, Tasmania, Western Australia and Queensland adopted a provision excluding liability for harm suffered from an obvious risk of a dangerous recreational activity. The Queensland definition of 'dangerous recreational activity' mirrors the definition recommended by the Ipp Report and does not include a reference to 'any sport' and will therefore be unlikely to be affected by the NSWCA decision, which turned on the inclusion of that phrase. The Western Australian and Tasmanian provisions mirror the New South Wales provision in that both include 'any sport' in the definition of recreational activity and therefore will be subject to the New South Wales' decision.

Sections 18 to 20 of the Tasmanian Civil Liability Act 2002 almost entirely mirror sections 5J to 5L of the New South Wales act. Therefore, a Tasmanian court, if facing a similar case in the future, would be obliged to follow this New South Wales' decision.

The breadth of the exclusion of liability resulting from the New South Wales Court of Appeal decision was not in contemplation at the time the Tasmanian provisions were introduced. The interpretation of the Tasmanian provisions in the earlier Tasmanian case of *Dodge v Snell* reflects the understanding of the effect of the provisions at the time of introduction to this House. In that matter Justice Wood noted:

It is evident from the final report that the rationale for treating recreational activities and recreational services as a special category justifying reform does not apply to people who participate in recreational activities in the course of their employment ... This rationale for the legislation is also evident from the second reading speech.

Her Honour found that the word 'recreational' colours the word 'sport' and that the exclusion from liability did not apply to professional jockeys. The decision in *Dodge v Snell* was specifically not followed by the New South Wales Court of Appeal and, as I have said, the New South Wales decision will prevail in future Tasmanian cases. As a result, claims for injury arising from negligence in any sport, including professional fixtures, will be statute-barred.

The New South Wales Court of Appeal decision clearly broadens the exemption from liability beyond that recommended in the Ipp Report and beyond that contemplated when Division 5 of

Part 6 was introduced into the Civil Liability Act 2002. In her judgment in *Dodge v Snell*, Justice Wood expressed the opinion that such an interpretation would have far-reaching consequences. It was Her Honour's view that the extension of the exemption to professional sports people arguably means employees engaged in a sport as an occupation, such as conducting a kayaking tour or teaching others a sport, may also be precluded from seeking damages for negligence. Her Honour went on to say that there was no indication that parliament intended such a sweeping change to the common law entitlements of many Australians.

The New South Wales Court of Appeal indicated that their ruling was in large part due to the definition included for 'recreational activity', specifically the inclusion of the term 'any sport'. This varied from the wording recommended by the Ipp Report and therefore the court found that the scope of the definition varied from that recommended in the Ipp Report.

This bill returns the definition of 'recreational activity' to that recommended by the Ipp Report so as to ensure professional sportspeople such as jockeys are not barred from pursuing a civil claim for breach of duty. Therefore, this bill seeks to amend the Civil Liability Act 2002 to ensure the act fulfils the original intention of the Tasmanian parliament.

I commend the bill to the House.

[11.50 a.m.]

**Ms HADDAD** (Clark) - Madam Deputy Speaker, the Opposition supports the bill. It is straightforward in being a short bill, with only one provision of the Civil Liability Act being amended. As we have heard from the Attorney-General in her second reading contribution, there are quite complex reasons behind the need for this change.

As noted by the Attorney-General, there was the potential for conflict such as that that arose in the 2017 New South Wales case of *Goode v Angland* to occur in Tasmania, should such a set of circumstances be considered by the Supreme Court in Tasmania as a result of that decision. It was not the intent of the Tasmanian Parliament, in passing that law in 2002, to exclude people who engage in arguably dangerous activities through the course of their work from seeking a civil claim. In Justice Woods' decision in *Dodge v Snell* in 2002, her Honour, Justice Wood, went into significant detail in interrupting the law as it was then, including using the interpretive tool of the second reading speech to reach her final decision that the parliament did not intend a sweeping change to common law entitlements.

The result of today's debate on this bill is to confirm that the intention of the parliament in 2002 was the intention of that parliament and is the intention of this parliament as well. People who engage in sporting activities for professional reasons do not do so for recreation or personal enjoyment in the way that you or I would. An example might be the sport of racing, and that is precisely why this change is required. It is also what the New South Wales court was dealing with when they made their decision in 2017. It was pointed out in the New South Wales decision the New South Wales act did not make any distinction between dangerous sports undertaken for leisure or as a profession. The effect of that was that relevant sections were a liability-defeating rule, which meant that the person in question could not claim any compensation in that case as a result of the drafting of that section. Ours was similar and, despite the intent, it would likely have been interpreted in the same way because of that New South Wales court decision if it were to come up again.

In looking into the provisions of this bill I took the opportunity to speak to the Tasmanian Jockeys' Association and they understand this area of law very well in representing the needs of people working professionally as jockeys. They were very interested in the decision of the New South Wales court because it had the potential to directly affect the lives and livelihoods of the people the Tasmanian Jockeys' Association represents. The TJA welcomes this change wholeheartedly and, for the benefit of the Chamber, I will outline some of the views of the association. They included some history in their submission to the public consultation on this change.

The General Manager of the Tasmanian Jockeys' Association explained that there were two liability cases in the late 1990s in which two high-profile jockeys in New South Wales and Queensland were sued by two jockeys for negligence in separate cases. The two high-profile jockeys lost the proceedings, with each having to pay substantial amounts of money to each claimant from their own life savings. The result from this is that it is deemed compulsory that all jockeys, nationally, have identical public liability insurance. The Australian Jockeys' Association brokered an affordable cover for all jockeys and the jockeys paid for the cover from a certain amount deducted from each race ride. Today, Racing Australia uses part of a 1 per cent prize money to pay the premium, with the jockeys no longer having to pay out of their own pockets. Since those first few cases there have been a number of jockey-to-jockey liability claims, most of which have proven successful by the claimant against the defendant.

A 2017 decision in the New South Wales Court of Appeal that we have been discussing today concerned public liability action brought by jockey Paul Goode against Tye Angland raised major concerns for jockeys in Tasmania, New South Wales, Queensland and Western Australia. The New South Wales Court of Appeal found that Mr Angland could not be held accountable for the injury sustained by Mr Goode in the incident but went further, finding that even in Mr Angland's riding had caused the injury sustained, Mr Goode's claim could not have succeeded under a strict interpretation of the New South Wales Civil Liability Act 2002. The nature of the appeal was whether the injuries suffered by Mr Goode fell within the exceptions under the Civil Liability Act 2002, which, in short, would prevent participants in dangerous recreational activities with an obvious risk from making a claim for damages against another participant.

The New South Wales Court of Appeal found that Mr Goode was knowingly participating in a recreational activity, being horseriding, that had an obvious risk and could not successfully make a claim for damages against another participant under those circumstances. This is despite the fact that he was engaging in that activity because it was his job, so quite unfair. After this was determined by the New South Wales Court of Appeal, the Australian Jockeys' Association, along with the Tasmanian Jockeys' Association, sought review of the legislation in other states, including Tasmania. The advice they received was that strict reading of the Tasmanian legislation could result in the courts adopting the New South Wales Court of Appeal's interpretation.

My view of the Attorney-General's move to revise the definition of recreational activity in the Civil Liability Act will safeguard Tasmanians who engage in sporting activities from being subject to a similar finding and will make them safer in their work. I acknowledge this follows on from some changes in Tasmanian law in 2005 and 2006 in which jockeys in Tasmania were arguing to be covered by workers compensation laws, which they were not covered by at that time. That came to a head in 2006. Some race meets were looking to be held up in a result of strike action if changes to the laws were not considered to include jockeys in workers compensation schemes. Those legislative changes were achieved through the lobbying of the Tasmanian Jockeys' Association and the Australian Workers Union, the AWU.

I welcome this change and acknowledge that it does not actively increase safety of people at work but will allow people who engage in these dangerous activities a civil action if required. It applies more broadly than only to jockeys but they are relevant to discuss today because this area of law was raised in that case in New South Wales that led to this change here. I welcome the change.

[11.59 a.m.]

**Dr WOODRUFF** (Franklin) - Madam Deputy Speaker, the Greens support this bill and the important clarification it makes to the current definition of 'recreational activity' by removing the reference of sport and bringing us in line with the wording of the initial Ipp Report and the intention of the Parliament of Tasmania when we enacted the Civil Liability Act 2002. As has been previously stated, it was not the intention of the Tasmanian parliament to preclude people who engage in dangerous activities as part of their work from eligibility to apply for a civil liability claim.

It is useful in this context to look back at the final report of the Ipp review that was provided in 2002. A major motivation for that review of the law of negligence came on the back of the insurance company HIH collapsing in 2001 and leaving public liability insurance unavailable or unaffordable, particularly for not-for-profit organisations.

The terms of reference for the inquiry were to look at options to exempt or limit liability for eligible not-for-profit organisations from damage claims for death or personal injury. The panel identified that there were very many not-for-profit organisations and, in aggregate, the activities they provide to society and members of the public involve considerable risk of suffering personal injury or death as a result of negligence.

They found there was no difference between not-for-profits and for-profits essentially in the activities they provide but they also found that not-for-profit organisations vary greatly in size, scale of activities and their financial turnover and, as a result, their ability to bear or spread the costs of liability for personal injury or death also varies greatly.

They also made the point that many of the activities not-for-profit organisations engage in and the services they provide involve the participation of young people and underprivileged and vulnerable members of society and, for all the reasons mentioned above, they did not believe it would be in the public interest to provide the not-for-profit sector with general limitation or general exemption for liability for negligently caused personal injury or death.

Following on from that, the other suggestion they investigated was some form of protection for the not-for-profit sector for liability for negligently caused personal injury or death within a specific category of activities, and that category of activities they investigated was recreational activities. Their consultations indicated that this area for not-for-profit organisations, particularly for those operating in rural and regional Australia - and this is relevant for Tasmania - faced particularly serious problems.

The Ipp review investigators were told that the activities of not-for-profit organisations - no surprises for us in Tasmania - play an essential role in maintaining social liability and quality of life in small rural communities. In Tasmania it is in fact an essential part of community life. The existence of not-for-profit organisations and the services the voluntary services provide are part of the integral fabric of Tasmania and one of the reasons we love the island we live on so much, because of the rich communities supported by voluntary organisations.



For that reason, the Ipp investigators struck a balance and identified a subclass of not-for-profit organisations that provide recreational services. They found there was a principal reason for treating recreational activities and recreational services as a special category for the purposes of person injury law, regardless of whether the provider of the service is a not-for-profit or for-profit organisation. Their reasoning was that people who participate in those activities often do so voluntarily and wholly or predominantly for self-regarding reasons.

Their final recommendation in respect to the bill we have before us today is that the provider of a recreational service should not be liable for personal injury or death suffered by a voluntary participant in a recreational activity as a result of the materialisation of an obvious risk. Clearly the matter we have before us is in relation to the words 'voluntary participant' when we are looking at people working in a profession or sport. They do not make a specific reference to the category of sports.

We support that this amendment bill is bringing us back into line and clarifying we will continue with the recommendations from the national expert panel that reviewed the law of negligence and we are happy to support the changes that have been made.

I want to make some comments about sporting activities in general and in particular the sporting activity of the case in the New South Wales Court of Appeal decision that has brought this amendment bill to us today. That decision related to the case of jockeys racing - *Goode v Angland* - in that the jockey, Mr Goode, was knowingly participating in a dangerous 'recreational activity (horse riding)'. I take exception to the definition of 'horseracing' as recreation. Horseracing is an industry. There is nothing recreational about it. It involves gambling and is an industry that is designed to make money at the cost of the animal welfare of the horses involved.

**Ms Archer** - It is lawful.

**Dr WOODRUFF** - Yes, it is lawful, as the Attorney-General reminds us in this House, but the Greens and many people in Tasmania are deeply concerned that it remains so. Because of the way it is mismanaged and the way horses are treated in that industry, it is first and foremost about making profit and using animals to make that profit.

At the moment we have rivers of money flowing from the Liberal Government to support the Tasmanian racing industry at the same time as we have questions in parliament about the lack of ambulances on the road in southern Tasmanian and around Launceston, and at the same time as we are having ongoing public conversations about the lack of housing for people on cold winter nights in Tasmania. It is clearly the case that we can choose how we spend the money in Tasmania that we get from the revenue the Government has at its disposal.

The Greens have an alternative budget and it does not put money into the Tasmanian racing industry. Instead it prioritises that money in a way which is much more humane and is better for the welfare of people who need an inpatient bed in a hospital. That is how we were able to put more money into the hospital system in Tasmania, to be able to put more teachers into our schools, to put more social welfare, psychologists and speech therapists into schools and more money into supporting the integrity of the conservation and protection of our beautiful wild places and national parks. It is how we have been able to fund the staff who have been cut from the threatened species unit and how we have been able to put more people into biosecurity so that we can protect our industries, our agriculture from pests and weeds and other invasive species.

There are so many other ways that we can spend the money that we have in the budget other than putting it into the Tasmanian racing industry, other than putting it into an industry which is essentially about making private profit from the misery of the horses that are involved in that particular industry. We have the same view about the greyhound racing industry; it is a greyhound abuse industry. Anybody who has spent time with a rehomed greyhound feels sad in their heart at the thought of the abuse that they suffer on a track and the conditions that we have seen in Tasmania time and time again, it is abuse that occurs with greyhounds who are involved in the racing industry.

We do not consider that to be a recreation but that is a side note to this bill. It is a point that needs to be made. It would be important to normalise the daily abuse and suffering of animals such as greyhounds and horses as recreation. We should not normalise gambling as a form of recreation. It is not an activity which is healthy to continue. It is an activity which, for many people, leads to an addiction. It leads them to spend more money and sometimes vastly more money, in fact their whole house, than they want to spend. We will continue to speak out against the normalisation of gambling and the abuse of animals for profit. They are not recreational activities.

I thank the Attorney-General for bringing this on and clarifying this as an issue because it is something for all not-for-profit organisations. Civil liability cases really cause people a great amount of heartache and they cause a huge amount of concern. People in not-for-profit organisations typically do not have a high level of professional expertise in the areas of civil liability and it is very concerning and threatening to think that they might be putting themselves and their organisation at risk if they do not correctly look after the public and the people involved in their activities.

Certainty in the area of what is exempt and what is not exempt under the law is very important. Perhaps the minister could make a comment about whether you would be providing some guidelines or some educational material and to which sectors you would be doing that if that is your intention to provide information about this change?

[12.14 p.m.]

**Mrs RYLAH** (Braddon) - Madam Deputy Speaker, I support this bill which is about better protection for jockeys and other professional sportspeople who may be injured as a result of the action of a fellow professional competitor while employed to participate in a dangerous sport, namely this one is thoroughbred horseracing.

The Tasmanian thoroughbred racing industry injects more than \$92.9 million into the state's economy and supports jobs in rural and regional areas with more than 3700 individuals in Tasmania involved either as a participant, an employee or a volunteer. This is a significant sector and a unique one, as this legislation highlights: a hybrid between a sport, a recreation and an industry.

Its popularity is strong as is its historical connection in Tasmania with horseracing, in particular thoroughbred racing, going back to our very earliest days after white settlement. Today there remains four thoroughbred racing clubs operating at Elwick, Mowbray, Spreyton and at Longford. They hold 72 race meetings per year involving approximately 558 races and attracting 56 785 attendees.

The Hodgman Liberal Government is a strong supporter of Tasmania's racing and breeding industry investing \$300 000 into the sector in 2018-19. We have strengthened our Office of Racing Integrity. We have strengthened our training of trainers, jockeys and owners and we have improved

greatly our animal welfare laws to protect the horses. Today we need to enable our jockeys to take civil action and to insure themselves against each other in the case of an unfortunate accident.

Before I move on, I will mention the wonderful program that Tasracing operates for horses that have left the track. My electorate officer speaks regularly about her horse, a retired racehorse and the wonderful work of Tasracing. I have had many retired racehorses in my time and I can tell you they are a challenge and I would not do that today. I am not quite as fit and able as I was then but Helen talks of the courses being run by Tasracing: the free training, the quality of the training both ridden and in the management of these horses and it is just amazing when we remember they are 1200 pounds, big animals, powerful animals. It is fantastic work that they are doing taking on much more natural principles in training the new owners on how to get these horses working well and safely.

In regard to the racing industry more broadly, it was only last month that this Government announced a lucrative new partnership between Tasracing and the global racing partners, Ladbrokes. This is a major boost for Tasmanian racing and Tasmanian racing needs that. The deal includes the naming rights at Elwick, Mowbray and Spreyton racetracks and all three major cups as part of the Tasmanian summer thoroughbred racing carnival and the other feature races across greyhound, harness and the thoroughbred code.

The partnership will open up new marketing opportunities for clubs across all codes while also allowing Tasracing to broaden its promotion to the national market and that is good news for Tasmanian racing. We are all proud of our current favourite filly, Mystic Journey, which became the first Tasmanian-trained horse to win a group one race on the mainland and, after an impressive year, is now a Cox Plate favourite in this year's Victorian Spring Carnival. Let us not forget to acknowledge the recent winners, Iron Wesley, and the incredible favourite, The Cleaner, and his recently departed trainer. There are many great Tasmanian thoroughbreds. I can think of Piping Lane, for one. No more are coming to mind but we have bred some great horses. The racing industry remains reactive to catastrophic and career-ending injuries suffered by jockeys. Horseracing is one of the most dangerous sports to be part of.

I turn to the insurance perspective of this bill. In 2001-02 I was a dealer principal of an unrestricted dealer's licence in financial advice, a practice operating up and down the eastern seaboard, and insurance was a key part of that large practice. The collapse of HIH Insurance was significant and it is significant today that the ripples of that collapse are still flowing through nearly 18 years later. In 2002 after the collapse of HIH Australia, jurisdictions reformed their laws relating to negligence largely due to the fact that public liability insurance had become unavailable and/or unaffordable. The collapse of HIH had far-reaching consequences for Australian communities and a negative impact on consumer confidence in the insurance industry. Many may remember that accountants, lawyers and medical practitioners were unable to get professional indemnity insurance and there was great concern within our community. HIH shareholders were left holding worthless equity and HIH policy holders were left unsure whether their insurance would continue to be on it. HIH was the only provider of certain niche insurance products to the Australian market. The collapse of HIH catalysed large - 5000 per cent, as I recall - premium increases in certain insurance classes, most notably in professional indemnity and the subject of today, public liability insurance.

A 2002 review of insurance industry market pricing by the Australian Competition and Consumer Commission concluded that the HIH collapse had led to large and sustained insurance premium increases. This was in part because HIH had significantly underpriced its risks and the global equity markets. That time, to refresh everyone's memories, was immediately post the

bursting of the dot.com bubble. A combination of forces resulted in the severe hardening of premium rates for liability insurance in Australia. The collapse of HIH, increasing compensation payments for bodily injury, and increasing litigious community attitudes all came together at this time. It was also apparent that claims costs and in particular the costs of personal injury claims had massively escalated. It was a combination of factors that caused great change.

In insurance law the jurisdictional powers make insurance particularly complex. The powers in insurance is split between the states, the territories and the Commonwealth. Meetings with ministers from all jurisdictions at that time were convened to tackle the problem. The result was a succession of changes implemented by all jurisdictions which can be broadly grouped into three types, and the bill we are discussing today is one of those. The three types were establishing liability, changes to the law governing the decision on liability, including contributory negligence and proportionate liability, hence today's bill; changes to the amount of damages paid to an insured person for personal injury claims or for economic claims against a professional; and claims procedures, the time limits and methods for making and resolving claims, including court procedures, legal conduct and legal costs.

The extensive program of law reform in a very limited time after this period was described as unprecedented in the history of Australian insurance law and, taking into account the complexity of Australia's multiple jurisdictions, led to a substantial debate, both in houses of parliament and in the public. In 2006 the federal government reported there was evidence of the above reforms achieving their goal of improving the availability and the affordability of public liability and effectively restoring public liability to the Australian marketplace.

The three reforms I have just mentioned were meant to encourage greater personal responsibility with a focus on protecting providers of recreational services who were required to take on public liability insurance. We are returning our act to that which was originally intended by the parliament today. The 2001 Ipp Report justifies why we pursued the reforms we did. However, commentary in the report on recreational activities clearly should not apply to professional sports people, thus the importance of this reform.

The current law is that there is no liability for negligence arising out of the materialisation of an inherent risk. This result follows logically from the definition of 'inherent risk' as being a risk that could not be avoided by the exercise of reasonable care. On the other hand, under current law, failure to guard against an obvious risk may be negligent if the risk is not an inherent one. How about that for legalese? In other words, the recommendation of the Ipp Report, with all due respect, may require a person to accept a risk that another person will be negligent.

The term 'obvious risk' and the mere fact that a risk is of low probability does not prevent it from being obvious, and in horseracing 'obvious' and 'inherent' are both clearly words that apply. Recommendation 11 of the Ipp Report said it should embody the following principles: the provider of the recreational service is not liable for personal injury or death suffered by a voluntary participant in a recreational activity as a result of the materialisation of an obvious risk. A New South Wales full court decision has extended the definition to those who participate in what are commonly seen as recreational activities as part of their profession. As to the definitions of 'recreational activity' and 'inherent risk', the court found that horseracing fell into the category of sport and the legislation did not differentiate between sport played for recreational purposes and professional sport, as we have heard from earlier speakers today.

It is important to note that Tasmania and New South Wales have the same definition of 'recreational activity' which is an activity undertaken for the purposes of recreation and enjoyment or leisure. 'Any sport' is not included in the definition. In other words, sports that involve professional participants.

A public liability claim, the 2017 Goode v Angland Court of Appeal action, held that a professional horse race was a recreational activity and that falling from a horse was an obvious risk, I can attest to that, within the meaning of the Civil Liability Act 2002, so that such activities came within the protection of the Civil Liability Act. He said every participant in such a dangerous recreational activity engages in it on the basis that participants will comply with the rules governing the sport.

The reforms today are important, as our provision is the same as ruled by the New South Wales court and a Tasmanian judge would follow the same decision. Thus, we are returning our act to what was originally intended by parliament. I support the bill.

