



PARLIAMENT OF TASMANIA

TRANSCRIPT

LEGISLATIVE COUNCIL

ESTIMATES COMMITTEE B

Hon. Elise Archer MP

Tuesday 6 June 2023

MEMBERS

Hon Rosemary Armitage MLC (Deputy Chair);

Hon Jane Howlett MLC;

Hon Tania Rattray MLC (Chair);

Hon Rob Valentine MLC; and

Hon Meg Webb MLC;

Hon Josh Willie MLC.

IN ATTENDANCE

Hon. Elise Archer MP, Attorney-General, Minister for Justice, Minister for Corrections and Rehabilitation, Minister for Workplace Safety and Consumer Affairs, Minister for the Arts

Ministerial Staff

Amber Mignot	Chief of Staff
David Sealy	Senior Adviser
Laura Michaelson	Senior Adviser

Department of Justice

Ginna Webster	Secretary
Kristy Bourne	Deputy Secretary, Justice and Reform
Pauline van Adrichem	Deputy Secretary, Strategy, Governance and Major Projects
Ross Smith	Deputy Secretary, Regulation and Service Delivery

Gavin Wailes	Director Finance
Bruce Paterson	Acting Director, Strategic Legislation and Policy
Penelope Ikedife	Registrar, Supreme Court
Yolanda Prenc	Administrator of Courts
Ann Owen	Registrar, Births Deaths and Marriages
Catherine Edwards	Manager, Victims Support Service
Kristen Wylie	Director, Tasmania Legal Aid
Sarah Bolt	Anti-Discrimination Commissioner
Alison Oakes	Registrar Tasmanian Industrial Commission
Jarrold Bryan	Principal Registrar TASCAT
Angela McCrossen	Acting Public Guardian
Jeremy Harbottle	Acting Director, Child Abuse Royal Commission Response Unit
Isabelle Pace	Acting Senior Consultant, Safe at Home
Wayne Johnson	Director Monetary Penalties Enforcement Service
Colin Shepherd	Director, Strategic Infrastructure Projects
Andrew Hawkey	Tasmanian Electoral Commissioner (Leg Co only)

Statutory Authorities

Linda Mason SC	Deputy Director of Public Prosecutions
Michael Easton	CEO, Integrity Commissioner
Richard Connock	Ombudsman

Corrections & Rehabilitation

Ministerial Staff

Amber Mignot	Chief of Staff
Katherine Huigsloot	Senior Adviser

Department of Justice

Ginna Webster	Secretary
Rod Wise	Deputy Secretary, Corrective Services
Pauline van Adrichem	Deputy Secretary, Strategy, Governance and Major Projects

Gavin Wailes
Bruce Paterson

Director Finance
Acting Director, Strategic Legislation and Policy

Ian Thomas
Christopher Carney
Colin Shepherd

Director of Prisons
Acting Director, Community Corrections
Director, Strategic Infrastructure Projects

Workplace Safety & Consumer Affairs

Ministerial Staff

Amber Mignot
Michael Moore
Benjamin Price

Chief of Staff
Senior Adviser
Senior Adviser

Department of Justice

Ginna Webster
Ross Smith

Secretary
Deputy Secretary, Regulation and Service Delivery

Gavin Wailes
Robyn Pearce
Narelle Butt

Director, Finance
Executive Director, WorkSafe Tasmania
Acting Executive Director, Consumer, Building and
Occupational Services

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The committee met at 8.59 a.m.

DIVISION 6

(Department of Justice)

CHAIR (Ms Rattray) - Good morning. Attorney-General, you have an opportunity to provide an overview. You are wearing many hats for this committee today and we look forward to the scrutiny that will unfold in the nine hours before us. Thank you.

Ms ARCHER - Thank you, Madam Chair.