[12.31 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Sport and Recreation) - Madam Deputy Speaker, I will comment as the matter relates to the racing industry and Sport and Recreation, which is part of my new portfolio responsibilities. I inherited the very good work of yourself, Madam Deputy Speaker, in that portfolio area. Thanks to Mrs Rylah for her contribution and recalling the importance of horseracing to yourself. Piping Lane won the 1972 Melbourne Cup at odds of 40 to 1, as I understand it. It is very exciting if you listen to the call and I am not sure who made the call at the time. On the way to the Devonport Airport there is a house where Piping Lane is buried in a horseshoe-shaped configuration.

**Mrs Rylah** - There is also Piping Lane.

**Mr ROCKLIFF** - There is a Piping Lane as well. We have had some recent successes and it is great to see the success of local horses from the Tasmanian thoroughbred racing industry in local races. I speak of Eastender in the Devonport, Launceston and Hobart Cups and the obvious success of Mystic Journey. The breeding incentive program the Government committed to prior to the last election was greeted with great enthusiasm by the thoroughbred racing industry of Tasmania. It provides incentives for people to invest in racing and supports and encourages the local racing industry, which is an extremely important thing to do.

We support all three codes of racing, thoroughbred, racing and harness. I have a particular interest in harness racing. I grew up with harness racing. My father-in-law was a harness racing driver and our family had other harness racers. Sassafras, my father and mother's horse, won the 1977 Devonport trotting cup. It is an exciting industry and its contribution to our local community is probably undervalued, particularly in rural and regional areas. It employs many hundreds of people. I believe around 5000 people are involved in racing around the state.

A 2013 or 2014 report highlighted, I stand to be corrected on the year, the value of the Tasmanian racing industry to the economy. It was around \$104 million. Much of that funding and that economic activity is generated in regional areas of Tasmania. That is important because it benefits the local suppliers and economic activity in the regions and it is a really good employer of people with limited skills. This is one of the real values of the racing industry. It employs many people who, for whatever reason, have a skill set that the racing industry really values and that is important - people being gainfully employed in a very exciting industry.

Around \$105 million to \$110 million in economic activity throughout Tasmania is not to be sneezed at. Yes, the thoroughbreds are a large part of that but the harness and the greyhound racing industries are as well. I speak with passion for the racing industry because I understand the importance of it. I know a lot of people within all three codes of the racing industry and the passion they have for it. Between 2014 and 2018, apart from a small stint, I was the minister for Racing and really enjoyed that opportunity to learn more about that portfolio and, along with my colleagues, making contributions to the racing industry. We had some challenging decisions to make regarding the sustainability of racing, the funding deed and Tasracing. Up until 2016 or 2017, since its inception, Tasracing accumulated a number of losses year by year. The maximum loss for Tasracing around 2010 and 2011 was around \$10 million. To bring that to a break-even or a slight profit position as a result of our sustainability reforms is a really positive step because it allowed -

**Dr Woodruff** - You never looked at the sustainability for the animals. You never looked at it from the animals' point of view.

**Mr ROCKLIFF** - I will come to that, Dr Woodruff. I will be addressing the animal welfare reforms that we made.

The review of sustainability allowed the opportunity for consistent growth and a funded model for stake money. I mentioned the incentive for the breeding program for thoroughbreds. We recognised that stakes are very important. They drive the industry. It encourages people to invest, et cetera. We recognise that.

The decision we made in 2014 was a challenging one for me as minister at the time but I believe it was the right decision. It also provided opportunity to reinvest in capital. We have a number of harness, greyhound and thoroughbred tracks across Tasmania that require continual maintenance and capital. The member for Clark, the Minister for Racing, may know but I am not sure of the latest update on the Elwick course, which enjoyed significant investment but it is very important to reinvest in the capital as well.

Dr Woodruff makes the point about animal welfare. The state Government takes animal welfare extremely seriously and we brought in some reforms to strengthen animal welfare provisions within Tasmania. The penalties for animal cruelty increased dramatically. This Government is very proud of and pleased with those reforms. We will continue with reform in this area because animal welfare is a very high priority for our Government. We would all recall -

**Dr Woodruff** - You put effort into penalties but nothing into enforcement. We just had x racehorses that were not autopsied being dumped at ZooDoo to be fed to the lions and the Office of Racing Integrity clearly is not capable of doing that work.

**Madam DEPUTY SPEAKER** - Order, Dr Woodruff. You have already made a contribution to this bill.

**Mr ROCKLIFF** - I am pleased you raised the Office of Racing Integrity because we re-formed the Office of Racing Integrity from the old Racing Services Tasmania. The Office of Racing Integrity is an important statutory body for Tasmania to ensure that the racing industry lives up to integrity matters, whether they be commercial integrity matters or animal welfare integrity matters. There was a report authored by the then Racing Services director and the Chief Veterinary Officer following horrendous footage about the greyhound racing industry that we witnessed around February 2015, as I recall.

**Dr Woodruff** - It's still going on. I showed pictures to Ms Courtney last year and she didn't respond.

**Madam DEPUTY SPEAKER** - Order, Dr Woodruff.

**Mr ROCKLIFF** - As a result of that there were reforms. Other recommendations were made by the co-authored report, including reforms to set up the Office of Racing Integrity and animal cruelty provisions as well. Much has happened and changed, to my understanding -

**Dr Woodruff** - But not enough. You know there are dodgy operators out there.

**Madam DEPUTY SPEAKER** - Order, Dr Woodruff.

**Mr ROCKLIFF** - to strengthen animal welfare provisions and it will be based on continuous improvement.

**Dr Woodruff** - That's not good enough for the animals that die.

**Madam DEPUTY SPEAKER** - Order, Dr Woodruff. You have made your contribution. Let the minister be heard.

**Mr ROCKLIFF** - It is an area we are proud of in terms of the reforms we have made. Part of those reforms were to the racing industry to make sure that we keep that separation between the commercial arm of racing and the integrity arm. There were arguments made at the time that in order to find some savings we should combine both the commercial arms of Tasracing and the integrity arm. At the time, as minister for racing, I resisted that because it was important to have that separation between the commercial and the integrity arms to make sure the commercial side of racing was held accountable to their responsibility from the Office of Racing Integrity. That was an important structural commitment to maintain, in my view.

In relation to the people involved in the thoroughbred racing industry and the jockeys themselves, it is a very dangerous occupation and we should do all we can to minimise any risk within the racing industry. I take my hat off to our jockeys who work extremely hard, at very early hours in the morning when it comes to trackwork and on race day as well. They are engaged in an activity that has a considerable amount of risk and without their commitment and involvement with thoroughbred racing we would not have that industry at all.

When it comes to the civil liability amendment and legislation such as this, it is important that we recognise where we can strengthen, support and protect those engaged in sporting activities, and in this case we are speaking of, for our jockeys engaged in the thoroughbred racing industry, it is an important thing to do.

I support the minister for the legislation she is bringing before the Parliament. I thank all those involved with the racing industry, whether they be a jockey, an owner, a breeder, a stablehand or whatever the case may be, for the valuable work they do in ensuring that that over \$100 million of economic activity is spread throughout regional Tasmania. That is really good for jobs in our rural and regional areas around Tasmania.

[12.45 p.m.]

**Mr SHELTON** (Lyons - Minister for Police, Fire and Emergency Management) - Madam Deputy Speaker, I rise to make a small contribution on this bill today. Much has been said about

the jockeys and the need for the bill and so forth, and from my point of view as a member for Lyons with my office at Longford, I want to highlight to the House how important the racing industry is to that rural sector and what it means to our economy. When you talk about the economy everything plays a part so it does not matter whether you are producing livestock to sell or whether you are employing people picking raspberries or strawberries, or you have a number of people employed at a stud farm looking after the thoroughbreds that that stud farm produces. Everything in our economy is very important. Without our jockeys our racing industry simply cannot exist, so this bill is very important.

From my perspective there are three things I would like to talk about. First of all, as a previous mayor of Meander Valley Council we went through the process about what we needed to do to strengthen the situation around Meander Valley as far as the breeding industry goes. Armidale Stud at Carrick produces thoroughbreds every year and the racing industry in Tasmania is critical to the thoroughbred breeding industry but so is our reputation when it comes to taking these horses to the mainland and the opportunity to win prize money there. The racing industry is critical and any breeding industry is a good environment to live and work in for the employees, but when it comes to the breeding industry to put foals on the ground in the Tasmanian environment is marvellous. There is fresh clean air, clean water and lots of long grass to chew on. The thoroughbred breeding industry is a big industry and can grow in Tasmania and take on the main mainland thoroughbred industries.

In particular I would like to talk about the Armidale Stud, with David Whishaw taking over from his mother, Robyn. I was invited a few months ago now to a stallion parade there. I have never been to a stallion parade before but the idea from a stud breeder's point of view is to present the stallions that you have there standing to the rest of the racing industry, and on a very inclement day around 100 people turned up to this stallion parade. One of those stallions paraded on the day was Needs Further. I was listening to the contribution of my colleague, Mrs Rylah from Braddon, who mentioned Mystic Journey. Needs Further is Mystic Journey's father, so the industry is producing group one winners to go to the mainland. That brings mainland money back to Tasmania. So not only do they have the grounding within the Tasmanian thoroughbred industry and the races we have here in our state, but if you are good enough you can go to the mainland and win group one races. It is a big coup for any one breeder to start producing group one winners but it is also a big coup for Tasmania to do that and it heightens the reputation of Tasmania's breeding industry.

Needs Further is stationed at the Armidale Stud at the moment but there were many inquiries about what they could do as far as spreading Needs Further further across the Australian racing industry. That is from the breeding and training point of view.

I know there are comments about the racing industry and how horses are treated. Where my brother and I and my father have our property at Bracknell the next door neighbour - and I am sure Helen would not mind me mentioning her name - Helen Patterson has been a great neighbour of ours. She has been involved in the racing industry ever since I have known her. She has been a trainer and breeder in the racing industry and I can assure you that any horses that these people put on the ground and take through the training are looked after like they were their children. Helen is no different and I know of circumstances where she got back to one thoroughbred, and they can be fairly temperamental; anybody who has been involved in thoroughbreds knows they can be very temperamental. She went to the trouble of having a little pony running with the thoroughbreds so that it calmed the thoroughbred down and they could be looked after better.



In our environment there is long grass, clean air, and fresh water. Tasmania is a brilliant place as far as the breeding industry goes. I know there are many people working very hard in that industry. When I say lots of people, what I noticed when I was at the Armidale stallion parade is the number of people and the effort that goes in to looking after the fillies, the younger horses at the stud, and the stallions also. There is a stud master but it takes a lot of work and a lot of time looking after the mares foaling, going through that process, and it is simply a great employer of people. Along with that, because they very valuable animals, the quality of the food has to be fantastic and great as well and so the lucerne that is grown in the area, the stock feed that is produced, all contributes to the local economy.

When I come around to talking about it as the local member at Longford we have the Longford racetrack and one day a year, New Year's Day, the Longford Cup. That is a culmination of the whole 12 months work. That racing facility at Longford allows dozens of people to be employed. The trainers go there. They are on the track at 4.30 of a morning. The industry of course is an early starting industry. They are on the track early, they work hard, they do the work and in the Longford area and particularly around the racetrack you can go round and have a look at all the stables there and the employment that is created by this industry.

The bill is vital because it is about jockeys. Without jockeys we do not have a racing industry and therefore without a racing industry our economy is not as strong as it should be. I just wanted to put those points on the record.

[12.53 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Madam Deputy Speaker, I thank members for their varied contributions on what could have been a very dry subject prior to lunchtime.

I can say that because it was my main area of practice, the law of negligence. My first three Supreme Court trials were negligence trials when I was a junior counsel to David Gunson as he later became SC. I learnt not only an enormous amount from David but about the law of negligence, which can be quite complex. Certainly, when we had an insurance crisis - and we will call it 'insurance crisis' because it was an insurance crisis at the time - in relation to public liability insurance I remember it well and having to absorb the Ipp Report. I remember almost being able to recite the issues in my sleep at the time in 2001 when that was issued.

The Tasmanian government's response at the time was the Civil Liability Act. The jurisdictions that chose to codify the common law and in doing so respond to the numerous issues in the Ipp Report and also deal with this very issue of recreational activity and taking on more personal risk in terms of taking responsibility for your own personal safety. However, it did not really contemplate the issue that we have before us today, as I said in the second reading speech, and other members have acknowledged, accepted and agreed what the issue is and has been outlined, not only since the New South Wales Court of Appeal case of *Goode v Angland*, but the earlier case where her Honour Justice Wood presided in the *Dodge v Snell* case.

I can advise members of the circumstances in relation to the New South Wales court decision, because this bill is based on that case. It arose from an incident involving a damages case or claim by a UK jockey, Paul Goode, against Tye Angland for an incident at the New South Wales Queanbeyan Racecourse on 29 June 2009. Obviously, demonstrating the great risk for jockeys, it is a high-risk occupation. Horseriding is a sport and for a jockey it is an occupation; it is their livelihood. I must acknowledge their extreme courage in doing so, but a lot of them obviously love what they do. It was multiple Group One winning jockey, Tye Angland, who had a horrendous

accident in Hong Kong on 25 November last year. Sadly, despite several surgeries in Hong Kong and Australia since that fall, 29-year old Tye has since been confirmed a quadriplegic. The consequences involving that particular jockey are quite tragic.

The Australian Jockeys Association said in March this year that Tye has some movement in his arms, but he is unable to walk. Together the family is currently working with a range of stakeholders in coordinating and financing Tye's ongoing care and the family's long-term needs. I thought I would update the House about that as these are real people. They rely on being a jockey as their source of income. Although not relevant to the earlier case, it demonstrates that it is a high-risk occupation and why the law of negligence needs to respond to professional sportspeople who carry out their sport as an occupation. Yes, they love it. Yes, it can be recreational for them in a sense, but they earn an income from it and that is the very crux of what we are dealing with here.

Also, to respond to the issue of how many Tasmanian horses have won the Melbourne Cup: Piping Lane, it was 1972, I can confirm that and the owner was Ray Trinder. Incidentally, Piping Lane also won the Hobart Cup the same year and the C.B. Cox Stakes also that year in 1972, so Piping Lane had a wonderful year the year after I was born. Piping Lane was the third Tasmanian horse after Malua and Sheet Anchor. Although there was something when I googled it - good old Google - that said that Piping Lane was one of four horses, but I cannot find the fourth horse.

I note that a horse named Archer, although it is not Tasmanian I just thought for the point of pointless trivia, won the Melbourne Cup in 1861 and 1862. Two consecutive wins. Pointless trivia I know, but you take it where you can get it.

Many members have made contributions, not only on the legal issue that we are dealing with, but also the racing industry generally and how important it is to Tasmania and the overall economy and the health and wellbeing of some Tasmanians, because 5000 are either employed or engaged in some way in our racing industry across the state. That is significant.

**Dr Woodruff** - That did not reflect the Greens contribution. I hope you will note that we do not share the view.

**Ms ARCHER** - I am sure the *Hansard* will note that that did not reflect your contribution, Dr Woodruff.

**Dr Woodruff** - Just for *Hansard* we do not share the view.

**Ms ARCHER** - Dr Woodruff you have had your contribution and you made your point very clearly that you would like to ban the entire racing industry. I am sure the 5000 people involved -

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

## MOTION

### Housing Affordability

[2.30 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens - Motion) - Madam Speaker, I move -

That the House:

- (1) Agrees that:
  - (a) housing is a fundamental human right, and is foundational for participation in society;
  - (b) affordable rent prices are essential for equal participation in society and social mobility;
  - (c) Hobart is now the least affordable capital city in Australia;
  - (d) sharp increases in rents as a result of the housing supply squeeze and increase in short stay accommodation listings have forced many Tasmanians out of their homes, communities, and into homelessness; and
  - (e) the current trend of rent price increases is unsustainable and unjustifiable.
- (2) Amends the terms of reference of the Select Committee on Housing Affordability by inserting the following after paragraph (k):
  - '(ka) regulation of rent price increases, with particular reference to the ACT model'.

Madam Speaker, a vote will be required but I am hoping that we can agree on the substance of this motion and not have to divide because I believe everyone in this House recognises that housing is a fundamental human right, that it is foundational for participation in society. To be able to afford to pay your rent is essential for equal participation in society and social mobility.

We all know, the evidence is there right in front of us, that Hobart is now the least affordable capital city in Australia. This is coupled with the fact that, broadly, Tasmania is the poorest state in the Commonwealth. We have about a third of our population dependent in some way or another on Commonwealth welfare support.

There have been, and I am sure members in this place have had constituents come and speak to them about the huge increases in rents as a result of the housing supply squeeze and also the unchecked increase in short-stay accommodation such as Airbnb and Stayz, which has forced many Tasmanians out of their homes, communities and too many into homelessness.

We believe that the current trend of rent price increases is unsustainable and unjustifiable. We want to see the Select Committee on Housing Affordability specifically examine the question of rental affordability, justifiable rent increases and whether there should be a system like they have in place in the Australian Capital Territory where rent increases, in broad terms, are capped at the consumer price index. We seek to amend the terms of reference of the Select Committee on Housing Affordability by inserting the following after paragraph (k):

- (ka) the regulation of rent price increases, with particular reference to the ACT model.

The work of the Select Committee on Housing Affordability is important work. It will be the first time that this parliament has examined the current state of housing in Tasmania, whether it is the real estate market or the social housing market, how much affordable housing there is and those questions of supply that, we can all agree in here, urgently need addressing.

Unfortunately, when the Greens yesterday asked the Minister for Housing whether he would consider a policy of instituting caps on unjustifiable rent increases he called it a thought bubble. That is very disrespectful to the Tenants' Union of Tasmania which has called for caps on rent increases. It is very disrespectful to the legislature of the Australian Capital Territory which has had caps on rent increases in place since 2011. One of the things that the minister said in dismissing this idea is that it will be a disincentive to investors. That has not transpired in the Australian Capital Territory, which still has a thriving and viable real estate market where investors would appear to be more than happy to invest their money into property and to rent it out.

To argue that the market will take care of the soaring rents that people are facing in Hobart is to deny the reality of the market's incapacity to get policy right that puts people first. The most glaring and tragic example of this is global heating. That is a consequence of an unchecked, a psychopathic market where profit was put over people every time and now the planet is in deep trouble. As we know, the planet will probably survive but a question mark hangs over every living thing on it. The market will not fix the situation that has been experienced by renters in Tasmania. The market has driven the rise in Airbnb and short stay accommodation and the market is pushing up rents.

As I said yesterday, there was a young woman at the launch of Homelessness Week and you were there, as was the Minister for Housing and Ms Standen and this young woman, Orana. Her family had been made homeless because their rent was jacked up by 70 per cent. It made it impossible for her family to retain that home. We know that the people who are most at risk as a result of the housing supply shortage are young people, single parent families, and older Tasmanians. They are people who are at the front line of the market's failure to ensure there is a fair rental system in Tasmania and enough supply of social and affordable housing.

We cannot leave it to the market, the god of the market, which the Liberals worship each morning prior to breakfast. We cannot leave it to the market to fix this chronic social problem. We know it is not just a social problem. It is an economic problem as well because once people do not have secure and affordable housing families are at risk of breaking down. Schoolchildren do not go to school. There are enormous obstacles to skills development, training, employment and to being able to have a happy life.

We are firm in our view that there needs to be some sort of control over the soaring rents that people are experiencing in Tasmania. There have been stories of households that are on \$235 per week rent being told by their landlords that the rent is going up to over \$400 per week. If you are a low-income family that is an unaffordable rent. The next step for you, regrettably, as a result of this Government's failure to invest in supply, is homelessness or deep housing distress.

Yesterday when we talked to the minister about the need to cap rent increases in some way or another he talked about the role of the Residential Tenancy Commissioner. There is a story in the real estate pages of the *Mercury* newspaper dated 23 February last year. The story headline is, 'Residential Tenancy Commissioner rules 70 per cent rent increase reasonable'. The tenants were told by the Office of the Residential Tenancy Commissioner that the 70 per cent rent increase for their West Hobart unit was deemed reasonable. It goes on to talk about West Hobart's Kathleen

Garity, 63 years old, again falling within that high-risk group, who receives a fortnightly \$732 widow's allowance from Centrelink. She has lived in her one-bedroom unit for 15 years. In late November of 2017 Ms Garity was told that her \$175 a week rent would increase to \$300 a week, that is a 70 per cent increase from 31 January. She was given a little under three months' notice, and this was after her landlord had engaged a property management company. Ms Garity was originally told that the property management company wanted to increase the rent to \$350 a week, which would have doubled the rent that she paid, but her landlord offered a discounted rate because she was a long-term tenant. Well, a discounted rate of \$300 a week when you are on \$732 a fortnight means that more than half your income would be spent on rent. That means there is no money left over for food, transport and the other necessities and pleasures of life.

We have put questions on notice in relation to the Residential Tenancy Commissioner.

In relation to the period of 1 July 2016 to 1 July 2019, which is the period in which we saw rent and short-stay accommodation listings soaring at the same time, we are asking the Government to detail to the House the number of applications lodged under section 23(1) of the Residential Tenancy Act of 1997; the number of applications determined by the commissioner in favour of the tenant; and the number determined in favour of the landlord. We would like to know the number of applications determined by the commissioner in favour of the tenant referred to a court under section 23(5) of the Residential Tenancy Act 1997; of the cases referred to in question three - the number resolved by the courts in favour of the tenant and the number resolved in favour of the landlord. We would like to know the number of applications determined by the commissioner in favour of the landlord referred to a court under section 23(5) of the Residential Tenancy Act; and the cases referred to in question five; the number resolved by the courts in favour of the tenant and the number resolved in favour of the landlord.

This is no reflection on the Residential Tenancy Commissioner. This is an attempt to obtain information about how tenants' rights can be protected through the Office of the Residential Tenancy Commissioner and whether that office is an effective mechanism to prevent unscrupulous landlords from gouging their tenants. We know it is happening and if you talk to the Tenants' Union of Tasmania and not dismiss their concerns as a thought bubble, minister, you will hear really confronting stories of long-term tenants for whom some or all of their income comes from the Commonwealth, who are living in fear of raising concerns with their landlords about maintenance or heating in the house because they are worried about being evicted. You have tenants who are living in houses that are unfit or unsafe for which the landlord, under the Residential Tenancy Act, has a responsibility to undertake those repairs and maintenance but the tenants are not raising those issues because they live in fear of homelessness. That is the situation we are in now.

We need to do more to protect the rights of tenants and we know there are likely to be some amendments coming into the Residential Tenancy Act. We will be moving amendments that tip the balance of the act more in favour of the tenants because the balance of the act now favours the property class.

When I asked the minister this morning about the 20 housing Tasmania tenants who were evicted during the period that the Gregory Parsons case was before the Supreme Court, he deflected in his answer. How many of those 20 tenants were evicted under section 42(1)(d) of the Residential Tenancy Act, which relates simply to the expiry of lease? We have made this point in here before: Housing Tasmania is not your average landlord. Housing Tasmania has to be a model landlord. It cannot simply apply the baseline that is in the Residential Tenancy Act, particularly at a time when we have a housing crisis. The question we asked this morning was; how many of those 20 tenants

had been given the opportunity through the Government's so-called three strikes and you are out policy to address concerns about their tenancy if there were any concerns? How many of those 20 tenants were simply evicted because their leases had expired? That is the question that the minister avoided answering.

We will persist with this line of questioning until we have real transparency about the metrics Housing Tasmania is applying to the evictions of tenants. It is not good enough for the minister to say eviction is always the last resort. We do not have evidence of that. During my time in that portfolio, it was Housing Tasmania policy not to evict people into homelessness. We do not know if that remains Housing Tasmania policy but I would be very interested to know what sort of follow-up has been done on the 20 tenants who were evicted at a time that the Supreme Court was hearing a case in relation to Housing Tasmania's eviction policy. We need to protect tenants, whether they be in the private rental market or in the Housing Tasmania portfolio of properties.

The ACT model has been in place for eight years. In the ACT, rent increases are limited to once every 12 months and tenants have a right to eight weeks' notice in writing. Excessive rent increases can be disallowed and rent reductions can be ordered. Rent increases in the ACT are covered by the Residential Tenancies Act 1997. As it is with our act, the terms of every tenancy are set out in the RTA and standard lease and known as the standard terms.

Unfortunately, we do not have standard leases in Tasmania. We have a range of different classes of tenant. This is something Shelter Tasmania and the Tenant's Union of Tasmania have been calling for some time; that there be a standard lease so that you do not have landlords and property agents putting clauses in leases or the residential tenancy agreement that are unlawful or questionable in law. If a landlord applies an increase to a rent but the tenant believes is excessive, they can apply to the ACT Civil and Administrative Tribunal for a rental rate review. The ACT tribunal has a formula linked to the Consumer Price Index, which is applied to determine the onus of proof. If the proposed amount is greater than the calculated figure the landlord must satisfy the tribunal that the increase is justified. If the increase is less the onus is on the tenant to satisfy the tribunal that the increase is unreasonable.

We cannot see that this is radical policy. What justification can there be for a landlord telling a long-term tenant who is on a widow's pension that they are going to almost double the rent they are charged? What is happening to these tenants? I know a person who is on, as I said yesterday, a disability support payment. Their rent has been \$220 a week. A couple of weeks ago they were told the rent is going to go up another \$20, so that is \$240: \$480 a fortnight out of a disability support payment. Every member of this House knows that Commonwealth rent assistance is capped, so there is a cap on CRA, people who receive Commonwealth rent assistance and rents keep going up because the market is driving them up, and you are going to have a new cohort of tenants who are living well below the poverty line and at higher risk of homelessness.

We have a responsibility in this place to make sure we are giving effect to good policy and improving legislation. Tasmanians would be expecting us to do that in the best interests of them and at the moment we have this Government's inability to do anything that offends the property class. Even with the glaring evidence presented by the Institute for the Study of Social Change that Airbnb listings have not peaked yet, that there is a saturation of the market, we have no action from this Government. When we sought to have a pause placed on Airbnb listings in May 2018 every single Liberal member voted against that and all we have from the minister is a data-gathering exercise, as I understand it. There has been no update in the House -

**Mr Jaensch** - Then you will have evidence for policy making.

**Ms O'CONNOR** - The evidence was presented to you, Mr Jaensch, by the Institute for the Study of Social Change.

**Mr Jaensch** - That's not evidence.

**Madam SPEAKER** - Through the Chair, please.

**Ms O'CONNOR** - That is very encouraging, Mr Jaensch. What you seem to be implying by omission is that if the evidence comes back and says that Airbnb and Stayz listings are out of control and shutting people out of the affordable rental market, you may well take action.

**Mr Jaensch** - You'll have evidence to make policy on, as will council.

**Ms O'CONNOR** - That does not apply to climate change, of course, because the evidence is there. You are part of a government that refuses to take effective action, but I am moderately encouraged by your statement by interjection that if there is the evidence then you may well change something. The evidence, particularly in Greater Hobart, is there. There is no question of that whatsoever. From a property owner's point of view it is often far more profitable and less problematic to put your house onto Airbnb. We know that is happening. I look forward to the minister, Mr Jaensch, presenting whatever data that has been made available through that process to this House at the earliest opportunity.

Should this motion pass, we may well seek to have some of that information presented to the housing select committee because we too need data and evidence. The evidence we are hearing from constituents, people who are living on the margins, single parents, young people and the elderly, is that they simply cannot find an affordable rental. That is the evidence. Part of the problem, of course, is short-stay accommodation, but the other part of the problem is the lack of supply, something for which the Liberals must take some responsibility having spent the first term of the Liberal Government not addressing the housing supply crisis but instead pouring money into roads and bridges and ignoring the need to increase the supply of social and affordable housing. The evidence is very clear that we need to do something to make rents fairer and more affordable for low-income Tasmanians.

Madam Speaker, I commend the motion to the House.

[2.53 p.m.]

**Mr JAENSCH** (Braddon - Minister for Housing) - Madam Speaker, the Government will not be opposing the motion but we do not see that it is needed, for a few reasons. First, as discussed before, rent control mechanisms exist under existing legislation in Tasmania already. Second, the terms of reference for the housing inquiry already include a term to the effect of 'and anything else relevant to the topic'.

**Ms O'Connor** - 'Matters incidental thereto' but unless it's specifically referred to it's often not examined.

**Madam SPEAKER** - Thanks for that clarification - through the Chair, please.

**Mr JAENSCH** - So there is scope. Again, somewhat redundant. Third, the Greens rely heavily on the ACT model as a basis for their argument and I think that is somewhat flawed. I will come back to that in a minute in the time I have. Fourth, the inquiry itself, with or without this inclusion in it, is still just a group of politicians talking to each other. It is no substitute for action in building houses.

Right now, in Homelessness Week, Shelter, TasCOSS and the various stakeholders who we heard from, 100 or so of them towards the end of last year, as we were reviewing and resetting our Affordable Housing Strategy, resoundingly said there is no substitute for building more houses. What our market needs is more homes. That is what is driving rents up and making affordability out of reach for many people; not enough homes for the people who need them in Hobart.

The Hodgman Government is focused in our strategies on addressing this problem in the market by increasing supply, not simply trying to address the symptom of that but addressing the cause by putting more houses into the market at every point in our housing system. In motor sport there is a saying that there is no substitute for cubic inches. In the housing sector we know when it comes to affordability and homelessness there is no substitute for increased supply of housing in the market. Our Government is focused on driving supply at all points in our housing system, increasing outreach and emergency accommodation for people sleeping rough, increasing the shelter system we have, the capacity, on a temporary basis so they can take more people now while we build more permanent shelter capacity across Tasmania in areas of highest demand under our Affordable Housing Action Plan. At the same time we are developing new long-term supported accommodation, more social housing supply and more incentives and conditions that are conducive to investment in more housing in the private market across the board, including incentives specifically for people who are building new houses that are made available for long-term rent. This is dealing with the issue of supply at a time when it is low, demand is high and we are seeing consequences for Tasmanians at the lower end of the market.

We are seeing more state investment than ever before in the provision of social housing and affordable housing solutions, a total of \$200 million over eight years, \$125 million for our second Affordable Housing Action Plan, \$68 million in this year's Budget alone, \$30 million negotiated with the federal government under the City Deal to contribute to social and affordable housing in Greater Hobart, and an extra \$5 million for homelessness response in the last month, which is coming online in coming weeks, a resolute campaign to see our Commonwealth housing debt waived and an aggressive program of identifying rezoning and releasing land for housing, including affordable and social housing throughout our housing land supply, emergency provisions that were supported by both Houses of this parliament. There is a lot of work going on to deliver on that supply side of this equation, which is the thing that is driving rents up. There is nothing else that will address that than more houses for Tasmanians to live in.

The work this Government has been doing, not only in the social and affordable housing and homelessness sectors but in the market more broadly, is starting to show. Australian Bureau of Statistics figures show that in 2018-19 there were 3121 dwellings approved in Tasmania, the strongest growth of any state and 9.5 per cent higher than approvals for 2017-18. By comparison, in the year to March 2014 when those opposite were in government, only 2040 dwellings were approved.

**Ms O'Connor** - We built 2200 new affordable homes.



**Mr JAENSCH** - Different times but a different approach, which is demonised by the member who just interjected in terms of our attitude to the people who drive investment in housing. We make no apology for that because what we need now in Tasmania is more housing.

**Ms O'Connor** - The problem is you don't understand balance.

**Mr JAENSCH** - What we need is more houses for Tasmanians. The reason we are doing this is because of the supply and demand pinch which is making affordability out of reach for some people and driving rents up and causing housing stress up for many in the market. That is why in our existing regulations and under our existing legislation there is a variety of rent-setting approaches used. I will reiterate them for the record. In public housing, tenants pay an income-based rent which is set at a maximum of 25 per cent of their assessable income -

**Ms O'Connor** - Thank you, Greens minister.

**Mr JAENSCH** - Good on those who put that in place but it means that people at the lower end of our market who need assistance to maintain their tenancies in housing are buffered from these changes in the market around them through these systems. Community housing tenants under the Better Housing Futures program pay 25 per cent of their assessable income and the Commonwealth rent assistance they are entitled to receive from the Australian Government.

Tenants who rent in properties constructed under the National Rental Affordability Scheme usually pay rent set at a maximum of 80 per cent of the market rent and where there are concerns about excessive increases, the Residential Tenancy Commissioner already has powers to make orders to limit unreasonable rent increases under the Residential Tenancy Act 1997.

The rules state that under the Residential Tenancy Act 1997 rent amounts can only be increased if certain conditions are met, including whether there is a written lease which allows for increases and sufficient warning has been given to the tenant at the beginning, or renewal, of the lease.

It is important to note that the Residential Tenancy Commissioner now has the power to review all rent increases to assess the reasonableness of those increases and in the event that an increase is found to be unreasonable, the commissioner may order the owner to limit or change the rent increase to a specified amount. Those provisions exist in law in Tasmania right now and I note that Ms O'Connor, Leader of the Greens, has foreshadowed that she will be seeking some data on the extent to which those powers have been used. That will be instructive for us all and what it possibly might show us as well is that there are provisions already under our statutes that more people need to know about and use more often.

More importantly though for this debate is that the member who brought this motion specifically in the addition to the terms of reference of inquiry that she is referring to draws attention to the law in the ACT as the example that this can work, that the market is not king and that intervention is warranted and that it has not had a negative effect. I note that in those aspects of the law in the ACT that the member read into *Hansard* in her contribution sound remarkably like those that we have here right now.

**Ms O'Connor** - The difference is they have a tribunal and a CPI cap.

**Mr JAENSCH** - There is an interesting clause that she did not read at the end of the list of conditions of the law that applies in the ACT. First, the rent may only be increased at intervals of

at least 12 months. The landlord or agent must give the tenant notice of intention to increase the rent. If the tenant believes the increase is excessive they can apply to the tribunal for a rent increase review, which is very similar to what is available here with the Commissioner. If the tenant remains in the premises without applying for review the increase takes effect from the date specified. The restriction on increases applies, blah blah blah.

It goes on to say over the page, are there any limits on the amount of a rent increase? Now, what Ms O'Connor would have us believe is that today and she said so on the radio in the weekend that she was going to come in here this week in Homelessness Week and lay down a challenge and insert into the inquiry the examination of rent caps because we need rent caps and made heavy reference to the ACT, which does not have rent caps.

**Ms O'Connor** - It has a CPI measure that the tribunal applies.

**Mr JAENSCH** - It has a measure to determine 'reasonableness' and there is a 'reasonableness' clause in the Tasmanian legislation but it does have in bold at the bottom of the page the ACAT, that is the tribunal referred to, may allow an increase that brings the premises in line with rents for comparable premises, that is, market rents. So, the cap that Ms O'Connor is claiming to be proposing the same as the ACT allows there to be an assessment of reasonableness as we have here and that there is nothing stopping the ACAT setting or allowing an increase that is fair in the market, that is equivalent with equivalent premises in the market.

I believe Ms O'Connor has come in here under false pretences to some extent and I am sure she has promised some stakeholders she is going to come in here and plant a flag for rent capping in our market because that is what we need just like they have in the ACT and it has not had any effect. It has not crippled investment in residential dwellings in the ACT partly because it is not rent capping, Ms O'Connor. It is the same as we have here now and it is measured against the market norm. That is somewhat misleading. I hope that in Ms O'Connor's telling of this to her audiences later on she acknowledges that the mechanism that she has held up -

**Ms O'Connor** - People will read the *Hansard* and judge for themselves.

**Madam DEPUTY SPEAKER** - Ms O'Connor, let the minister have his turn in complete peace, please.

**Mr JAENSCH** - is one, in effect, that is about ensuring 'reasonableness' with a view to what the market is doing in that jurisdiction and that is very similar to what we have here.

At the end of the day what is being proposed by Ms O'Connor is not necessarily something new. It is certainly not what she is telling her audiences that she is bringing in here today. The controls on reasonable -

**Ms O'Connor** - You are misrepresenting me completely. I am simply asking the inquiry to look at this and make some recommendations.

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor. You have had your turn.

**Mr JAENSCH** - This is not rent capping. It is a reasonableness test and the opportunity for appeal and a mechanism to do that, which is what we have right now. The reason that it has not

had a bigger impact on investment in residential properties in the ACT is that it is not rent capping. It is sort of market reasonableness and that is what we believe should continue to operate here.

The Greens would love to see an actual rent cap imposed. If that happened then I predict - and everybody who comments on this predicts - that this would be another reason for people not to be investing in more rental properties for Tasmanians at a time when we need them more than ever before. That is where the property class that you talk about - it is not the property class that we are talking about - it is the people who are ready to invest in houses for Tasmanians who need them and make them available, to make more rental properties available at a time when the problem is not enough rental properties available. That is what we want to make happen more because we need more houses. Housing ends homelessness and that is what the Hodgman Liberal Government will continue to focus on.

**Ms O'Connor** - Why are you not advocating for an increase in Newstart?

**Madam DEPUTY SPEAKER** - Ms O'Connor, order.

**Mr JAENSCH** - I know that in a corner, Ms O'Connor dives off into climate change and Newstart, but what we are talking about here is housing and what will drive the availability of more houses that means there is less competition for housing in the market, that those on lower incomes are better able to compete. That is what we are doing. We are driving more housing so that there is a fairer market.

In the meantime, we are assisting Tasmanians who are at the bottom end of that market and on the cusp, we are helping them to stay in the market through our private rental incentive program and other initiatives that ensure that if they can stay in the market with a bit of help, we will help them. If they can buy their own home and join the market we will help them through Streets Ahead, through HomeShare, and if there are people out there who are on the verge of being able to invest in new housing for Tasmanians we are making more affordable land available to them. We are offering a \$20 000 first home buyers grant. We are offering land tax rebates for people who build new houses and make them available to people for long-term rent.

We are doing this not because of some love affair with a class, which is what Ms O'Connor likes to try to bring it back to all the time, but because this is what we need to do to drive the market in the direction of delivering more houses for Tasmanians because that is what we need right now. We will continue to focus on that. You can add what you like to the terms of reference for this inquiry. It is not going to make a big difference but we are not going to stand in its way. We will listen to the things that are said and we will weave into the next stages of our investment in our Affordable Housing Strategy for Tasmanians who need a home.

[3.09 p.m.]

**Ms STANDEN** (Franklin) - Madam Deputy Speaker, what a strange use of the parliament's time this is to have this debate to amend terms of reference for the House of Assembly Select Committee on Housing Affordability when the terms of reference for that committee were widely consulted and agreed on, and even driven by the community sector that was crying out for further action because of this Hodgman Liberal Government's incompetence in relation to addressing social affordable housing in this state.

From the outset I indicate that whilst we will not be opposing this motion, like Mr Jaensch, we do not see the necessity for it. I highlight for members' attention the consequences of amending the

terms of reference, which would be considerable, and perhaps the member for Clark who brought this motion before the House might like to reflect on the consequences as being contrary to the intentions of the select committee and -

**Ms O'Connor** - It is about affordability, Ms Standen.

**Ms STANDEN** - If she was able to listen to my contribution she may decide not to proceed with her motion.

There were 12 terms of reference outlined that were advertised and there has been, I think, a good response from a range of players, with submissions being published. As the member would know, the proceedings for the select committee are well underway. The terms of reference include:

- (j) changes to Tasmania's residential tenancy laws that could improve housing affordability, security and living standards in Tasmania;
- (k) successful strategies in other jurisdictions that could be effective in improving affordability in Tasmania; and
- (l) any other matters incidental thereto.

The member for Clark is a very experienced parliamentarian and I would have thought she would understand and seek counsel from the Clerk of the House in relation to this.

**Ms O'Connor** - I did speak to the Clerk actually, Ms Standen.

**Ms STANDEN** - Good, and did you listen to his advice, Ms O'Connor?

**Ms O'Connor** - Yes.

**Ms STANDEN** - I am gobsmacked that the member would continue with this motion, frankly. I understand that the point she is trying to raise within the amended terms of reference would be captured within the existing terms of reference. Therefore, a range of respondents with comprehensive submissions, organisations sometimes with very limited resources that have taken the time to outline comprehensive responses in relation to those terms of reference, could very well within the existing terms of reference raise the matters she is trying to put forward in the amended terms of reference.

That is the fact of the matter. The consequences of amending the terms of reference would be considerable and cause inconvenience for the people who have already taken the time to outline their submissions. There has been the cost of advertising. I am not sure whether we would, as a committee, need to reconsider the possibility of having to readvertise and even reschedule hearings that have already been set down. I will not go into the details of that because I am not sure what is in the public domain and what is not in relation to the select committee.

People have already been notified and appointments made in relation to submissions and if there is a change of the terms of reference potentially the select committee members would need to reconvene to consider how to notify those people. The secretariat would then be put to the inconvenience of having to contact them and giving those respondents to review their submissions

and amend them. That may potentially substantially set back the time frame of this select committee.

As the member knows very well, there is an ambitious time frame around this select committee for the very reason that we agree there is an urgent need for action. The committee is set to report by 15 October, which I understand from the secretariat is achievable though very ambitious, so I would be very concerned that any interruption to the procedure of the select committee could jeopardise that time frame and put respondents to considerable inconvenience.

**Ms O'Connor** - There is no intention to do that. You should stop hand-wringing and deal with the substance of the problem. The procedural stuff is irrelevant.

**Madam DEPUTY SPEAKER** - Ms O'Connor, you have already made your contribution. I ask that the member has her chance to make her contribution in silence.

**Ms STANDEN** - She understands that the organisations and individuals in some cases who have taken their time to outline comprehensive submissions to the select committee will be inconvenienced and that the time frame for the procedural hearings and the time frame for reporting beyond mid-October may well be blown out and yet -

**Ms O'Connor** - Through you, Madam Deputy Speaker, I indicate that there is no intention to blow out the time frame.

**Madam DEPUTY SPEAKER** - Is that a point of order?

**Ms STANDEN** - I will not indulge these petty interjections, Madam Deputy Speaker.

The fact is that the Shelter Tasmania policy committee, the peak body for housing and homelessness for this state, is well represented from the community sector. For the benefit of the House I will list the organisations that are members of that policy committee. They are the Hobart City Mission, Centacare Evolve Housing, Launceston City Mission, Colony 47, Salvation Army Housing and Homelessness Services, Housing Choices Tasmania, a tenants representative, Oak Possibility, Tenants Union of Tasmania, Anglicare Tasmania, Youth Family and Community Connections, Community Housing Limited, Catholic Care Tasmania, Magnolia Place Launceston Women's Shelter, Mission Australia Housing and Karinya Young Women's Service, Launceston.

**Dr Woodruff** - Have you had a chat to them and asked them? Where do you think the terms of reference came from?

**Ms STANDEN** - The member for Franklin, by interjection, asks whether I have taken the time to ask these community sector organisations what they think of this. This is the point I am trying to make. These organisations have all been involved in the consultation process for the terms of reference. They were extensively consulted and were comfortable that the terms of reference that were eventually passed by this House were comprehensive, well consulted and struck the right balance in terms of the time frame for reporting, noting that there was considerable urgency around addressing perceived inaction around housing and homelessness services.

**Ms O'Connor** - Why don't you talk about rental affordability?

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor, I am sure you do not want to have to leave during your own private members' time.

**Ms STANDEN** - The committee wrote to each of those organisations, and then some, in terms of offering and even soliciting the opportunity for submissions to the select committee. They were extensively consulted at the front end, they have been recontacted subsequently to give them the opportunity to put forward submissions, some have taken the opportunity and others have not. That is the way these things go. But given the time frame I am happy that a number of these organisations have taken the opportunity to put forward very comprehensive submissions. I am very optimistic that we are going to get expert advice from housing and community service providers from right across this state into the select committee process.

**Dr Woodruff** - You wouldn't possibly want to look at good examples from other states.

**Madam DEPUTY SPEAKER** - Allow the member to make her contribution in silence, please.

**Ms STANDEN** - What we do not need is a former housing minister pretending to be expert in all things housing and homelessness. Although she is a member of the committee and I respect her contribution and the knowledge she brings to the table, as per all the other members of the committee, really the opportunity here is for us within the parliament through that select committee process to hear the voices of the people within the community and private sector, to allow all involved to put forward their ideas as to what is impacting housing stress and homelessness in this state.

**Dr Woodruff** - You are being contradictory to your own argument. Why would you not want to ask a question about this issue?

**Madam DEPUTY SPEAKER** - Order, Dr Woodruff. You may make a contribution soon. Let the member finish her contribution, please.

**Ms STANDEN** - Madam Deputy Speaker, I am not about to argue against the need for this select committee. I was the member involved in putting the motion forward. I fully acknowledge the housing boom, the population growth, the challenges around migration, and the visitor economy, the sharing economy, student accommodation, the building and construction industry; all of it. More and more low- and moderate-income Tasmanians of all ages, particularly younger and older Tasmanians, are feeling the squeeze, are being pushed out of the private rental market. The points the member is trying to make in relation to rental affordability are adequately captured within the existing terms of reference for this select committee.