As Attorney-General and Minister for Justice I am incredibly proud that this year's Budget again delivers the biggest ever spend in Justice with \$138.4 million across the forward Estimates for our justice system. That is to ensure it operates fairly, efficiently and effectively. We are making the largest investment in our court infrastructure in a generation to develop the Burnie court complex in the Burnie CBD to best serve the needs of all court users and the community. An additional \$45.6 million is being spent across the forward Estimates, bringing the total spend on this project to \$86.5 million. The project will create job opportunities and is an investment in the local community.

As all members will agree, I am sure, I have spent an enormous time reflecting on the evidence that was heard during the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings from the hearings last year. This budget provides an additional \$30 million to ensure that we can commence implementing priority recommendations of the commission of inquiry. Our Government has also said that we will be supporting those recommendations with whatever funding is required. We are not waiting for the commission of inquiry's final report to start taking action.

This budget also delivers an additional \$70 million on top of the previous \$70 million for the National Redress Scheme. That is across the forward Estimates in response to the National Redress Scheme as well as the civil claims for compensation; that takes the total funding provided by the Government to date to nearly \$185 million.

We have provided an additional \$30 million to ensure we can commence implementing priority recommendations of the commission of inquiry. In March this year I announced the establishment of a new State Litigation Office that will separate the conduct of all civil litigation, but especially child sexual abuse matters, from the Office of the Solicitor-General. That is something that many other states do. This Budget provides \$350 000 for the establishment of that State Litigation Office in order to contemporise the management of civil litigation and ensure that an understanding of the impact of trauma and harm is embedded in all areas of the state's responses to civil claims.

I remain committed to increasing prevention and response measures to family violence. Tasmania's nationally recognised Safe at Home family violence service system has been allocated \$20 million across the forward Estimates to continue our integrated criminal justice response to family violence. Members might recall that there has been a large legislative agenda of reform in that area and it is continuing.

This Budget demonstrates our strong commitment to our justice system and promotes our balanced approach to keeping the community safe while investing in progressive

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significant reforms to achieve better access to justice, including better infrastructure. Thank you Chair. I am happy to take questions.

CHAIR - Are there any overview questions?

Ms WEBB - Just a couple of overview questions. In the first instance, just a general question about the efficiency dividend that is built into the Budget and whether this department has given thought to what approach would be taken to implementing that.

Ms ARCHER - That is something for us to work on in the next 12 months. We have only just announced that in this Budget so I cannot commit to anything at this stage. As is always the case, my department will look across the department. What I will say about the efficiency dividend is that it's 0.6 per cent of the total annual expenditure, so it is 60 cents out of every \$100 spent; so for everything we spend it is \$99.40 instead of \$100. It is a modest efficiency dividend and certainly lower than what we were looking at pre-COVID-19 in 2019-20. I am committed to working with my department to ensure that we can meet that efficiency dividend. At this stage, we have only just announced it, so there is nothing that we can commit to at this stage.

Ms WEBB - The other area I am interested to ask about in an overarching way for the department is about the use of consultants. You understand there is some interesting use of consultants, given what's occurring at a federal level with PWC and things like that. I'm interested to have from this department from the financial year we're in now, 2022-23, information regarding any use of consultants with details of the projects, the time frame and costs, and then looking ahead, any that are planned or anticipated for 2023-24.

Ms ARCHER - Because it is across the department, we may need to take that on notice. We've got the total figure. We use consultants when don't have the expertise within the department, and that includes architects, designers, for the scoping of projects that we don't simply have within the department. It's all well and good to scrutinise the use of consultants, but in projects they are a necessary expense when we don't have the expertise within government, and nor should we, in my strong view. We can't keep people like that on the payroll. We use consultants as and when required

Ms WEBSTER - We've engaged consultants. This is over \$10 000 from 1 July 2022 to 31 March 2023, a total of \$2.635 million. This is made up of Tasmanian consultants, \$2.102391 million, and non-Tasmanian consultants, \$532 378. We do have the list. It's a long list. I'm not sure if you want me to go through the entire list.

Ms WEBB - Perhaps you could table that list.

Ms WEBSTER - Absolutely, we can do that.

Ms WEBB - Minister, looking ahead, is there an anticipated list of consultants expected to be engaged in the next year that you can provide, or some indication of that?