I acknowledge that Tasmania has experienced challenges, with 120 000 Tasmanians living below the poverty line, and with low wages growth impacting rental affordability. Hobart is now the least affordable capital city, with estimated increases of 44 per cent in rental costs over the past decade, double the national average. There are an estimated 1600 homeless Tasmanians living in Tasmania on any given night and that is a census figure from 2016, some three years old. Experts within the field accept that is an under-count in relation to the situation we are confronting. Only 8 per cent of those estimated 1600 Tasmanians are estimated to be sleeping rough, roughly 120 to 150 people within the greater Hobart area. We have a public housing waitlist of 3300, yet this Government is apparently asleep at the wheel. They had an emergency summit at the beginning of last year, followed by a further emergency summit, crisis talks around housing and homelessness.

The Minister for Housing, who I note has fled the Chamber, unwilling to engage in these issues confronting his portfolio, has outlined a plan for crisis accommodation for some 70 people out of those 120 to 150 people in the Greater Hobart area. There is no plan for crisis accommodation elsewhere across the state. Goodness knows what he would say to the people of St Helens, Burnie, Smithton and Huonville. He knows homelessness is an issue impacting the state. When speaking about emergency accommodation for 70 people, though welcome, let us not be under any mistaken belief that those units will be filled quick smart because the demand is so significant.

This minister has failed so far to outline how much of his \$5 million package is to be spent on crisis accommodation and over what time frame. He has failed to outline what will be spent on brokerage services. An emergency package was run through Housing Connect last year and I understand it is to be repeated this year but, like his Affordable Housing Strategy that was set five years ago, the market continues to deteriorate. There is no work plan. There is no answer regarding service delivery, either one-off or recurrent. There is no indication of demand analysis, so that the Government understands the situation, how it is deteriorating and what it would take to get ahead of this deepening problem. There is no plan for delivery of regional services.

**Ms O'Byrne** - I notice the Minister for Housing has not been in the room for some time.

**Ms STANDEN** - No, there is no Minister for Housing when we are discussing an area that is profoundly affecting his portfolio. I understand he will be sleeping out with Salvos, as I will be, tomorrow night but he could be showing the House some courtesy in sitting to hear about these issues. There is no plan for regional service delivery to address housing and homelessness. There is no plan for families, although his statement to this House promised crisis accommodation to support families. I cannot see how that will happen because Bethlehem House does not take children. The Hobart Women's Shelter does not take teenage boys over 16 years of age.

What has he announced? The Homelessness Week theme this year is Housing Ends Homelessness, as he says. There has been an opportunity for the federal government. Luke Howarth, the Assistant Minister, was here for the launch of National Homelessness Week. It was an opportunity for him to do what Michael Sukker, national Minister for Housing, failed to do about six or seven weeks ago while cheered on by Senator Abetz. There was no detail on the housing debt and the community sector and the people who are suffering most, the homeless people in Tasmania, were waiting with bated breath to hear what it was that Mr Howarth had to say but we could only hear crickets. Nothing. We are still waiting.

We had an outline from the state minister, Mr Jaensch, about a homelessness package that has several gaps in it. What did we have instead? An announcement about an expo that will connect people with services. Hang on, that is what Housing Connect does. Anyway, there might be some value in that but that is going to be held in October, beyond winter, and it is going to be a one-off. They will consider repeating the expos in regional areas next year. Although there could well be some value in an expo like this, it demonstrates that this Housing minister lacks conviction, depth and follow through in addressing housing and homelessness in this state. Housing ends homelessness, as he said.

In the period 2009 to 2014 there were just over 2200 new social affordable homes built in this state. In 2014, before the housing market had deteriorated to the extent it has, the Government promised 900 new social, affordable homes by mid-June of this year, yet they built less than 50 per cent of that target. This minister keeps beating his chest and insisting he has met targets. He has to promise now to deliver an additional 1500 over the next four years. I hope he delivers on

that target but to demonstrate the depth of the problem, I have written to the minister to understand how many new homes have been delivered in the past 12 months. However, to the end of May at least, there were only 43 additional public housing homes available.

Regarding the broader issue of housing demand in this state, it is estimated that we need to build together with the private sector - it is not only a Government problem - over 17 900 new social and affordable homes by 2036 to arrest the shortfall caused by a lack of investment due to inaction in the first term of this Government and anaemic wages growth. There are considerable issues here. The system is blocked. The shelters are full and there is a considerable lack of leadership in this space.

**Time expired.**

**Motion agreed to.**

## **MOTION**

### **Unemployment and Jobs - Motion, as amended, Negatived**

[3.30 p.m.]

**Ms O'BYRNE** (Bass - Motion) - Madam Deputy Speaker, I move -

That the House:

- (1) Notes that Tasmania's jobless rate is 6.7 per cent, which is the worst in Australia.
- (2) Further notes that the jobless rate for Tasmanian women is 7.1 per cent, the highest in Australia.
- (3) Further notes that more than 6200 Tasmanian full-time jobs have been lost in the last year, 4100 of whom were women.
- (4) Further notes that the jobless rate for Tasmanians under 25 years old is 13.5 per cent the second worst in Australia.
- (5) Further notes that Tasmania's underemployment rate is 10.4 per cent, which is the worst in the nation.
- (6) Further notes that average duration of unemployment in Tasmania is 70.9 weeks, well above the national average.
- (7) Further notes that there are fewer Tasmanians in full-time work than when the Liberals were elected in 2014.
- (8) Acknowledges that the Government is failing to grow secure, full-time jobs in Tasmania.



- (9) Calls on the Government to adopt Labor's policy for free TAFE courses across key industry sectors where there are skills shortages, including disability and aged care, building and construction, and hospitality.

Madam Deputy Speaker, it is an odd position to be standing in this House for this particular motion because I would have hoped that it would be the sort of thing the Government would take some ownership of themselves. It should not require an opposition to come into this House to resolve what are some significant issues for this Government, that of the quickly escalating unemployment rates and the clear lack of a vision by this Government to deal with that. The problem comes down to the point that if you are so determined to pretend that something is not a problem then you would never take ownership of it and you cannot then resolve it. We all know that regardless of what the error is, the first thing that you do is recognise the problem and then you can map through the pathways to solutions.

The motion before the House substantially talks about the unemployment circumstances within Tasmania, the concerns that we have about that, concerns that I note are not shared by the Premier from the answers to questions earlier this week, but also talks about some strategies for resolving them.

The Government is very quick to stand in here and say no-one has any solutions, no one has no ideas, no one has any plan and therefore they do not have to listen to anything that anyone says. Labor does have a plan in this area. I go to the end point of the motion which does have an action plan for the Government. It calls on them to adopt Labor's policy for free TAFE courses across key industry sectors where we know there are skill shortages and they include disability and aged care, building, construction and hospitality.

This is a plan that Labor has been talking about for some time. It is a plan that has been getting very good support because we know that cost is a barrier to participation. The reason we can give some local and recent evidence from that is that not very long ago we had an Estimates process. In that Estimates process we were able to identify that completely without permission and completely outside of its guidelines, TAFE had applied a fee to a course that was supposed to have a subsidy. They removed the subsidy which significantly impacted the cost of the course. We know from that evidence that fewer people enrolled in that course because of cost. The cost was a barrier to participation. That is a significant issue that we have. We know that that is going to be the case. We have local, recent evidence that shows that if you have unmanageable costs then you shut the door on some people with their training plans and their training futures. I do not think anyone in this House, hand on heart, could say that there is a reason that we should be precluding access to TAFE.

Labor's policy is around rebuilding TAFE. We know the importance of TAFE. We know the role that it has in the economy. We want to have a free TAFE policy for 5000 Tasmanians because over the period of this Liberal Government we have seen some 2000 apprenticeships and traineeships decline. That is completely unacceptable. In the current climate when we have increasing unemployment, where we have skill shortages and we know we need to be training for the future, for TAFE for not to be playing a role, for the Government not to be taking that on, is really concerning.

We believe that this \$10 million policy which would provide free TAFE for 5000 students will give them the qualifications that they need to find jobs in some of our fastest-growing industries. I commend the work of Labor leader, Rebecca White, because this is about rebuilding TAFE. It is

recognising that TAFE has the capacity to be delivered most well, with better options around our regions.

TAFE has a consumer obligation. We have an obligation with TAFE to make sure that it can provide courses to everyone. Over periods of time with successive Liberal governments, we have seen the growth in the private sector and the fascination with the private sector which has meant that TAFE has become more and more constrained in the type of courses it can offer. That then has a spiral on the viability of TAFE, the fees that they charge and, let us not forget, there has been a 3 per cent increase in TAFE fees this year, a 3 per cent increase on something that is already quite unaffordable for some people. We know that that is an impact of a focus in the private sector, a push in the private sector so that those courses that can make money get taken up by other providers and TAFE with its community service obligations gets left with more expensive courses and more regional courses. We need the government to turn that around and invest.

TAFE is the pathway. We often hear the phrase that there is no silver bullet when it comes to education, when it comes to employment. If there is a silver bullet, it is investment in training; it is an investment in education. It is about providing those pathways. Free TAFE would deliver that kind of a pathway for those students for whom cost is a barrier in areas where we know that there are significant shortfalls.

We have talked about the sort of areas that we know will benefit most by this. It is about looking at those areas within the care sector, where every report that we are seeing is talking about the growth of need in the care sector: in NDIS, in disability, in community care, in aged care.

Also, in our building and construction industry, as we have heard today we are failing students. Let us talk about what it is like when you are an apprentice, when you have an apprenticeship. We have had countless examples of courses not being offered. First year apprentices have not even been able to do their first block of training and therefore that being pushed out to their second year or even now out to their third year. This is because TAFE is not able to provide that block of training. That is unconscionable; unconscionable for those students and for employers who invest in training apprentices because over the years you get a more experienced and qualified person. This is how apprenticeships work. If we do not deliver the training in the first aspect, we are fundamentally undermining the capacity for those students to be of value to their employer. We have seen significant employment from interstate in our trades areas.

We then look at those young people who are desperately wanting to get an apprenticeship, for whom is a really exciting pathway. We now know that there were some 100 students who applied this year to do the construction course in certificate II. Of those 57 who were given an interview, but there was only room for 12, not because the others were not capable and qualified and able to be part of it but because there are not enough people in training.

I do not know what amendment is being passed around at the moment but we have seen an interesting change in behaviour from the Greens. We deal with that with the same contempt that the Greens should be treated with most of the things we have seen in parliament from them recently. It has been quite disappointing. Of those students, only 12 -

**Dr Woodruff** - *Hansard* record laughing from the Greens.

**Ms O'BYRNE** - You cannot care about these kids if you do not want to. I know maybe trades and construction and building and plumbing does not mean much to you. I do not know if it means

much to the Government because they are letting these kids down. It clearly does not mean anything to you either. What you have is -

**Ms O'Connor** interjecting.

**Dr Woodruff** - interjecting.

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor and Dr Woodruff, you will be able to make your contributions soon.

**Ms O'BYRNE** - At some stage they might have the same standards applied to them that apply to me in this House with interjections perhaps, Madam Deputy Speaker.

What we have is only 12 of those students being able to get a course.

**Ms O'Connor** - I made a cat noise.

**Ms O'Byrne** - Did you really?

**Ms O'Connor** - Yes, because what you said was really catty.

**Ms O'BYRNE** - It reflects more on you than it does on me.

Can we get back to the subject matter at hand, which is young people who want jobs, and young people who want training? The Greens are being very loud over there and there is a lot of silence from the Government benches, so it is an interesting response to it. Of the 100 young people who put up their hand saying, 'I want to do a Certificate II in Construction', 57 were given an interview and they could only fit 12 in. The others were not inappropriate for those courses because TAFE then said, 'Why don't you apply for electrotech, why don't you apply for plumbing?', forgetting entirely that they are also not offering certificate IIs in that this year.

If you go to the website now you will see that those courses are not offered until next year. We also have the Government in the IT sector, an area where the IT sector is saying they do need skills, they do need training, they need an investment in training and the course that has been run in Launceston, the kids get halfway through it and it is postponed. You can come back next year and do it. You can get a refund for the half of a course that you have done this year or you can come back next year and get course credit. It is unconscionable to sign these kids up to a course that you have no intention of finishing. Once young people have made that commitment to training we have an obligation to finish that training, and in an appropriate time. That is what the Government have walked away from.

The Premier in his contribution today said, we are not going to talk to you. Maybe you have a policy in this area, even though we also argue that you have no policies, but we are not going to talk to you because we would want to have some evidence that this would be a good thing. The evidence is in Victoria where there has been an overwhelming -

**Quorum formed.**

**Ms O'BYRNE** - As I was saying, clearly there is not enough of an interest in jobs in this Chamber because we have silence over there and game-playing from the cross benches, the group that does not even have party status in this House.

We want to know where the evidence exists. The evidence exists in Victoria where there has been an overwhelming sign-up for free TAFE qualifications in nursing, plumbing, accounting, disability and individual support, which were some of the key areas where there are job shortages and opportunities. There is evidence in investing in TAFE and making courses free allows that transition and removes the barrier to participation. For the Premier to stand in the House today and say, 'We are not going to listen to you because there is no proof', just look across the water to get that evidence.

I confess that I am concerned where the Government sits on TAFE overall because we have a rather concerning piece of work around which there has been a reasonable amount of silence in the last bit of time. The federal Morrison Government made very little mention of TAFE in their last budget but had a focus on the Joyce review of vocational education, which is quite clear when you read it, in its aims of deprioritising TAFE as a keystone for the vocational education sector in Tasmania. The Minister for Education and Training must have participated in conversations at the ministerial level on the Joyce review and must know that there is a very clear plan to narrow the curriculum and qualifications for TAFE and vocational education, to shrink TAFE's presence in Australia's vocational sector and also the further entrenchment of competency-based training as the default in vocational education.

In the 2019-20 federal budget what we got from the Liberal Party were measures based on suggestions for a business-led skills organisation. These measures were labelled 'Delivering Skills for Today and Tomorrow' and trumpeted by the federal Treasurer as a new \$525 million investment in vocational education. However, once again, once you unpick a little bit of Liberal Party headlines versus what is actually happening, there is a difference. Whilst they claimed half a billion dollars to upgrade VET, in fact most of that money was pilfered directly from the Skilling Australia fund, which was only activated less than a year ago. A year ago it was Skilling Australia but they ripped the money out of that and pretended it is new money.

It beggars belief that the Commonwealth could expect state and territory governments to sign up to the Joyce vision. I am assuming the Treasurer will be responding on behalf of the Government and he may have some knowledge of what Mr Rockliff has signed us up to as part of his negotiations at that ministerial council level. Once you look at the amount of money that has been removed from Skilling Australia's new Delivering Skills for Today fund it actually represents a further cut of \$80 million in total to vocational education, which is on top of the \$270 million coalition cut in 2018 and the \$3 billion they have cut in total. Maybe the reason we are not seeing a significant investment in TAFE or a desire to adopt Labor's policy of free TAFE is because the Government has already given up on TAFE because it signed up to this federal review.

We want to have an opportunity for another Labor speaker on this so I will now turn to the other elements of this motion that have caused me some concern in that the Government does not seem to accept that we have significant problems with jobs.

The motion speaks to the jobless rate at 6.7 per cent, which is the worst in Australia. It notes the jobless rate for Tasmanian women is 7.1 per cent, which is the highest in Australia. It notes of the 6200 Tasmanian full-time jobs that were lost in the last 12 months 4100 of them were women. It notes that the jobless rate for people under the age of 25 is 13.5 per cent, the second highest in

Australia, and for those of us who have regional communities it is so much higher in the regions. It notes under-employment of 10.4 per cent, which is the worst in the nation, and notes that the average duration of unemployment in Tasmania is 70.9 weeks, far above the national average. It is an additional five months of long-term unemployment if you are a Tasmanian. That is something we should all be genuinely concerned about. It also notes that there are fewer Tasmanians in full-time work than when the Liberals were elected in 2014.

We can unpick some of those figures. The total number of under-employed people is up to 17 800 and 2100 more people are now in receipt of benefits than at the time of the last election. Let us talk about what being under-employed means. It means you are counted in the statistics of being employed but you do not earn enough money to do the things you need to do to support your family and maintain the standard of living you wish to have. These are people who desperately want to work but cannot get enough hours to maintain their standard of living. In many places it is insecure work so it is really hard to get a mortgage, get a loan and pay your bills day by day because you are under-employed and you cannot possibly get that amount. The under-employment rate is up to 10.4 per cent. It was 9.5 per cent at this time last year, so it is a significant shift, particularly when you consider that our participation rate is now down to a new low of 60.2 per cent when the national rate is 66 per cent.

Our situation with employment in Tasmania is such that this Government has to take some ownership so we can take the next steps in investing and building and doing the right thing by Tasmanians. The fact is that one in 25 people who had a full-time job last year no longer do. One in 14 women who had a full-time job last year no longer do. One in seven young people are unemployed. One in 10 workers are not getting enough hours to survive. One in eight women are not getting enough hours. One in five working age people are either unemployed, not getting enough hours or have given up looking for work entirely. That is not an acceptable position.

The Government comes in and trumpets the economy and does a bit of selective quoting. I am sure they will accuse us of the same but our figures come from the monthly labour force updates. I will refer them to that in advance of any demonising of it. If you do not accept there is a problem you cannot resolve it. To simply come in and say the economy is going great, we are feeling really good and everything is okay does an absolute disservice to the many Tasmanians who cannot find work, or cannot find enough work, who have to leave in order to find work, or who simply give up because of the amount of times you get knocked back is so soul-destroying that there is nowhere else to go.

If you use the latest Australian Bureau of Statistics data on a 12-month average, approximately 100 more people are considered long-term unemployed. This is growing, so we have not only a growing number of people who are unemployed but a longer period of that unemployment being the case. In my prior life I ran a labour market program for long-term unemployed people. We worked intensively with people around the sorts of supports they needed to transition them back into work. The longer you are unemployed the harder it is to get work, the harder it is to maintain your family and your own lifestyle and the harder it is to have the guts to go again and again to try to find work. It is a soul-destroying position for people to be in.

That is the reason the motion is before the House today. There is a bizarre little amendment from the Greens that we will probably ignore. I do not know what the Government will choose to do. It will be a matter for them but it seems to be a little bit of point-scoring. Point-scoring is not okay on an issue as important as this. It is not okay to be a young person in Tasmania looking at those job statistics and being frightened of your future. It is not okay to be a woman in Tasmania

knowing that you have a fewer employment outcomes than you would if you were somewhere else. Of the 6200 people who lost full-time jobs in the past year, 4100 of them were women.

You need to look at the reasons women might choose to leave the workforce and it is often because there is still the gender pay gap. Women are paid less and, if you are then trying to battle with things like the rising costs and availability of child care, it would be the person earning less who might decide not to be in employment any more. It is a disturbing trend that even child care is so unaffordable as to have that impact. It also indicates a more significant problem that we genuinely have to understand. We have to understand why the increase in unemployment rates in Tasmania is so disproportionately impacting on women. We need to understand why, of those full-time jobs that are going, the vast majority of them were held by women. We cannot do that work and we cannot understand it if we are pretending there is not a problem. We have not gone to month to month figures because we understand the variabilities in that. We have gone back 12 months. We have gone back to the beginning of this Government to show the types of numbers and that is something this Government needs to take into consideration.

The motion before the House notes things that are true. They come from the monthly labour force update, they come from the ABS, they are unassailable facts about the unemployment issues facing Tasmania. It acknowledges that there is a failure to grow secure full-time jobs in Tasmania. It proves that by its very data. It proves that we are not dealing with full-time jobs in Tasmania and it calls on the Government to take action. The action before them that would make a significant difference in connecting unemployed people with employment opportunities is training from Tasmania's premium training facility that does have a community service obligation and that does operate around the state. It is one that recognises there are skill shortages in disability and aged care, building and construction and hospitality and it calls on the Government to adopt Labor's policy.

You can ignore the value of Labor bringing it forward but you cannot ignore that it has worked when brought on in other jurisdictions. It removes the barrier to participation, ensures we are providing training and it connects people with jobs. I could use some more time but I want to save some time at the end for the member for Braddon, Ms Dow, who has some significant concerns to raise as to the regional unemployment impacts of this issue and the value that Labor's policy would have in that issue.

I commend the motion to the House. I am not sure what the Government is planning to do but I believe the Greens' amendment is petty and not worthy of this parliament.

[3.53 p.m.]

**Mr GUTWEIN** (Bass - Treasurer) - Madam Deputy Speaker, we will not support the motion. Whilst the Greens amendment may be factually correct we do not support Labor's policy and, therefore, will not be supporting the amendment. It does provide me with an opportunity to make a point. What we saw at the start of this debate is the Greens making a very reasonable point in their amendment. It is almost demonstrably factually correct that Labor stand for very little at the moment. While I do not agree with the vast majority of the Greens' alternative budget, at least they have the courage every year to come into this place, explain what they stand for and how they would pay for it. It is incumbent upon a political party to have the courage to do that, which is what we did every year that I was shadow treasurer. It explained what we stood for and where we would take the money from, yet we hear -

**Mr O'Byrne** interjecting.

**Madam DEPUTY SPEAKER** - Mr O'Byrne, the Treasurer sat silently during the previous contribution. I ask that the same respect be shown to the Treasurer.

**Mr GUTWEIN** - Madam Deputy Speaker, the member demonstrates with those interjections that all they can do in this place is argue. They stand for nothing and they bring nothing to the table. All they can do is cast stones at the Government because they have nothing to stand for.

The Government's position is clear on this. I want to touch on a couple of matters regarding TAFE and put on the record some facts on this matter. We have some good statistics to report. In Tasmania, the total number of apprenticeship and traineeship commencements increased by 1.1 per cent or 4910 new commencements in total in the 12 months to December 2018. National total commencements have decreased by 3.7 per cent over the same period. Compared to the previous year, trade commencements in Tasmania have increased by 12.5 per cent over the 12 months to December 2018. Nationally, trade commencements decreased again over the same period. Across five years, trade commencements to September 2018 were 9.6 per cent higher in Tasmania, while they were 11 per cent lower over the 12 months to December 2018. As at December 2018, the number of apprentices in training in Tasmania was 6.5 per cent higher than 12 months earlier, at 8210. Nationally, those in training, whether apprentices or trainees, was 1 per cent lower over the same period. At December 2018, the number of trade apprentices in training in Tasmania was 6.5 per cent higher than a year earlier, while the number in training for all of the country was only 1 per cent higher.

We have implemented a range of new initiatives. In 2017-18, \$5 million was committed to establish the small business grants program that is now fully allocated, having supported over 570 apprenticeships and traineeships in small businesses in the building and construction sector. In 2018-19 we provided an additional \$7.5 million per annum over three years for targeted grants to small businesses to support apprentices and trainees in specific areas of the economy, including building and construction. In 2019-20 the payroll tax rebate for apprentices, trainees and youth employees was extended. Combined with the small business grants, these initiatives will support around 4500 more apprenticeships and traineeships. We have also committed \$15.5 million to support TasTAFE to establish centres of excellence with purpose-built training workshops for the industry, for trades and agriculture. This year we have invested an extra \$2.9 million in TasTAFE, which will see 8.5 new teachers in allied trades and seven new teachers in the nursing section.

We are investing in TAFE. The previous government sought to destroy it. We have increased our investment.

I must comment on the language used regarding employment and the numbers we see. It is a statement of fact that we have 12 500 more jobs in Tasmania today than when we first came to Government. It is statement of fact that we have one of the fastest growing economies in the country, a growing economy as opposed to an economy that was in recession when the member who was interjecting was in government. I want to touch on that period in government because the member who brought on the motion and some of the language used about it being soul-destroying not to be able to achieve a job was the member who was sacking a nurse a day over nine months when she was in the previous government. It was her government that sacked police officers. What was the most reprehensible thing - this is one thing that this side of the House will always disagree with - was the unholy alliance that was established between Labor and the Greens in that period that saw the systematic destruction of the forest industry.

We have had statistics raised in this place about women in employment and I want to make some points about that. From June 2010 to April 2013, in that period 5700 women lost their full-time employment; 7100 more women are employed today.

**Ms O'Byrne** - There are 4100 fewer full time in the last 12 months. You cannot ignore the last 12 months, Treasurer.

**Mr GUTWEIN** - Madam Deputy Speaker, the member by interjection; again it behoves me to point out that in that period 2010 to 2014 you are fully aware of the damage that you wreaked on families and women especially.

**Ms O'Byrne** - Look at the last 12 months. You have a growing economy apparently, 6200.

**Mr GUTWEIN** - Madam Deputy Speaker, would you ask the member to desist and show me the same courtesy that I have provided to her, please?

I can recall in that period going to meetings in the north-east and having women say that they could not bear to walk to the shed where their husband's four-wheel drive was parked because they did not know in what state they would find him.

**Mr O'Byrne** - That is disgraceful. You did that during the election. It was disgraceful then, linking our actions to mental health issues. You have no shame. That is outrageous.

**Madam DEPUTY SPEAKER** - Mr O'Byrne, you will have an opportunity to reply soon.

**Mr GUTWEIN** - That was what was occurring. They have no credit in terms of jobs. They hold no moral responsibility in this place when it comes to jobs.

**Mr O'Byrne** - What are you doing to forestry contractors now down in Huonville? They are about to go bust because you have turned your back on them.

**Madam DEPUTY SPEAKER** - Order. Mr O'Byrne, you have an opportunity to make your contribution later in the debate.

**Mr GUTWEIN** - They hold no moral responsibility in this place. I will not be lectured to by the shadow minister for economic development on jobs, who sat in a government as part of an unholy alliance, the cost of which was the decimation of the forest industry and jobs in regional Tasmania.

**Ms O'Connor** - Those jobs which were haemorrhaging from 2006.

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor you will make your contribution soon.

**Mr GUTWEIN** - The impact of that on families, on children, on women especially in terms of the circumstances that I have just described should never be forgotten by this place. Yet the shadow economic development minister comes into this place purporting to want to help people. Why were you not doing that then? Why did you link arms with the Greens, the price of which was the lockup of forestry and the shutdown of regional industries?



**Ms O'CONNOR** - Point of order, Madam Deputy Speaker. Standing order 144. The Treasurer is misleading the House. He knows very well that I find it offensive. He knows very well that it was the forest industry that came to the government on its knees looking for help because the industry had been in decline since 2006.

**Madam DEPUTY SPEAKER** - Ms O'Connor, that is not a point of order. You will have an opportunity to make a contribution to the debate shortly.

**Mr GUTWEIN** - As I was saying, linking arms, Labor and the Greens, and the decimation of the forest industry was the price that this state paid.

**Ms O'CONNOR** - Point of order, Madam Deputy Speaker. Standing order 144, offensive words against a member. I find that statement offensive. We did not 'link arms' with Labor and we did not seek to decimate the forest industry. I ask the Treasurer to withdraw that false statement.

**Mr GUTWEIN** - Madam Deputy Speaker, if the member wants that withdrawn I am happy to withdraw it. They sat in Cabinet. My view is that the price that was paid for them sitting in Cabinet was the assault on the forestry industry.

If you look at what has occurred with regional jobs, over the term of their government, 7500 regional jobs were lost. We know there is more to be done but we can point to more than 2500 new jobs, growth in those regional areas, full-time jobs, 2500 full-time jobs grown in those regional areas under this Government. We look at the work that has occurred in areas within government with health being a prime example when we talk about jobs. Since we were elected we have more than 550 more nurses, more than 160 doctors, more than 90 more paramedics, more than 110 allied health professionals and a plan to hire more. That is the Government's record on jobs. This is a Government that values a job for Tasmanians, that values work.

On the other side of the House, and it is a stated fact in this place by the former minister for economic development who said he inherited one of the best unemployment rates in the country when he came into government in 2010. By the end of it we had the worst -

**Mr O'Byrne** - You know the stimulus package. You know the Australian dollar. You ignore that. You have the best of conditions and the worst rate.

**Madam DEPUTY SPEAKER** - This is not a time for a debate. Mr O'Byrne, I am sure you do not want to have to leave the Chamber in your own private members' time. I ask that you show the same respect to the Treasurer as was shown to the Deputy Leader of the Opposition.

**Mr GUTWEIN** - Thank you, Madam Deputy Speaker. It is a statement of fact - in fact, it is a statement by the member in this place that he inherited the best unemployment rate in the country. By the end of that four year period it was the worst. It is no wonder that he is not the shadow minister for economic development, with that track record. Yet they will come into this place and attempt to lecture a government that has created 12 500 new jobs since we came to government; a government that has taken our economy on a range of measures to be the leading state in the country; a state that is now confident, where national survey after national survey indicates that we have the best conditions to develop a business, to employ people, in the country.

When the previous member on that side of the House was the minister for economic development, two out of every three businesses felt that the government's policies of the day were

working against them. That says it all. To be frank, it probably goes a long way to explaining why they have no policies, because the last lot that they had, two out of three small businesses felt that they were working against them.

Let me place some facts about jobs on the table. As of June 2019, there are 247 500 Tasmanians in work; 12 500 more jobs have been created in Tasmania since the Hodgman majority Government was elected in March of 2014. There are 7100 more women employed as of June 2019. There are 1400 more young people employed than there were when we came to government. Long-term unemployed - there are 800 fewer Tasmanians who are on the long-term unemployment list. The unemployment rate is 6.7 per cent. That is down around 1 per cent, 0.8 per cent since the 2014 election. Businesses are hiring; the number of internet job vacancies in Tasmania in June grew 10.5 per cent compared to June last year, the highest growth rate in the country. The Budget that we have just brought down provides for the creation of 10 000 more jobs. We are investing \$3.6 billion into intergenerational infrastructure and \$2.8 billion of that will be delivered by government agencies with a further \$800 million delivered by government businesses. That is a significant and record-breaking level of investment. We have supported private sector projects that have offered major employment opportunities such as the Hermal Group on the north-west coast, for example. Hopefully as that progresses it will provide long-term security and underpin hundreds of new jobs on the north-west coast. The investment into the UTAS transformational project in Launceston will ensure we create a university city, not just a city with a university in it as Launceston is at the moment but a true university city and, likewise, with the significant investment on the north-west coast in Burnie. I believe it will provide a real beacon for young people.

What is interesting about the UTAS transformational project in the north, which has one of the lowest levels of tertiary qualifications in the country, is that whether people like it or dislike it, there will be conversations in people's loungerooms about university and university education that would never have happened outside of that transformational project occurring.

I want to speak about the Education minister and his push in terms of years 11 and 12, a policy that was opposed by those on the other side from day one. When the spokesperson for Labor had the opportunity, she talked about providing opportunities for younger people. The best opportunity we can provide is to ensure they can continue their education, should they choose to, in the community in which they live, rather than having to dislocate at year 10 and travel to a college. We make no apologies. When you look at the empirical evidence of every other state and territory, bar the ACT, they do not dislocate at year 10, yet Labor fought so hard against this state bringing itself into line with what occurs in the national system, a system which over time has historically had much higher rates of retention.

What it boils down to is opportunity for young people. The opportunity to have the benefits of additional education will stand them in good stead to grasp opportunities and have a fuller and more complete life. We know the correlation between education and health and being able to get a better paying job. This Government is proud of the fact that it is focused and has not blinked in ensuring that the dislocation that used to occur at year 10 is removed and we provide young people with those opportunities to go on to years 11 and 12.

In terms of the Budget more broadly, it is a statement of fact in this place that the Greens do bring down an alternative budget.

**Ms O'Connor** - As 'kooky' as it is.

**Mr GUTWEIN** - You have taken me somewhere I was not even going to go.

**Ms O'Connor** - You usually do. I'm just trying to save you the trouble.

**Mr GUTWEIN** - Thank you for reminding me of that. At least they put on paper what they stand for, what they think it would cost and, importantly, how they would pay for it. I do not agree with the fact that they would get rid of the V8s or Sustainable Timber Tasmania or AFL footy. That is their view and if they want to take that view and invest money elsewhere it is up to them to demonstrate how they would pay for that other investment, where that money would come from, be prepared to argue that with the community and defend that position.

As a political party they should and it is exactly what we did in the lead-up to 2014. We laid out our policies and explained where we would make savings in the Government's broader programs and how we would fund them, but Labor refuse to do that. It is quite reasonable for this side of the House and for the Greens in this place to declare that Labor does not have any policies because how can you have a policy to do something if you cannot explain how you would fund it and, importantly, where that money would come from?

I want to touch on our economy and the most recent report from CommSec. The CommSec report demonstrated that our economy is one of the fastest growing and performing in the country, and that growing economy means opportunity. It means that the conversations we have so often heard throughout my lifetime of what is wrong with the state are now turning to what can we do? How can we grasp that opportunity? That type of positivity is permeating broadly throughout our community.

We do not shy away from the fact that there is more to be done. There will always be more to be done, but Tasmania today is a far better place than when we first came to government in 2014. It is a far better place than those dark years of 2011, 2012 and 2013 when people were leaving the state in droves and we had meetings occurring in Tasmanian regions, the circumstances of which I explained early on, where there was angst and fear and loss and people completely -

**Mr O'Byrne** - Talk to the parents of kids caught in the ramping at the Royal Hobart and Launceston General. Same angst, same fear.

**Madam SPEAKER** - Order, Mr O'Byrne.

**Mr GUTWEIN** - concerned about what was happening to their local community and the state more broadly but, importantly, what it meant for their kids. There were children sitting in lounge rooms while -

**Mr O'Byrne** - And the message now is don't get sick, don't get a roof over your head.

**Madam SPEAKER** - Order.

**Mr GUTWEIN** - conversations were going on between their parents and they were watching them lose everything they had worked hard to build. That is the legacy from that 2010-2014 period.

**Mr O'Byrne** - That is a disgrace. That is rubbish. It is dishonest and you know it.

**Madam SPEAKER** - Order.

**Mr GUTWEIN** - That is true. It is a fact and you know it is a fact. Through that period the forest industry was systematically shut down, we saw job losses in regional areas we had not seen the like of before, we saw families being forced to flee the state for work interstate and, sadly, as I said, kids in lounge rooms were watching their parents discuss them losing everything they had worked their lives for. That happened in regional areas all over the state, in the north-east, the north-west and down south.

The CommSec report ranks Tasmania third out of all of the states and territories, our best result in more than a decade, and the commentary both in that report and by others is that we are closing in on top spot. It shows that Tasmania is leading the nation on relative population growth, the fastest in 27 years, housing finance and starts, vehicle sales, construction work and business investment.

**Mr O'Byrne** - Highest unemployment rate and lowest participation rate.

**Madam SPEAKER** - Mr O'Byrne, I have said that as soon as I put someone out they are out for 24 hours. I ask you to be a little less interjectory. You can speak when it is your turn.

**Mr GUTWEIN** - CommSec's report shows we are leading the nation on a variety of economic indicators. Business investment is vital because it demonstrates confidence in our economy, creates jobs for Tasmanians and contributes to continued economic growth. Yet, all that we hear is argument from that side of the House. Whingeing is not a policy and complaining is not a platform but that is all we get.

It galls me for this member to bring in a motion about jobs when that member was a part of a government that systematically destroyed the fabric of local communities. The tragedy we saw through that period, the demise of those local communities, is something for which member should hang head in shame for the rest of her life. It was a disgrace. Having lived through it, I can say it was one of the darkest periods in our economic history.

I noted that 12 500 jobs have been created, business conditions and confidence are soaring, businesses are investing, and retail spending continues to go from strength to strength. As you drive into Hobart now you can see a record number of cranes in the sky. We had one tower crane in Tasmania when I first went to a Treasurers' conference. Then, within months, I was able to proudly announce to the next Treasurers' conference that we had double the number of tower cranes in Tasmania and we have gone from there. We now see tower cranes in Launceston and we will see more as the university project comes online, and as we see the private investment occurring in hotels and other construction projects in the north come online.

I will refer back to the motion. I have taken a little more than half an hour. I can speak for 40 minutes?

**Ms O'Connor** - I would like an opportunity, Mr Gutwein.

**Mr GUTWEIN** - I will provide an opportunity for the two other speakers to do so. We will not be supporting the motion or the amendment, albeit it did bring a smile to my face. There is a significant degree of truth in the amendment the member for Clark proposes. I explained in great detail the level of growth that has been occurring in apprenticeships, traineeships and investment we have put in to TasTAFE, so we do not support that final point of the motion. For the member to have the gall to bring that motion in after the havoc and destruction that was wreaked upon the

Tasmanian community when she was a member of the previous Labor-Greens government beggars belief.

[4.24 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Treasurer, I do not have a handkerchief big enough to mop up the crocodile tears you just shed for the children of forest workers. You obviously regard children from different families with different levels of sympathy because, as we know, there are children who have been left out on the street because their parents are poker machine addicts. This is happening in regional communities, it is happening in rural communities, and it is happening in our poorest communities. We will not sit here and cop faux concern from the Treasurer without exposing his hypocrisy. You cannot express sympathy for the children of forest workers and not understand that you are responsible for a policy that will harm children for the next 25 years. It is not as if the children of gambling addicts can have the same hope for the future as the children of skilled forest workers can have. We are not going to cop that. It is absolute hypocrisy.

I also wanted to highlight that you cannot talk about the wellbeing of children and not be serious about climate. I am 52 years old. I rarely cry when I watch the news but I shed a tear last night in the dining room when I was looking at Matt Canavan talking about his upcoming trip to India to solicit more coal mines for Australia - consigning our children to a hot coffin in the future, and Labor is as culpable. Labor is now part of the Parliamentary Friends for Coal Exports. Joel Fitzgibbon and Craig Kelly - talk about linking arms. You have the old parties linking arms to give effect to policies that will harm children. Labor is still a massive cheerleader for the Adani coal mine and the level of hypocrisy and cognitive dissonance we have to cop in this place is scandalous, as it is when people wring their hands and say they are worried about the children. Dr Woodruff and I have had enough of it. So have young people and so have parents who love them and are deeply worried about the future.

There are a couple of things the Treasurer, before he sat down to mop up his crocodile tears, said about the Tasmanian Forest Agreement. The Treasurer accuses the Greens in government as being part of a process that demolished jobs in regional areas. The Treasurer has selectively reached back into history and ignored that you can tell from the decline in jobs in the forest industry that this decline began before 2006. The number of contractors who were working in the native forest logging industry started crashing from 2006. Any objective observer of Tasmania's history would recognise that it was the Labor and Liberal parties working to prop up an unsustainable industry producing an unsustainable product that was going to be increasingly rejected by global markets. They were funnelling money into Gunns and enabling Forestry Tasmania to look after its monopoly timber giant and forget the need to diversify the forest industry to make sure we are making that transition into plantation forestry.

I remember talking to forestry workers at the time the Tasmanian Forest Agreement went through. They understood that the world was changing and that the industry had to adapt. With that Tasmanian Forest Agreement came a substantial investment from Commonwealth and state governments in just transitions for forest workers and their communities, rural and regional communities. We are not going to have historical revisionism happening in here without challenging it.

As to the motion that has been brought on by Ms O'Byrne, points one to eight are unarguable. This is the statistical truth of it. When the Treasurer stands up in here and crows about the growing economy and the golden age, he is wilfully ignoring the fact that we have the highest unemployment in the country. There is a whole generation of young people who are stressed to their back teeth

about the future, not just because the planet is cooking but because the robots are coming. Artificial intelligence and mechanisation are taking jobs now. We do not have any plan from the Treasurer, or indeed from the Labor Opposition, about how we make sure our young people are critical thinkers, are nimble and adaptive and are able to aspire to and take the jobs that robots cannot. That is where we should be investing a significant amount of policy grunt and funding. As Ms O'Byrne says, we should be reinvesting in TasTAFE but we need to rethink the kinds of programs we are offering young people. The jobs they will have in the future are jobs we have not even thought about. I think everyone in this space, when they are not playing politics, understands that.

Madam Speaker, earlier when Ms O'Byrne was talking, Mr O'Byrne was heckling across the Chamber when we circulated our amendment saying that Labor is just interested in 'getting stuff done'. There is no evidence in the 18 months since the last election that Labor is interested in being even slightly constructive or cooperative in this place. They spend all day in here bashing up the Government without putting forward alternatives and then when an opportunity comes to support good policy, like pill testing, or to agree that we are in a climate emergency, they frantically backpedal. That is why there is a view forming in the community that Labor stands for nothing. We all wish it was not true because a healthy democracy needs a good strong, committed opposition, and here in parliament right now we do not have it. You cannot say you want to get stuff done in here when you walked away from the signature policy that you took to the last state election and rolled over. You have made no statement about why you are moving away from that policy position. Is it because the truth is that the gambling industry won? That is the truth, Madam Speaker.

I said this in the House last week and I am going to say it again. There are stakeholders in the community who are alarmed because Labor members have told them they will not be supporting anything that the Greens bring forward or that we want to work with Labor on. It raises huge question marks over the capacity of this very finely balanced parliament to deliver good progressive policy. It puts a question mark over significant human rights reforms such as dying with dignity. It puts a question mark over a human rights act for Tasmania. We have seen the big question mark hanging over Labor's policy on pill testing.

**Ms O'BYRNE** - Point of order, Madam Speaker. I have been sitting very quietly because I am very conscious of the rules that apply to me, but if the member could actually address the motion before the House that would be a good thing for the parliament. I have not interjected on her as she did on me but I ask that she address the motion before the House.

**Madam SPEAKER** - Was that a point of order going to relevance?

**Ms O'Byrne** - Yes, it was.

**Madam SPEAKER** - Unfortunately I have to rule against it but I think the member heard your request.

**Ms O'CONNOR** - I certainly heard it. I was just laying out the preamble for our amendment to the motion.

I move the following amendment -

That paragraph (9) be amended by omitting 'policy for' and inserting instead 'only policy -'.

Labor might like to accuse us of playing games but as Whoopi Goldberg, the famous actress, said a couple of weeks ago in relation to American politics, 'Whatever happened to consequences?'. There needs to be consequences in a civil and just society for a party that went to an election on a particular platform moving away from every part of that platform.

**Mr Jaensch** - Like mandatory minimum sentences.

**Ms O'CONNOR** - I do not think your point is well made, Mr Jaensch, but anyway, carry on.

This motion contains information that everyone in this House should be deeply aware of and seek to improve the situation for the 6.7 per cent of Tasmanians who are jobless, for the growing number of women in part-time and insecure employment and for young people who are aspiring to meaningful full-time work. One of the great untruths contained in the last state Budget is that the Liberals have made a commitment to creating 10 000 new jobs, and then in the back pages of the budget paper in the State Growth section we find out that 6000 of those jobs will be imported through skilled visas. The Government can only really claim to be creating 4000 new jobs and certainly for young people that is a much smaller pool of available employment than the Government would have us believe.

In our fully costed alternative budget we have restored funding to TasTAFE through establishing a centre of excellence in aged and disability care. I note that Ms O'Byrne's motion acknowledges the skills shortage in disability and aged care. For making sure we are dealing with the reality of global heating and the urgent necessity to keep the carbon that is in the ground in the ground and to sequester more carbon, we would establish a landscape restoration skills unit within TasTAFE. We would provide free TasTAFE for regional students and invest substantially in renewing TasTAFE. That is a total funding allocation over the forward Estimates of \$37 million.

We certainly agree with points 1 to 8 of this motion but we want to amend the end of it so that it is really clear that this is one policy Labor is sticking to. We have not heard any other policies coming out of Labor since the election. We have seen them walk away from the policy to remove poker machines from pubs and clubs. We have seen them walk away from their stated concern about climate. There are all the indications that they are walking away from other progressive policies like dying with dignity, the Human Rights Act and pill testing.

Let us be honest about this. Labor at the moment is struggling to define a narrative and that is resonating in the community. People wonder at a federal and state level what Labor today stands for. It is a tragedy for the nation and our democracy that we have a neoliberal quisling Opposition that dodges away from policies as soon as the heat is on and often is in absolute lockstep with the government of the day. Labor has formed the view that we will be in an election in a short space of time and therefore the time they think they have in the forty-sixth parliament is best spent trying to tear the Government down and making sure they are nowhere near any good policy that the Greens bring forward. I believe that is what is happening in Labor's hive mind and that is a sad indictment on them. We are in this place in real terms for the blink of an eye. We are all just passing through and would you not rather that you came into this place every day wanting to give effect to good legislation, good policy outcomes, to work cooperatively where you can to get those outcomes? That is the driving motivation for Dr Woodruff and myself, and we think that should be the motivation for every person who has the great privilege and responsibility of being elected to the Tasmanian Parliament.

I commend the amendment to the House.

[4.40 p.m.]

**Ms DOW** (Braddon) - Madam Speaker, this notice of motion is about a topic that is close to each and every one of us and is in the hearts and minds of every Tasmanian, and that is the ability to get a good job, get ahead in life and provide for your family. That is what Labor stands for.

I take this privilege of being in this House very seriously and each and every day when I come in here I make a point of standing up and advocating strongly for the people where I come from in the electorate of Braddon and, more broadly, for all people right across Tasmania.

I begin my contribution this afternoon by making a few comments about some of the prior contributions on this motion this afternoon. The first I wanted to highlight was around when the Government talks about TAFE commencements. To my mind, commencements are not the most important figure. They are not the most important thing that we should be striving towards. In fact, we should be looking at completions and we should be looking at employment outcomes from those completions. They are the things that matter. They are the things that matter to those young people who are undertaking those courses, that they are able to complete that course and they are able to get a job, participate in our growing economy and set themselves up for their future. Basically, that is what this motion is all about.

I also want to talk about the CommSec report. Something the Treasurer did not highlight in his contribution was that it clearly states when you google the CommSec Report, it comes up with the profile of each of the individual states. It clearly says that our strength is around housing and our weakness is around the job market. That is a clear weakness in Tasmania right now. As the Government of the day there needs to be some responsibility taken for that.

We have gone to great care to listing within this motion some really important statistics about unemployment in Tasmania and we do note that the jobless rate is 6.7 per cent, which is the worst in the country. That is something that we all in this place should be talking about and should be offering alternatives around, as we have done today, as a method of addressing this inequity within our community.

We talk about moral responsibilities. Each and every one of us has a moral responsibility to do all that we can through policy development, through holding each of the individual parties to account and through the work that we do in this place to make sure that we are looking to create job and employment opportunities for all Tasmanians, from regional Tasmanians to those that live and work in our cities. We do have a problem right now in Tasmania where we do have a growing economy. We are doing very well on a number of the economic indicators but that is not translating to full-time employment for Tasmanians and that is an issue.

That was touched upon in an article in *The Advocate* recently around some questions put to Saul Eslake, which I am sure you will be very familiar with, around why Tasmania's economy is strong but why are we shedding jobs. He puts it down to a couple of factors which are really important because these should be the policy considerations of government. This is what the Government should be thinking about when they are preparing for future workforce development and attempting to attract greater investment in Tasmania. They are the issues of the ageing population and changes within our traditional industries.

I say to the Government, what are you doing in this space? What are you doing to address these two issues? One, an ageing population presents a significant opportunity to us around the growth of the health and human services sector namely aged care, disability services sector, where



we know that there is growing need and we know that there will be the requirement for more services to be provided in communities that will create more employment opportunities for Tasmanians.

When we look at some of these figures, particularly around women where we know some of these fields are dominated by women, there are opportunities in Tasmania right now to make sure that we have good linkages between the employment opportunities and the training opportunities we are providing right across the state.

In this article by Sean Ford, Saul Eslake also talks about some of the job losses in Tasmania that could also be attributed to skill shortages and we know that there are significant skill shortages right across Tasmania. That goes to the heart of this motion. When we look at one way of trying to address that it is through greater access to skills and training through our public vocational education training provider TasTAFE, which Labor wholly and solely values and wants to see grow and wants to be able to work right across Tasmania. We know that opportunities for being involved in TAFE courses in regional Tasmania have been diminished over the years. There are not the opportunities locally in places like Queenstown or Smithton to do a TAFE course that there were in the past. That is an area where we do need to be more targeted in a way of funding courses in those regional areas. That is part of what this motion is about.

The other thing I wanted to touch on that the Treasurer spoke about was around economic development. I was not part of the previous government so I am not going to be drawn into the rhetoric that goes on in this place, time and time again. I would like to think that being new to this place you can bring a new set of eyes, a new perspective and look to the future. That is what we should be doing right now. We need to look at current issues, and high levels of unemployment is one of those. We cannot continue to reflect on times of the past which were quite different economic circumstances to what we see in Tasmania now. Yet we are still not seeing full-time employment grow in Tasmania.

I have talked about a number of the statistics that have been presented in the motion and I have talked also about some of the growth areas, those being around Health and Human Services, renewable energy, the building and construction industry, and tourism and hospitality. They are areas that we have targeted in our policy around free TAFE because we see that there is great need for people to be able to get into those courses right across Tasmania. Currently, that is just not happening. We have seen that the 3 per cent increase to TAFE fees does present a significant barrier to people, particularly when you couple that with the need for accommodation if you are moving from a regional area to study, and other things like access to public transport. All are factors which can be barriers, particularly to our young people accessing skills and training opportunities.

I wanted to take some time to look at the skills funding that is currently available across our state, and as I said before we do know that TAFE has diminished offerings across the state, particularly in the regions. The points that were made today about the extension of year 11 and 12 across the state and particularly in regional areas so that our young people do not have to leave to take on year 11 and 12: the simple fact is that after years 11 and 12, those young people will have to leave because there is not the training and necessarily the employment opportunities within those communities. That is another part of that picture that currently needs addressing and I am not talking about major population centres, I am talking about the west coast and places like that. There does need to be an acknowledgement that not all those young people will be able to gain employment in those local communities.

We know there is a shortage of staff at TAFE and that many are leaving to work back in the industry. We have the introduction of the associate degrees, which the Treasurer touched on, and the investment in both Burnie and Launceston. That adds another dimension to the role of TAFE and how TAFE fits within vocational education and training and how that will interface with the associate degrees in Tasmania, enhancing opportunities one would hope.

Throughout the day in parliament, we have talked about cancellations in different courses and I know that I have had employers contact me through my electorate office concerned that they cannot get their apprentices into TAFE courses because there are not the teachers or they have been cancelled for whatever reason. That is a concern. Through a number of elections we have had a couple of different skills packages promised across the regions, particularly in Braddon, that are not very well coordinated. Perhaps they need to define how they will work with and provide greater funding to TasTAFE. The last point I wanted to make about year 11 and 12 extensions across the regions: how TAFE can work within that system of extensions and benefit regional communities. Then there is the issue of the promised centres of excellence. It draws into question how these will be staffed and what the progress of these is to date.

Our motion talks about alternatives. We have a number of alternatives and we have a number of policies and a number of them were announced during our budget reply earlier this year. One of those was in relation to trade waste, which is impacting on regional economies and seeing small businesses close due to changes in compliance. We have offered a key policy in that area to support small business to enable them to continue to operate and upgrade out-of-date infrastructure.

My colleague, Michelle O'Byrne, spoke about the success of free TAFE in Victoria. We do need to look to other jurisdictions as to what might work well in Tasmania. There is double the number of students in Victoria studying there than was a year ago because of this policy.

The last thing I wanted to talk about was that I was not in this place during those difficult economic times but I was involved in local government. When we talk about employment opportunities in a number of local government municipalities around the state, there are some great, innovative programs connecting people to the skills, training and employment in their local communities. There is a role for local government to play. I will share with the House something I was interested to read from the Regional Australia Institute. They suggest regional learning systems. Perhaps it is a policy area we are not seeing so much of in Tasmania. There has been the discussion around strategic growth and we are yet to fully understand the details of that. A system like this may have some place in a strategic growth initiative because, as the Government has acknowledged before, not all Tasmanians are feeling the effects of the golden era in Tasmania and there is a need for strategic growth. The Regional Australia Institute said that -

Regional Learning Systems are multifaceted and the systemic nature of these relationships is important - stretching across the local scale, regional scale and state scale and setting the 'tone' for regional labour market participation. Gaps in capability and performance across any one of the participants can impede the performance of the system as a whole in a particular place. The converse of this inter-dependency is that local interventions can be highly influential. Consistent themes include:

- Alignment of school and community/local government goals and priorities

- Close connections with community/employers/industry/education and training providers
- Availability of infrastructure to access facilities/services if not able to be provided locally
- Providing students with a sense of 'what's next', be it pathways to continue schooling or pathways beyond schooling (further study or employment)
- Equipping students with multiple skillsets to be able to pursue various pathways (rather than become single-tracked).

These are all areas we could be working on in Tasmania right now. It is unreasonable to think that one level of government could be responsible for delivering that wholly and solely. As a Labor Party, we are very committed to working with other levels of government and, in particular, local government, around locally coordinated employment solutions.

I conclude by reiterating that this motion is on the books today because it is important, and it is important to people across Tasmania. Treasurer, you spoke about the hardships of rural and regional communities in your contribution today but there are people in rural and regional Tasmania right now who wonder about what the future holds for their children. It is natural that every parent wants the best for their child, for them to progress and be successful in life.

It is our responsibility to be talking about these things, to be holding the Government to account, and to be highlighting the weaknesses of this Government. That is what we have attempted to do today. I will not be supporting the Greens' amendment. I have highlighted a couple of our policies. The truth of being in Opposition is that now is the time that we are developing our policies. We are doing that in collaboration with industry, through our industry advisory councils with whom we have met on numerous occasions. Our TAFE policy came about as a result of discussions at those industry advisory councils and the concern industry has around skill shortages and the mismatch between that and the training currently provided and available across communities across Tasmania, and how we can work together, industry and government, to improve that. I support the motion.

[4.56 p.m.]

**Mr GUTWEIN** (Bass - Treasurer) - Madam Speaker, I will speak to the amendment and will make a few points. In terms of the motion more broadly, we do not support it. There are 7100 more women employed today than what when we came to Government. There are 1400 more young people employed. We have 800 fewer Tasmanians on the long-term unemployment queue and there are more full-time jobs in Tasmania today than there were in March of 2014.

To the member who wanted to cherry-pick from Mr Eslake's comments, I have not used these comments. They were part of that article. He pointed out that there were possible flaws in the statistics for employment or other economic growth indicators, which is a point that has been made by many economists.

We do not support the motion but the amendment improves the motion. It makes it more factually correct as to the final point of the motion. We will be supporting the Greens' amendment but we do not support the motion and we will be voting it down.

I place on record the points I made regarding TasTAFE, which has been discussed a lot today in relation to the level of apprentices and trainees in training. As of December 2018, the number of apprentices and trainees in training in Tasmania was 6.5 per cent higher than 12 months earlier. Also compared to the previous year, trade commencements in Tasmania increased by 12.5 per cent in the 12 months to December 2018. The number of young people predominantly commencing either trade commencements or, more broadly, apprenticeships and traineeships in training in Tasmania is increasing and we are fighting against the national tide. We are seeing a much poorer performance across the country, but we are still seeing growth in those key areas in Tasmania.

We do not support the motion. The amendment the Leader of the Greens has brought forward makes the final point of that motion more factually correct and, whilst we will not be supporting the motion overall, we will be supporting that amendment.

[4.59 p.m.]

**Ms O'BYRNE** (Bass) - Madam Speaker, in the few seconds left I point out that we do not support the amendment. The interjections Ms O'Connor made when I was saying that before were rather distressing and I would have thought better of her. It points out that there is only one policy for free TAFE, which is one policy more than anyone else in this parliament has. The Government is refusing to recognise the unemployment challenge in Tasmania. The Government has no policy for free TAFE. Members of the Greens have no policy for free TAFE. We will not support it because they are being a bit petty but it does not change the outcome. I remind you that 6200 full time jobs were lost in the last year, unemployment is up to 6.7 per cent, unemployment for women is 7.1 per cent. There are 17 800 unemployed people in Tasmania, 2100 more people on the dole than there were at the time of the last election. Participation rate is down to a new low of 60.2 per cent. Under-employment is up to 10.4 per cent, women's under-employment is at 13.3 per cent, youth unemployment is at 13.5 per cent, the second highest in Australia, and Tasmanians worked almost 700 000 fewer hours in June compared to last year. That is the legacy of this Government and shame on you for not supporting free TAFE.

**Time expired.**

**The House divided -**

AYES 14

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ferguson  
Mr Gutwein  
Mr Hodgman  
Mr Jaensch  
Ms O'Connor  
Mrs Petrusma  
Mr Rockliff  
Mrs Rylah (Teller)  
Mr Shelton  
Mr Tucker  
Dr Woodruff

NOES 10

Mr Bacon  
Dr Broad  
Ms Butler  
Ms Dow (Teller)  
Ms Haddad  
Ms Houston  
Mr O'Byrne  
Ms O'Byrne  
Ms Standen  
Ms White

**Amendment agreed to.**

**Question - That the motion, as amended, be agreed to -**

**The House divided -**

AYES 12

Mr Bacon  
Dr Broad  
Ms Butler  
Ms Dow (Teller)  
Ms Haddad  
Ms Houston  
Mr O'Byrne  
Ms O'Byrne  
Ms O'Connor  
Ms Standen  
Ms White  
Dr Woodruff

NOES 12

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ferguson  
Mr Gutwein  
Mr Hodgman  
Mr Jaensch  
Mrs Petrusma  
Mr Rockliff  
Mrs Rylah (Teller)  
Mr Shelton  
Mr Tucker

**Madam SPEAKER** - The result of the division being 12 Ayes and 12 Noes, I have to use my casting vote.

According to the Australian Bureau of Statistics, since March 2014 in Tasmania there are more full-time jobs, more women in jobs, more youth in jobs, fewer long-term unemployed and the unemployment rate is at 6.7 per cent. Mr Saul Eslake, a well-respected economist noted as before, in his article in *The Examiner* 30 July 2019 said that some of the divergence between our strong economy and recent job growth could be attributed to population growth, changing industry mix and our ageing population. Let's get back to business. My casting vote is cast with the Noes.

**Motion, as amended, negatived.**

## **MOTION**

### **Minimum Mandatory Sentencing - Child Abuse**

[5.15 p.m.]

**Mr TUCKER** (Lyons - Motion) - Madam Speaker, I move -

That the House:

- (1) Welcomes the federal Labor Party's recent sensible backflip on minimum mandatory sentences for crimes relating to child abuse.
- (2) Acknowledges the Tasmanian Labor Party is now out of step with its federal Labor colleagues.
- (3) Supports the introduction of minimum mandatory sentences for serious sexual offences against children.

I say from the outset that I will not be requiring a vote today and intend to continue this debate another day.

It is clear that there is only one party in this place that has a genuine proven track record of pursuing an agenda that is tough on crime. Five years ago, the Hodgman Liberal Government was first elected on a strong law and order agenda. Since then we have remained steadfast in our commitment to deliver on our promise to pursue reforms aimed at keeping dangerous criminals off the street, protecting the community and putting the interests of victims front and centre.

All of this has been in the face of five years of Labor opposing, blocking or trying to stop the Government delivering on its promises to the Tasmanian people to keep them safe. It began very soon after the 2014 election with Labor opposing our bill that eventually saw guaranteed jail time for those who commit serious assaults against police officers. This same theme continued during the last parliament with Labor being vocal in its opposition to guaranteed jail time for frontline workers, for off duty police and, most notoriously, for serious child sex offences against children. The outrage in the community after Labor blocked these reforms make clear what reforms Tasmanians really want.

Likewise, from the beginning of our first term, Labor opposed the Government's policy to phase out suspended sentences despite clear findings by the Sentencing Advisory Council that such sentences are inherently flawed and are regularly contravened without consequence by offenders. The Labor Opposition continues in its opposition to this reform.

Further to this, during both the previous parliament and again after the last election Labor opposed a bill that would see the practice of releasing prisoners on remission before they have served their sentences. So far, to say Labor are anything other than tough on crime or to say they have any legitimate plans to ensure community safety, is clearly misleading. In relation to Labor's new policy changing the maximum penalties, the simple fact is that changing the maximum penalties - as Labor now proposes to do - does nothing to guarantee jail time while the Government's bill does.

Labor has asserted that the minimums set by the Government bill are less than the penalties being imposed by the courts. It is not clear to me how such an assertion is made given the publicly available findings of the Sentencing Advisory Council in their most recent research report covering the period of 2015 to 2018.

Let us compare rape of a child: our bill would impose a minimum of four years imprisonment. The SAC research shows the lowest penalties being imposed remain constant at three years imprisonment, unchanged from past years. Maintaining a sexual relationship with a young person, under our bill where there is rape, four years; where there is circumstances of aggravation, three years. SAC research outside sentences for what could be characterised as a consensual relationship, only 80 per cent of offenders convicted of single counts of maintaining a relationship received a sentence of immediate imprisonment. Of these, the lowest sentence of imprisonment imposed was less than two years - 21 months. In fact, SAC found that for such offenders the rate of offenders receiving immediate custodial sentences dropped from 92.5 per cent when comparing sentences imposed between 2015-18 and 2008-14. Sexual intercourse with a young person, under our bill, where there are circumstances of aggravation, results in two years.

Due to the small number of sentences handed down during the period covered by the report the SAC was of the view that it would be inappropriate to reflect on current practice or to make a

comparison with past sentences. However, they did note that the minimum penalty imposed during this time was nine months. Their research shows that partially or wholly suspended sentences remain a norm for the crime of sexual intercourse with a young person.

Labor talks as though the current provisions of the Criminal Code are preventing courts from imposing higher penalties. This is simply not the case. SAC research shows that the highest sentence imposed in recent years for a crime covered by this bill is 15 years, well short of the current maximum in the Criminal Code. To quote the SAC:

It is ... unclear whether making changes to the maximum penalties for the various offences under the Criminal Code will make any significant difference to sentencing practice in Tasmania. ... the experience in other jurisdictions is that sentences rarely increase in the same proportion as any increase in the maximum penalty.

Our legislation guarantees jail time from the minimums prescribed by this bill to a maximum of 21 years. SAC research clearly shows that offenders continue to receive sentences below the levels imposed by this bill and, in fact, in some cases terms of imprisonment are partly or even wholly suspended.

Ms Haddad has made much of increases in minimum penalties. However, the 350 per cent increase in the penalty for sexual intercourse with a person under the age of 17 that the member proclaims translates to an increase from two months to nine months. It also does not reflect those receiving partially or wholly suspended sentences. To be clear, both the lowest sentences for the crime of raping a child between 2015 and 2018 were both below the minimum imposed by this bill. Ms Haddad has also made much of increase in the average penalties. This bill is about those who get away with little or no jail time. What good does it do for a victim of child sexual abuse whose abuser has received a lenient sentence to be told that on average others received a higher sentence? Our bill will change penalties being imposed with immediate effect, guaranteeing immediate prison time for such offenders.

Changing maximum penalties, as proposed by Labor, will not have that impact. Labor's policy will not address the pattern of inadequate sentencing identified by the Sentencing Advisory Council. If a court is looking to impose a sentence that would only see an offender serve a matter of months for a serious sexual offence against a child, tinkering with maximum penalties to provide a discretion to impose a life sentence will not change that. However, setting a sentencing floor, a minimum that a court cannot go below, as our reform proposes, will guarantee real jail time for such offenders. Labor's new policy is nothing but a smokescreen aimed at grabbing headlines and nothing more. Worse still, Labor tries to justify it by peddling falsehoods about the Government's bill and what it seeks to achieve. Victims' groups see through this smokescreen. Victims' groups know that changing the maximum penalties in this instance will not make any difference to the sentences that cause such concern in the community.

If Labor has now truly changed its tune, just like their federal colleagues, I call on them to support the Government's agenda. Without a commitment to support our reforms, Labor has not changed its stripes and it has nothing of substance to contribute to this debate.

This Government has long held the position that increased sentences are needed for serious sexual offences against children. It is a commitment we made at the last two elections. Sexual offences against children are particularly heinous. It is imperative that the sentences imposed by

the courts in relation to this type of offence are in proportion with the gravity of the crime committed and reflect the strong condemnation felt by the Tasmanian community. Such reforms are entirely reasonable and clearly in line with community expectations. Support the Government in its commitment to introduce a guaranteed jail time for serious sexual offences against children, for assaults on certain frontline workers and on off-duty police.

Labor could also today drop its opposition to our truth-in-sentencing reforms and announce its support for our bill to remove prison remissions, but it does not stop there. The Government still has a heavy reform agenda aimed squarely at bringing the law into line with community expectations. If Labor is truly now tough on crime, as they maintain, I call on them today to declare their support for the policies that we took to the last election.

Still under development are important reforms that will see Tasmania's bail laws overhauled. They include a presumption against bail for serious and repeat offenders. The Government has also committed to reform Tasmania's dangerous criminals declarations. The current regime makes it too difficult for a prosecution to successfully have certain offenders declared dangerous. Our reforms will address this. We will also act to introduce reform that will directly address one-punch incidents that lead to the death of a victim. If Labor truly wants to ensure that offenders are held to account I look forward to welcoming their support for this reform.

The fact is that without a commitment to support our reforms, Labor has not changed its stripes. Hearings conducted by the Royal Commission into Institutional Responses to Child Sexual Abuse have brought to the public's attention the harrowing details of child sexual abuse. It is the duty of any responsible government to do whatever is necessary to ensure such victims can achieve a sense of justice.

The introduction of a mandatory sentencing scheme is a policy decision for government and it is the legitimate role for parliament to enact laws to protect the community. It is up to the parliament to set specific penalties for specific crimes, should it wish to do so. The Labor Party's decision to vote against our legislation demonstrates a willingness by the Leader, Rebecca White, to ignore the views of the community and refuse to listen to the victims on this important issue. The Labor Party has taken an ideological position on minimum mandatory sentences but it is a mistake to blindly dismiss legislation simply because of an in-principle position.

Now the Tasmanian Labor Party has also been exposed as being completely out of step on this issue following the backflip from the federal Labor Opposition which recently expressed support for a Morrison Government bill that included minimum mandatory sentences of four years' jail time relating to child abuse. This is a very welcome backflip and we wonder whether you are going to do the same like you did with the pokies bill. On 31 July 2019 *The Australian* reported that in a break from policy the Labor Caucus agreed to support a Coalition bill that included minimum mandatory sentences of four years jail for possessing child abuse material or childlike sex dolls. Opposition spokeswoman on Home Affairs, Kristina Keneally, recommended that Caucus back the bill, which creates an offence of failure to report or protect children at risk of child abuse as well as making it easier to prosecute Australians who abuse children overseas. Six frontbenchers rose to back Senator Keneally, including former Labor leader, Bill Shorten.

In the last parliament, Labor tried to stop the Government from introducing minimum mandatory sentences for child sex offenders. Former Justice spokeswoman, Ms O'Neil, told parliament in 2017 that minimum mandatory sentences did not work despite facing government accusations that she was being soft on paedophiles. Guaranteed jail time for child sex offenders



would ensure justice is served while sending a strong message that these types of crimes will not be tolerated in Tasmania.

Victim support groups and advocates have shared their views on this matter. Steve Fisher from Beyond Abuse stated that -

We are baffled as to how anyone could possibly argue that a four-year floor for any sexual offence committed against an innocent child - regardless of whether or not it does indeed include the crime of rape - could be considered too harsh a punishment.

Ultimately, the most disappointing aspect of the Opposition's argument against the Bill is that it was almost solely made up of attempts to discredit its content...

The problem over the past 13 years is that the Labor Party does not seem at all interested in the views of victims and support groups.

This Government remains absolutely committed to our election commitment to introduce minimum mandatory sentences for those who commit serious sexual offences against children. Both Beyond Abuse and End Rape on Campus, two important groups that have done so much to advocate for survivors, have made clear their firm support for mandatory minimum sentences for serious child sex offenders. We all received correspondence from Nina Funnell and Steve Fisher on the topic. It is important that their valuable contribution be placed on the parliamentary record. They write -

Dear Member of Parliament,

We are writing today to express our firm support for the Bill introduced today regarding Mandatory Sentencing for Child Sex Offenders and would warmly welcome your support on this Bill, too.

Beyond Abuse and End Rape on Campus Australia both advocate for the realisation of the rights of sexual assault survivors and others impacted by sexual assault and abuse in Tasmania.

As you would no doubt know, sexual offences against children are arguably some of the most abhorrent crimes that can be committed, and the impacts of these crimes can last a lifetime.

Yet, until recently, the impacts of this kind of offending have often been misunderstood or minimised due to poor community attitudes and a lack of understanding regarding complex trauma.

As a result, sentences for offenders have often failed to reflect the severity of the crime in Tasmania and other Australian jurisdictions and, in many cases. Perpetrators - including serial offenders - have been given highly lenient sentences.

Beyond Abuse and End Rape on Campus Australia therefore strongly support law reform to introduce minimum mandatory sentences, so as to reflect the severity

of the crimes to serve as a deterrent (both specific deterrence and general deterrence) and to protect the safety of the community.

Bipartisan support of this Law Reform is supported by approximately 72 per cent of Tasmanians.

Thank you for your consideration of this issue and please do not hesitate to contact us if you have any questions.

Kind Regards, Steve Fisher, Beyond Abuse, and Nina Funnell, End Rape on Campus Australia.

In the wake of the Royal Commission into Institutional Responses to Child Sexual Abuse, which have shone a light into some of the darkest corners of our recent past, the true extent of that trauma can no longer be underestimated or misunderstood. As the chair of the royal commission himself said -

In my role as a judge I have been called upon to review many of the sentences imposed upon people convicted of the sexual abuse of children but I readily acknowledge that until I began my work with the commission, I did not adequately appreciate the devastating and long lasting affect which sexual abuse however inflicted can have on an individual's life.

As Beyond Abuse said in a release, they believe the tide is turning and survivors are recognising more than ever their voice is important and should be listened to.

It was with anger, bewilderment even, that these groups reacted to Labor standing in the way of measures that would have guaranteed jail time for perpetrators of utterly abhorrent crimes. As the Sentencing Advisory Council research makes plain and a survivor group has made clear, a number of current sentences for offenders have often failed to reflect the severity of the crimes being committed. National child protection advocates, Bravehearts, has back federal Government calls for mandatory sentencing of serious child sex offenders -

'Bravehearts supports the introduction of mandatory minimum sentences for serious sex offences that attract a maximum period of 10 years or more, including an equal and parallel consideration and assessment of risk at the time of sentencing', said Mrs Johnston.

'Minimum mandatory sentencing is needed because the judiciary must down sentences that reflect community expectations. But one size rarely fits all so the need to qualify the risk offenders pose to children must be a critical element in calculating sentencing.

'Ultimately, what we seek is that offenders stop offending and that dangerous sex offenders are not released into the community.

'In order to keep our communities, and in particular our children, safe and protected from harm, we need to find effective measures to protect our children against those offenders who are assessed as anything other than a low risk.

'The calls for mandatory sentencing is a response to community fears around the release of dangerous offenders into our communities. With communities becoming increasingly concerned about the sexual assault of children, it is time that our legislation and courts properly deal with risk as well as punishment.'

Mrs Johnston conceded there were persuasive arguments on both sides of the debate but stressed that strict new laws for serious crimes would act as a deterrent for offenders and that arguments against mandatory sentencing could be overcome.

...

Bravehearts considered a number of key objectives in introducing mandatory sentences.

- To provide consistency and certainty in the sentencing process;
- To ensure dangerous sex offenders are not released into our communities;
- To provide transparency in the sentencing process; and
- To increase community confidence in the criminal justice system through providing a system that meets community expectations.

The bill introduced by the Government sought to deal with the most serious of crimes against children and included: four years imprisonment for the crime of rape perpetrated against a victim is under 17 years; four years imprisonment for maintaining a sexual relationship with a young person where there are aggravating circumstances and rape; three years imprisonment for the crime of maintaining a sexual relationship with a young person in which there are aggravating circumstances; and two years imprisonment for the crime of sexual intercourse with a young person in which there are aggravating circumstances.

I note that Labor has argued that mandatory minimum sentences are a breach of the separation of powers. This is simply not the case. As the Attorney-General has noted on many occasions, it is the role of the courts to apply the law as made by the parliament. There are many examples of mandatory sentencing which have existed in our legal system through its evolution and there are many examples that exist today. As the judiciary itself has said, all criminal penalties are set by parliaments. Courts do not set maximum or minimum penalties.

[5.40 p.m.]

**Ms HADDAD** (Clark) - Madam Speaker, I note that the mover, Mr Tucker, has said that he does not require a vote on this motion and intends to keep it going. No doubt he will continue to keep it going, as this Government has, despite the parliament now twice rejecting this putrid legislation, to be quite frank. Twice it has been rejected by this parliament but they keep bringing it back.

Labor's policy would in fact allow for life sentences for paedophiles who commit these horrendous crimes, and that is one point Mr Tucker and I can agree on. They are abhorrent crimes and no-one defends them. People who offend sexually against children are the worst of the worst and Labor will always argue that, so there is one point that we can agree on. But he says that our policy which would allow for a judge to send someone to prison for life is nothing but a smokescreen and that, in his words, we are doing it just because we are after headlines.

Keeping a motion like this limping along, as the mover intends to do, as he said in his commencement, will do exactly that. It is a grubby attempt by the Liberal Party to continue to drag this issue out at every opportunity so they can keep getting headlines and drag it out till the next election so they can tell the people of Tasmania that they are tough on crime and Labor is not and they can tell the electors of Tasmania falsely that Labor does not care about the victims of child sex abuse.

I take great offence to some of the points Mr Tucker made. 'Labor is not committed to the views of victims', he said. Labor started the royal commission into child sex abuse in institutional care. Labor always stands for the rights of victimised people. That is the purpose of the Labor Party. We will stand up for people who are impoverished and abused and we will do that every day of the week, no matter how many times you continue to drag this issue out into the public arena for one reason alone. That is to get yourself headlines that people are starting to see through, and not just the legal fraternity.

Mr Tucker has quoted a lot from the Sentencing Advisory Council's report but he quoted extremely selectively. The Sentencing Advisory Council could not have been clearer in their second report in saying they do not support mandatory sentencing but if you insist, here is what a scheme might look like. That was the advice to Government - 'Don't do it, but if you insist, if you tie our hands and force us to give you this advice, here is how it might look'.

It is appalling, and pretty soon the community is going to start seeing through this too. The experts have seen through it, everyone knows mandatory sentencing does not work as a legal -

**Ms Archer** - Tell that to the victims. Tell that to Steve Fisher.

**Ms HADDAD** - The minister says by interjection, 'Tell that to the victims'. Madam Deputy Speaker, you would not find a lawyer in this country who supports mandatory sentencing. You would not find a judge in this country who supports mandatory sentencing, and I would be interested to know what the Attorney-General's view is on Mr Tucker's comments when he said sentences have failed and the judiciary must hand down sentences that reflect community expectations. He is not criticising the parliament there, he is not criticising Labor but he is criticising the judges of the Supreme Court. That is who he is criticising and that is just not good enough.

When the Liberal Party is not busy looking for grubby headlines or a way to convince the Tasmanian people of something that is blatantly not true, here is Mr Tucker talking about federal Labor. Let us have a look at what the federal Liberal Party thinks. Here is a letter I would like to read into the *Hansard*. You might guess while I start reading it who it is from. It says -

This character reference is provided in the context of charges being dealt with in relation to Cardinal Pell.

I am aware he has been convicted of those charges; that an appeal against the conviction has been lodged and he maintains his innocence in respect of these charges. None of these matters alter my opinion of the Cardinal.

I have known Cardinal Pell for approximately 30 years. We first became acquainted when he was, I think, an assistant Bishop in the Archdiocese of Melbourne ... and later still, Archbishop of Sydney.

Cardinal Pell is a person of both high intelligence and exemplary character. Strength and sincerity have always been features of his personality. I have always found him to be lacking hypocrisy and cant. In his chosen vocation he has frequently displayed much courage and held to his values and beliefs, irrespective of the prevailing wisdom of the time.

Cardinal Pell is a lively conversationalist who maintains a deep and objective interest in contemporary social and political issues.

It is my view that he has dedicated his life to his nation and his church.

What does that comment say to survivors of child sex abuse? What does that comment say to people who have been abused by the accused at that time, Cardinal Pell, who has since been found guilty and incarcerated for his crimes? What does that say to victims and survivors of child sex abuse? What does it say to the parents and care givers of young people who might have trusted adults around their young people who may have had those personality traits: a local priest, a teacher, someone they trusted in their family who had high intelligence, was of exemplary character, had strength and sincerity and might even have been a lively conversationalist?

Those things are irrelevant to paedophilia and child sex abuse. For the Liberal Party to continue to come in here and tell the Labor Party they do not care about victims of child sexual abuse is offensive in the extreme. That is what the Liberal Party thinks about a convicted child paedophile. That letter of course was written by former Liberal prime minister John Howard in defence of Cardinal Pell when he was taking his case to appeal. That is what the federal Liberal Party thinks about a convicted child sex abuser.

Mr Tucker told the parliament - and I was interested to read the motion - that he welcomes federal Labor's recent sensible backflip on minimum mandatory sentencing for crimes related to child abuse and acknowledges that Tasmanian Labor is out of step with its federal colleagues. What is that about, I thought? I spoke to my federal colleague and looked up the bill. Did you look up the bill, Mr Tucker? Did you read it?

**Dr Broad** - He's nodding. I don't think he did.

**Ms HADDAD** - Did you read where it is up to in the parliamentary process? I think you have been used, Mr Tucker. I hope for his sake he does not answer my question because I might be new to this place but I acknowledge Mr Tucker is newer and he has been led down the garden path and fooled by his party room.

**Ms ARCHER** - Point of order, Madam Speaker. This member has a complete glass jaw herself and then has the cheek to denigrate a new member.

**Madam SPEAKER** - What is the point of order?

**Ms ARCHER** - She should withdraw that point because it is highly personal.

**Ms O'CONNOR** - On the point of order, Madam Speaker, my hearing of Ms Haddad's statement was that it was simply a statement of fact.

**Ms HADDAD** - I withdraw the allegation that Mr Tucker has not read the bill.

**Ms Archer** - She does not like it being said about her.

**Ms HADDAD** - I do not have a glass jaw. I would not have run for this job if I had a glass jaw, for goodness' sake. I do not give a shit what anyone says about me in this place, honestly.

**Madam SPEAKER** - Order.

**Ms HADDAD** - I withdraw my comment about Mr Tucker not reading the bill facing the federal parliament. I have read that bill and I can tell you first of all that it has not been voted on in any Chamber of the national parliament; there has been no vote on that bill. There has been no commitment from federal Labor to support the bill or otherwise.

Mr Tucker also says that the bill includes mandatory minimum sentences for some pretty horrible crimes. I acknowledge that the bill is dealing with some awful things but with respect, and this is not impugning his character at all, in fact, they are not minimum sentences at all. If you read the explanatory memorandum that accompanies the bill, it is a legislative interpretive tool that is part of the bill package. In fact, in every instance where the bill talks about an imprisonment period of four, five, three - I think there was one of 15 years - the explanatory memorandum actually explains that it is a maximum penalty.

I will read one. I will not bother reading them all: 'This maximum penalty for the offence under section 273(b) point 5(2) is two years' imprisonment. This maximum penalty reflects the principle in the guide to framing Commonwealth offences infringement notices and enforcement powers that an offence should have a maximum penalty that is adequate to deter and punish a worst case offence. This penalty is low ...' et cetera. That is the part that is relevant to this debate.

What federal Labor does or does not do with this bill is a decision for their Caucus but what is relevant for our parliament to consider is that, in fact, the bill that the federal Morrison Government has introduced does not impose mandatory minimums. It imposes optional maximums for the courts. It allows the courts to impose up to certain ranges of offences, up to 15 years in one instance, the offence that Mr Tucker spoke about in his contribution.

**Ms Archer** - It is mandatory. It sets mandatory limits and you are ideologically opposed.

**Ms HADDAD** - Have you read it? Well, perhaps no-one over there has read the bill. I will read the section out that Mr Tucker spoke about. It is section 273(a) point 1, possession of childlike sex dolls. For that offence it actually says the penalty is a maximum of 15 years: 'This maximum penalty reflects the principle in the guide to framing Commonwealth offences infringements notices enforcement powers and an offence that shall have a maximum penalty that is adequate to deter and punish a worst case offence', not a minimum.

That is as much as I need to say in my contribution. The notice of motion that we are discussing today is wrong on all counts. One, federal Labor has not backflipped on a position on mandatory minimums. Two, state Labor is not out of step with federal Labor and if the Government had done a little bit more research instead of getting their hands on an *Australian* article, which is what we were told in the member's contribution - that they read an article in the *Australian* about a conversation that was had in a Labor party Caucus meeting. I tell you what I learned very early before I started this job. I learned not to trust what is written in the *Australian* half the time.

I advise the Government to do a bit more research rather than just getting their hands on a newspaper article in the *Australian* and basing a notice of motion on that alone because, in this case, it is entirely wrong.

[5.52 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Deputy Speaker, I rise in my capacity as the Greens spokesperson for children to express my extreme disappointment, and in fact disgust, at the content of the motion that we are debating today, at the unashamed politicisation of children who have been sexually abused or at risk of it in order to score political points. As Ms Haddad has just pointed out, this motion in itself is wrong and deeply flawed. Unfortunately, we are going to see, as Mr Tucker indicated, an attempt to keep bringing this issue back as a talking point, politicising children who have been harmed by sexual predators, by paedophiles in order to try to score points against Labor.

We are here to act in the best interests of children, Mr Tucker, and the advice from the Sentencing Advisory Council is very clear. They are strongly opposed to mandatory minimum sentencing. My recollection is that the Commissioner for Children and Young People is opposed to mandatory minimum sentences in this capacity. One of the reasons is that mandatory minimum sentences reduce the incentive for offenders to plead guilty, which means that there is a much higher risk of a child who has been sexually abused having to go through a court process, retraumatising them and compounding the damage.

If your concern is the wellbeing of children you cannot support mandatory minimum sentencing. The Victorian Sentencing Advisory Council found that there is ample evidence that mandatory sentencing can and will be circumvented by lawyers, judges and juries, both by accepted mechanisms, such as plea bargaining, and by less visible means. The Victorian Sentencing Advisory Council notes:

The outcome of this avoidance is to jeopardise seriously another essential aim of mandatory sentencing, that is to ensure that proportionate and consistent sentences are imposed. Even if this circumvention, both formal and informal, could be addressed, imposing a prescribed sanction or range of sanctions for offences which invariably encompass a broad range of behaviours guarantees only a very superficial, artificial consistency and one that trades its subtlety for simplicity.

When we go to the issue of the sentences that are handed down by courts in relation to paedophiles, the Sentencing Advisory Council in their 2016 report to the previous Attorney-General made it clear:

There are already indications in the current research conducted by the council that suggest that the Supreme Court has increased sentencing for serious sex offences, particularly those involving children. Current sentences are not only generally heavier than they have been, but it may be that they have not plateaued yet. The decision in *Tasmania vs KR* is illustrative of this trend. In this case the penalty of 15 years imprisonment was imposed for three counts of rape and one count of maintaining a sexual relationship. This was the longest sentence imposed to date for sexual offending against children and there may be flow-on effects from a landmark sentence of this kind for the same crimes, as well as other sexual offences committed against children.

We have seen conservatives in government do this before, where they undermine the judiciary, where they will criticise judges who are not able to defend themselves in the public domain, as we just heard from the member for Lyons, Mr Tucker. If this Government is serious about protecting children from paedophiles it will invest much more. For example, it could task the Tasmanian Law Reform Institute, with the widest possible mandate, to make recommendations about how we as a society can better protect children and reduce offences against children. This is not a notice of motion that is being brought forward in the best interests of the child. If there were mandatory minimum sentences imposed it would not, all the evidence tells us, keep children safer. It would not reduce the incidence of crimes against children and shouldn't that be our aim? You would think that would be our aim.

We recognise this for the junk, highly political notice of motion that it is. Mr Tucker, you might think you are on a merry ride here with this notice of motion, which now has two solid errors of fact in it, but what you are doing is not going to keep children safer in Tasmania. It politicises children who have been harmed by vile people and you can do better than that, Mr Tucker. You should have the courage to bring this on for a vote and then we can move on to other matters of substance in relation to how we can better look after children who we know look to us for protection.

Having this punitive approach to these crimes against children is doing nothing for the children and, in fact, it could harm them more because it will put them through court cases that will retraumatise them and compound the damage.

[5.59 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Madam Deputy Speaker, as the Attorney-General, it is important that I make this contribution -

**Debate adjourned.**

## **ADJOURNMENT**

### **University of Tasmania - Hong Kong Democracy Protests**

[6.00 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Deputy Speaker, I rise to speak about Hong Kong and the wave of students standing up for a free Hong Kong against the Chinese government. For any member of the House who has not been to the University of Tasmania's student lounge I highly recommend it. Just go in there for a quiet moment and have a look at the 'Lennon Wall'. Some students at UTAS will be from Hong Kong, some of them will be from Taiwan, some may even be from mainland China and there will be a whole range of students from other places, but they have created a 'Lennon Wall' in the student lounge at the University of Tasmania. It is simple, it is moving and it is inspiring.

As we know in this place, democracy is a beautiful and fragile thing and too rarely do we talk about democracy in the context of Asian countries and south-east Asian nations, but the big battles for democracy in this century will take place in the Asian subcontinent and South East Asia. Hong Kong is now a powder keg, there is Taiwan sitting there, the island of Formosa, just off mainland China, a thriving democracy which is under threat from the Chinese government.



I want to talk about some of the protests that have been happening in Hong Kong. These protests started about nine weeks ago and have become increasingly large. Increasingly we are seeing violence seeping into these protests that has been perpetrated against the protestors by Hong Kong police, and now we have threats of violence by People's Liberation Army generals from China who are threatening to crack down on these kids. For people who want to see something that is poignant and brings home what these young people in Hong Kong are fighting for and how hard it is and how frightening it must be, I invite you to go to my Facebook page where there is a short two-minute video. It is one shot of a street scene in Hong Kong at night and it is played to Louis Armstrong's song *What a Wonderful World*. We see these young people standing there facing a wall of Hong Kong police officers and you can see their fear and how they run away from police officers who are now firing rubber bullets and tear gas at these protestors.

What is one of the most amazing things about this protest is it was originally student led but those students have been joined by their parents and grandparents, by pop stars, civil servants and business operators. It began as a protest against an extradition bill that the Hong Kong administration had tabled in the parliament there which would have allowed for the extradition of Hong Kong citizens to mainland China for trial. As we know, mainland China has black prisons, trials are a farce and invariably end up in a guilty verdict and incarceration for those people.

One of the things that is so amazing about this protest movement is that it is leaderless; it is an organic protest movement. It is organised through encrypted apps, there are supply chains set up for protestors on the front line and the call that goes out to the protestors when the Hong Kong police come at them is 'Be like water'. They move like water and have managed to sustain this inspiring protest to stand up for a free Hong Kong against a totalitarian regime which is marshalling the troops at Shenzhen on the border of Hong Kong.

I want to reinforce that it is critical that democratic nations stand with peoples who are standing up for democracy. What happens in Hong Kong will have powerful symbolic repercussions and geopolitical consequences. Every member of this House, as part of a democratic parliament, should make a commitment to stand with Hong Kong, to speak up for Taiwan and to speak up for every fragile state and democracy to threats. The biggest threat faced by the people of Hong Kong and Taiwan right now is a totalitarian regime which, as we know, 30 years ago sent the tanks into Tiananmen Square and killed thousands of young Chinese people who were simply standing up for a freer China. The young people of Hong Kong are right to be fearful of what is being incorporated into the Chinese government's sphere of toxic influence and we as members of a democratically elected parliament should stand with Hong Kong.

## **2019 Australia's Digital Pulse Report**

[6.06 p.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Madam Deputy Speaker, last week I had the pleasure of launching the 2019 Australia's Digital Pulse report which is the annual effort jointly between the Australian Computer Society and Deloitte Access Economics. We have been doing that each year and it has been really positive and a great opportunity to bring industry and professional contributors together with the strong support of the Tasmanian Government. I acknowledge the efforts of ACS' state manager, Tristan Richards. Tasmania was the first state in the nation to have the launch of the report and I want to acknowledge that.

The Digital Pulse is an invaluable asset that helps shine a light on where we are a state and as a country, where we are going and where we need to be. The research behind it does not just provide us with numbers, although it does give us helpful numbers, but it shows us where the opportunities might lie and where more proactive efforts are needed. I am very happy to inform the House of the very good news that on trend terms the Digital Pulse estimates an additional 500 more people in Tasmania in work in the ICT sector here in Tasmania compared to just one year ago, which is fantastic.

In recognising the impact of the digital economy in Tasmania the Government has been working to improve and enhance our partnerships with industry and the profession, to create opportunities for Tasmanian businesses to compete - and we have seen some great results out of that - to provide better and more support to startups which is giving us a good reputation in this country, ensuring that all Tasmanians can benefit from and participate equally in the digital economy and providing better communications infrastructure for our state.

To progress the opportunities that ICT offers to Tasmania and our economy, the Government hosted the most recent of our industry sector summits in Launceston as recently as June. It was a fantastic discussion on the topic of digital disruption and, importantly and I would have to say essentially, the ICT skills pipeline and bringing together nearly 40 representatives of industry, the education sector and of course government and how we can work together to get better results for the sector and for our community.

Key inputs from that summit will be for the Tasmanian Government's workforce development plan that we are dusting off, refreshing and rewriting, with a particular focus on encouraging women in IT as well. The plan is about helping Tasmanian ICT education and training providers, employees and potential employees, job seekers and policy makers to deliver the ICT workforce that Tasmania needs for our future. We look forward to completing that plan later this year.

To be a leader in the national and international digital economy we understand that innovation and entrepreneurship is absolutely vital and needs to be proactively supported, not accidentally supported as we have seen in the past. That is why three years ago we provided seed funding to develop and launch enterprise innovation hubs in both the north and the south. These hubs have provided training and hands-on mentoring to develop, evaluate and implement pre-startup and early-stage businesses and have drawn interest and support from a huge range of industries, innovators and community members. It has been fantastic. We have seen something like 1000 sessions in those centres, which indicates not only the resource that is available but the take-up. We are committed to taking our startup support even further. We are investing almost \$1 million to establish a start-up accelerator program for Tasmania, which time does not permit me to go into.

This shows that, as part of that investment, Launceston will soon become home to a combined energy internet of things start-up accelerator that will be led by an established Australian-based and proven provider, EnergyLab. This Australian-first energy internet of things accelerator will receive \$150 000 in funding to engage and inspire local entrepreneurs to develop and innovate within the clean energy sector and assist Tasmanian businesses to establish themselves in this rapidly growing marketplace. We anticipate that additional partners will also join the Tasmanian Government start-up accelerator program in the future. I emphasise that is an initiative of this Government and it is already generating a lot of excitement in the community. We are thrilled about that. That engagement is going to continue.

Our Government is committed and has a track record that is proven for better communications infrastructure for our state. We are investing \$3.5 million and we are looking forward to further announcements on the outcome of our procurement this year.

The Hodgman Liberal majority Government is the strongest supporter of the ICT sector with the strongest and most effective relationships with our sector partners and we know they are essential ingredients to our social and economic prosperity. The Government cannot and should not do all the heavy lifting alone. It is through those engagements that we see the greatest results. That is why we are working together with industry, with the profession, educators and the wider community to build a bright future, including the digital economy, and to strengthen our state's digital prospects and create even more jobs in Tasmania as we have seen proven through the recent digital polls report.

### **Family Violence Counselling and Support Service**

[6.12 p.m.]

**Ms O'BYRNE** (Bass) - Madam Deputy Speaker, I raised questions and issues about support and funding for the Family Violence Counselling and Support Service and I will talk about the reason the funding of these services is so important. In October last year I stood in this House, heartbroken and angry, when eight women were killed in 10 days as a result of gendered violence. At the time I could not frame words as eloquently as journalist, Jane Gilmore, who spoke of compassion fatigue and the impact of that. Seventy-one women died as a result of gendered violence last year and at least 31 have died this year. In the last days of July the body of Rita Camilleri, 57 and from Western Sydney, was found. An as yet unnamed 82-year-old retired teacher was killed in Logan, Brisbane. Sabrina Lekaj's body was found in Western Australia. The body of an unnamed woman was found in Noble Park in south-east Melbourne. Diana Reid, 71, was found in her home in Bonnet Bay, Sydney. That took the number to 31 women dead because of gendered violence. I am left without the capacity to speak to this, so I am turning again to Jane Gilmore in an article published in *The Australian* -

The dead body of another woman was discovered in Brisbane this week. Police believe it is 44-year-old Simone Rothe, who has been missing since the middle of July.

Around the same time in Melbourne, a woman's body was found in her home and her de facto partner has been charged with her murder.

Two women were killed in the space of a couple of days and it barely raised a mention.

Women who should have futures full of successes and failures, all those moments of frustration and hope that make up a lifetime were brutally taken from them and most of us didn't even notice.

It feels like we are in the midst of compassion fatigue, again, and it's wrong but understandable. If we raised the level of outcry every week to what we did for Eurydice Dixon and Aiiia Maasarwe and Jill Meagher, we would be incapacitated by grief and rage.

When we step back and look at the whole picture, we see women murdered every week, violence reported to police every few minutes and all those individual

events form a pattern, a metronome of terror inflicted on women and children by violent men.

The phrase “national emergency” has been bandied about for years but the urgency is missing. The news stories of this week just pass by because they happen so often we become numb to the pain survivors have to feel and perpetrators are still inflicting. Familiarity breeds apathy and the violence seems so intractable it can feel impossible to change.

The political will to make change just isn't there at a national level. Minimal funding, vague press releases about awareness raising and turning up to a parliamentary breakfast on White Ribbon Day is not going to save lives.

The apathy that greets the story of another murdered woman can only stop when we can stop feeling helpless in the face of what looks like indifference from the people with the power to make the sort of changes we need.

Change needs to be cultural. Men who know violence is not an inherent quality of masculinity need to do more to change the way men around them understand what it is to be a man. Women who know they should not accept toxic behaviour from men and have the power to push back safely need to do more for the women who don't have that power. But the real changes we need are structural.

The urgency of the national emergency needs to be political and practical, where parliaments give real funding to crisis services and prevention and the justice system responds with clear, coherent action that prioritises the safety of women and children.

Reporting the daily occurrences of violence is important. It's how the public learns about the prevalence and cost of men's violence against women. Our reaction is important, public pressure is how we get policy and legislative change. We have both those things. Now what we need is a response that works and to see something that means we can hold on to hope that the violence will stop.

It would be much easier to hold on to that hope if people in power were taking the kind of zero tolerance approach to violence they have no hesitation in taking to national security or collecting on welfare debt. They haven't shown any signs of it yet. Maybe it's time to start asking why.

We ask that question in parliament now. Why is this Government not appropriately funding services? Why are there waitlists for women's shelters? Why is there not enough funding for the Family Violence Counselling and Support Service? It is time for this Government to act. The CPSU and staff have asked for this action to be taken and resolved by White Ribbon Day. Let us see what people in this parliament really stand for.

### **St Helens Hospital Site - Repurposing Public Transport Services - South-East Tasmania**

[6.16 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Deputy Speaker, I rise to update the House to the fact that I have had no response from the minister for Community Development,

Mr Roger Jaensch, regarding the use of the former St Helens Hospital site. It is now 76 days and counting since I wrote to the failed Health minister, Michael Ferguson, about what is proposed for the use of that hospital and when the community will be consulted about that. It is disappointing that it is now over 10 weeks and there has still been no contact.

Mr Jaensch and I are in the same building and have been for a week and a half and I have still not had any conversation with him, let alone received a formal response. I will continue to raise this, now that it is the 76th day without a response, until the community receives an answer about what is happening with the former hospital site.

Further to that, I want to talk about public transport. There have been a number of changes to public transport services in the south-east and a forum was hosted by Jen Butler, David O'Byrne, Craig Farrell and myself in Sorell in February because of the changes that were occurring in that community. Those were changes that affected members of the community from the east coast down to the peninsula, Richmond, Colebrook and there were some changes made as a consequence of those matters being raised with the department, to accommodate the communities concerns about routes and timetable changes the Government had tried to impose without proper consultation.

During that forum, concerns were raised about specific issues that we were told would be resolved, particularly an issue with Levendale and the bus service that is provided there. The issue for the bus service to Levendale is one that does mean students travelling from that community are required to spend much more time at school because they are waiting for the bus to come and get them following dropping off other students that they have already taken home. It was put to the department that could be resolved with a change to the bus route or the timing of the bus run so that students are not waiting around well beyond the hours of school meeting.

We had contact with the department who did promise that they would make sure that was addressed in the first term of this year of school. It is now August. I am informed the matter is still unresolved and the parents of those children remain very concerned that their children are not being prioritised by this Government to make sure they are not spending longer times on the bus or at school than any other student. This is particularly hard on kids from regional and rural areas who already have to travel quite a distance. Levendale students are travelling to Sorell schools, so it is already a fair way and, on occasion, these children are left to wait much longer at school than would ordinarily be the case simply because the bus route has not been fixed yet.

I have written to the minister about this. The last correspondence I had with the minister was when it was the Deputy Premier, Jeremy Rockliff, on 7 June 2019. Again, I still have not had a response to a letter that was written some time ago. It is very frustrating because not only did I raise concerns on behalf of the parents of students from Levendale attending Sorell school about changes to their bus services, but I raised concerns about parents and passengers who are using the bus service on the peninsula, concerns about the bus stop and the bus shelter at Nubeena that I raised with the minister asking for that to be resolved. Due to the change to the route there, there is no safe or sheltered spot at the bus stop and that needs to be fixed.

I also raised concerns about students who need to travel into the city and the fact that the buses are not linking up from Sorell to Rosny to enable students to actually transfer. I also raised concerns about the service from Hobart back to Sorell because both Redline and Tassielink run services. On occasion, some of those buses are full and passengers have been told to catch another one of those buses. They are not communicating well together and people are missing the bus and cannot get home from work.

These were matters I raised with the minister in correspondence on 7 June. I have not had a response and that is very concerning. I urge the minister, Michael Ferguson, the new minister for Infrastructure, to provide an update on those matters that were raised with the Government. I am very concerned that those students in Levendale who were told that their issues would be resolved in the first term of this school year have still not had any action from this Government and kids in country areas travelling to public schools on public bus services should not be let down in this way.

I urge the minister to provide an urgent update so that these families can know how they are supposed to get their kids to and from school in a timely and safe way, in a way that any parent sending their kid to a public school on a public bus service can expect in the city. It should be no different for kids in the country.

### **TastroFest - Ulverstone**

[6.22 p.m.]

**Mrs RYLAH** (Braddon) - Madam Deputy Speaker, last Saturday I was privileged to attend the closing reception for TastroFest in Ulverstone, Tasmania's and Australia's astronomy festival. This year was the fifth year of TastroFest and I have spoken in this House about this before. It is the largest festival of its kind in the country and again it was an overwhelming success, growing year after year after year, with more than 5500 people attending. Just an amazing event.

Although I have attended the event in the past, this year was very different, as it has been each year of this festival. This year was really exciting because it celebrated the fiftieth year since the moon landing, as we all know the Apollo 11 mission. This mission was made up of Eagle that landed on the moon and the Columbia command module, which we tend to know as the Apollo module but it is not. The command module brought the astronauts back to earth. There was a life-sized replica of the Apollo space shuttle - shuttle not quite the right word. This life-sized replica was made by locals in Ulverstone, amazing colours just incredible to see the size. This was associated with a direct audiovisual talk on a big screen to the NASA scientists in Houston, Texas. It was amazing. Looking at the photos of the queues of people to get into this talk, every chair in the place was taken. It was standing room only. People were glued to the screens. It was stunning to see.

This festival has been, and is, an amazing success. It also featured treasure hunts with GPS, planetarium movie sessions, family science shows with glowing smoke of rubbish tins to make smoke rings to show about low pressure and high pressure and how you can just drive. It was amazing fun, free cameras and telescope workshops, free night sky viewing, free astronomy talks, and, as I said, a full-sized replica of Apollo 11 and photography and amazing works.

I have been told that what was particularly interesting about this year - the fifth one - was that from their sampling and research it was shown that people are now staying twice as long and, in some cases, people are entering at the beginning of the day, staying for up to six hours, going away for a meal and then coming back again at night. It has got amazing interest for such a large section of the community. More importantly, they are getting more people into local businesses for meals and accommodation. People are coming from all over the state.

As you would know Tasmania has some of the cleanest and clearest skies in the world, spanning the 40th and the 44th parallel. Tasmania is also uniquely placed for some of the best viewing of the Aurora Australis. TastroFest claims that their mission is to teach everyone how to

enjoy the night sky. Some here might ask, why hold this event in Ulverstone? I am sure most of the Ulverstone constituents might respond that Ulverstone is the centre of the universe, but I jest.

As I said, numbers have been exceeded and people are staying much longer. The live connection to Houston was incredible. It gave the history of the Apollo program and where the space program is going next. The scientists talked directly to the children in the audience at Ulverstone, telling them and all Tasmanians - because they addressed Tasmania - that there are jobs here for you. You can come and work here at NASA. You can come and work on the NASA space program.

Brittany Trubody and the Central Coast Council have to be commended for this program: the ongoing relationship they have developed with space centre Houston, the new relationship that they have created with space centre university or Space Center U. This university is offering directly to Tasmanians including 11 to 14 year olds, 15 to 18 year olds and 18 plus, atmospheric programs and a full education program. The whole education program is around visually impaired or blind people, blind students, to give them cognitive and tactile experiences in engineering and technology.

This is a new Tasmanian resource and what they need to do is for us to have kids going and applying for the camps and grants. It is a wonderful opportunity. There are opportunities in parachute design, cryogenics, all sorts of incredible science opportunities. In fact, there are opportunities in sewing would you believe. I did not know that every astronaut suit is sewn by hand. That just sounds bizarre, but it is. That is a fact.

I congratulate Brittany Trubody and the Central Coast Council. I encourage groups to take part in every activity that TastroFest has in the lead up to Science Week, which is this week. It is another great event in science and technology and I offer my congratulations in particular to the volunteer team that drove and provided incredible hospitality and diversity at this wonderful Ulverstone event last weekend.

### **Homelessness Week**

[6.28 p.m.]

**Ms STANDEN** (Franklin) - Madam Deputy Speaker, I rise to make some comments in relation to Homelessness Week, which we are in at the moment from 5 to 11 August 2019. The theme of this year's national Homelessness Week is 'Housing Ends Homelessness', which is a timely topic and an opportunity for reflection on a very important issue to the community in my electorate of Franklin and right across this lovely state.

'Homelessness is only solved when we can have a home that we can count on. It is very difficult to raise a family, to go to work, to maintain our health and to be part of a local community without a good place to live'. That is a quote from Shelter Tasmania Chief Executive Officer, Pattie Chugg, a well-respected person within the community sector and a very capable and longstanding head of the peak organisation, Shelter Tasmania. It has certainly been drummed into me the importance of affordable, safe and secure housing and not just a roof over a person's head in order to call a place a home.

Homelessness is far more common than people think. Of the 1600 people counted in the 2016 census only 8 per cent were sleeping rough. We need to consider the other so-called invisible 92 per cent of people in insecure temporary, overcrowded and unsafe places. This can mean people living

and sleeping in their cars, couch surfing or staying in motels or other short-term accommodation, and I have certainly in my capacity as shadow minister for Housing talked with many individuals and families in the most desperate of circumstances keen to find that permanent housing they can call home.

With over 120 000 Tasmanians living below the poverty line and 8000 households living in housing stress now this is really a very significant issue, with homelessness affecting all age groups, especially younger and older members of our community. More and more people on low and moderate incomes struggle to find secure and affordable accommodation. Madam Deputy Speaker, dare I say it could be any of us in this House if not for a swift change in life circumstances, whether it be the end of a rental agreement or the end of a relationship. There are so many circumstances that lead people into homelessness. Some need significant help for a long period of time and others merely need a hand up.

I just wanted to speak briefly about the national launch I attended on Monday 5 August 2019 and in particular the beautiful Orana Shaw, a 12 year old who attends Clarence High School within my electorate, who performed her song *Consequences* which she wrote and sang together with her mentor, acclaimed musician Monique Brumby. There was not a dry eye in the house as the song touched on her family's experience of the state's housing crisis and the emotional toll it has taken. The maturity and breathtaking delivery of a beautiful song with just a gorgeous voice was really quite the highlight of my week.

Orana and her mum, who I met after the event, outlined to me that she has grown up in a single-parent household and was forced to find alternative accommodation with her mother and brother when, with little notice, rent at their Bellerive home skyrocketed by \$70 a week. Her song, which includes the line, 'I've been kicked out of my house like an animal in a forest' describes her family's revolving door of rental properties in recent years and it really makes you stop and think about the importance of a stable home - housing first, as they say - as a basis for moving forward in this world.

She was described by her mentor, Monique Brumby, as an old soul and when asked on radio what she would like people to think about for this Homelessness Week she said she would like people to think about how they could make a change and how others feel in that sort of situation and what they could do to help.

I commend her for her bravery, not only in overcoming her nerves to perform a flawless performance in front of a very significant gathering at Mathers Lane - there must have been a couple of hundred people there, I reckon, with a lot of dignitaries - but I also commend her for her bravery in telling her story because I think she believes passionately in the self-help and healing around music as a way to make her feel better but also as a way to reach out to others who cannot speak up for themselves. What a wonderful example of youth today.

### **Terry White - Tribute**

[6.33 p.m.]

**Mr TUCKER** (Lyons) - Madam Deputy Speaker, it is a pleasure to pay tribute to the hard work of a significant contributor to the agricultural sector in Tasmania and that is Terry White, who is a passionate Tasmanian farmer who also operates Highfirth Seeds at Wattle Hill near Sorell. Specifically, why I am talking about Mr White today is his involvement in and contribution to the excellent event known as Old Mates Day. Old Mates Day was triggered by the demise of the



Bridgewater livestock sales in southern Tasmania, which is where most of the communication between farmers, butchers, livestock agents and associates over many generations happened. It was where they caught up and exchanged information. The sales were not only business, they were also social. Once that source of contact disappeared from these people's lives they sought other ways to get that contact, so Mr Terry White instituted what has become known as Old Mates Day. The idea came after a mate stayed at Terry's place. About 150 people came along to catch up at the first event. He thought he would have another crack at it and that was the start of this great day.

Farming is a massive contributor to the nation's economy and Tasmania is no exception to that. Indeed, anyone who travels around Tasmania knows that farming is embedded very much in our daily lives, some say 99 per cent of which are family owned and operated. It points out how important this sector is to small communities and the families who live in these small communities. Australian farmers produce almost 93 per cent of Australia's daily domestic food supply. Farming is physically and also psychologically demanding. It has challenges of an environmental nature such as floods and droughts, often coming in close succession, in addition to bushfires. The challenges that are not recognised are mental health issues and, flowing from that, depression. In these circumstances it is incredibly important that farmers and those who live on the land get together and talk. That is why events like Old Mates Day are so important.

Old Mates Day is an important opportunity for communities to join together to celebrate all that is good about Tasmanian agriculture. The innovation, the resourcefulness, the sense of community and the pride that we have in this sector is indeed one of our state's key pillars of the economy. In the past it has been held at Bream Creek showgrounds and this year at Terry White's property at the picturesque south-east of our state. I am told that many of the people who attended this event had not seen one another for many years. As is the case, people get carried away with their daily lives and work and have no capacity to get around and socialise. That is why this event is such an excellent one. It is a great initiative and I put on record tonight, and I am sure also on behalf of my Tasmanian colleagues and friends, my thanks and appreciation to Terry White for his ongoing efforts and passion in supporting farmers right across Tasmania in putting together this event. It is people like Terry who characterise the strength and resilience and the quirkiness of our regional communities.

I thank Terry and all of those who supported him in putting this excellent event, organisations such as Rural Alive and Well, Tasmania Fire Service, the Tasmanian Famers and Graziers Association, AgriBusiness Roberts, the Coal River Group and a number of parliamentarians across the political spectrum. I have no doubt that this will be an excellent and growing event for years to come.

### **Tasmanian Hospitality Association Awards for Excellence**

[6.38 p.m.]

**Ms BUTLER** (Lyons) - Madam Deputy Speaker, tonight I rise to speak about the Tasmanian Hospitality Association Awards for Excellence which I attended on Monday night with my colleagues our Leader, Rebecca White MP and David O'Byrne MP. There was also representation from the Government at the awards night and members of the Legislative Council. Overall, I was really impressed with the congeniality, professionalism, enthusiasm and the turnout. There were over 500 attendees and I extend my congratulations to everybody who was nominated and received awards.

Tonight I would like to congratulate a special few. Christmas Hill Raspberry Farm of Elizabeth Town was recognised for a great customer experience; Hazards Bar and Lounge at Freycinet Lodge was awarded the best bar presentation and service; and the award for best guided tour experience was given to Oyster Bay Tours, which is a tremendous endorsement for that business. They really are going from strength to strength. If anyone here has the opportunity to undertake one of those tours it is a fantastic experience. Also of note was Freycinet Lodge for best new tourism initiative and Saffire Freycinet which won the accommodation venue of the year and also regional venue of the year.

I would like to talk about the Furneaux Restaurant, a French restaurant in St Helens. It was recognised as the Best Specialty Restaurant as well as Restaurant of the Year in the regional category. I congratulate Stefaan Codron and Jonathan Wong, the chefs at that restaurant. My family has quite a bit of history associated with that restaurant. In 1993 my parents had a holiday accommodation site in St Helens named Queechy Cottages and they built a restaurant on that site called Tidal Water. I designed the floor of the restaurant, my brother designed the kitchen, and we ran it for them. It was a very successful restaurant. I went back to university and some new people came in, took over the restaurant and they took on the name of Tidal Water. Quite a few years later they left and moved into Launceston where they took Tidal Water and changed the name to Stillwater. That is the Stillwater Restaurant we now have in Launceston.

The name Tidal Water was given to the new resort in St Helens and then it was wonderful to sit in the award ceremony last night and see the Furneaux Restaurant, which is the restaurant that my parents built back in 1993. The Labor government was in opposition at the time and it was opened by Michael Field and Michael Polley. There was a PLP of sorts around the whole occasion of this new restaurant being opened. It was seen as a new thing for St Helens. Mum and Dad had a real vision for tourism for the east coast at St Helens. They were much the first to do it. They formed a tourism association, which is very strong these days. It was the first to take that next step up in service and quality, in produce and I am so proud of them. It was a lovely closure of the loop.

I look forward to visiting Furneaux Restaurant again and I recommend to anybody who is in St Helens and wants to have a wonderful experience in our home town to drop in. The layout of the restaurant is the same. I called my brother and congratulated him and said there must be something about your kitchen design because whoever cooks in that kitchen creates great food.

**The House adjourned at 6.43 p.m.**