Ms ARCHER - I can broadly say I would expect it for our major project infrastructure projects like the Burnie Court, perhaps the northern correctional facility in relation to the due diligence that's been done there, although we do have a project team that is employed in the department. When we are starting to design and scope projects, you'll appreciate that's when

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we use consultants. I'm not sure if the secretary is aware of other areas? That's certainly the area that I'm mindful of.

Ms WEBSTER - Some of those consultants would be over the forward Estimates. The contracts would be beyond this financial year. It would be difficult to anticipate too much in the future. Certainly, some of those contracts would be ongoing contracts for those reasons that the Attorney-General outlined.

Mr VALENTINE - I am interested in the overall establishment figures for the department, the number of FTEs that you have and in particular the number that might be on workers compensation. I want to get a feel for stress levels.

Ms ARCHER - That will include Corrections as well in relation to workers compensation, won't it? That will cover the whole department.

Mr WILLIE - Can we get vacancies too please, Chair?

CHAIR - We would appreciate all of the above, thank you.

Ms WEBSTER - They will be provided. I have some of the staffing information now -

Ms ARCHER - Why don't we do the staffing now?

CHAIR - Let's do the staffing

Ms WEBSTER - and some of the workers compensation as well. The last one, I think.

As at 31 March, the department - this includes the Office of the Ombudsman and the Office of the Director of Public Prosecutions - had a staffing of 1592.2 FTE, with a headcount of 1707 staff. That's a net increase of 53.4 FTE from 1 July to 31 March.

CHAIR - Can we have some explanation for that?

Ms WEBSTER - Most of that has been - I've got the list there -

CHAIR - I imagine the commission of inquiry has made a difference.

Ms WEBSTER - Yes, and some of those projects that the Attorney-General mentioned as well. The main increase is Tasmania Legal Aid has increased their headcount by 15. The TPS, there has been an increase there, and the other ones are the projects that sit within the Office of the Secretary, but things like the Justice Connect project, the office at the Chief Information Office and the infrastructure team; as well as the Ombudsman and TASCAT has had an increase. They are the main areas, but we -

CHAIR - That does not include the State Litigation Office yet?

Ms WEBSTER - It does include civil litigation area. It does not include the State Litigator. That is the position we are recruiting for at the moment.

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Mr VALENTINE - That is a totally new function and going to have separate staff, not going to draw from the current pool?

Ms ARCHER - There will be staff who transfer over, but the person that heads the area will be a totally new person we expect. We are recruiting at the moment. Overall, the increase in staffing is because of an increase in resourcing of things like obviously TASCAT, commission of inquiry, importantly, the Ombudsman's office, filling those positions we funded a couple of years ago. It has been difficult for the Ombudsman to recruit. It is all quite positive in terms of increasing staffing levels in those areas that need it most.

Mr VALENTINE - The setting up of TASCAT wasn't a zero-sum game? The staff who were working on those other tribunal areas didn't come across into TASCAT?

Ms ARCHER - They did come across, but I think additional positions were created.

Mr VALENTINE - Okay. Workers comp?

Ms WEBSTER - Between 1 July 2022 and 31 March 2023 we had 91 workers compensation claims. That is a decrease of 12 per cent from the same time last year. The majority of those claims as the Attorney-General mentioned, was at the prison service with 78 per cent at the prison service. Claims for both psychological and non-psychological injuries have decreased. The average claim costs have decreased by 52 per cent this year.

CHAIR - Positive news, Attorney-General.

Ms ARCHER - We have some positive news in Corrections and we can explain that later. Vacancies -

CHAIR - I might just have to quickly.

Ms ARCHER - We may have to come back to vacancies, but that was Mr Willie's question.

CHAIR - That's alright, I will get the question from the member for Nelson and then if that's available, we'll take it, if not, we can do that at a later time.

Ms WEBB - Attorney-General, I am noting at a federal level the news today on the Folbigg case in New South Wales. Considering possible miscarriages of justice in this state there is the much talked about example of the Sue Neil-Fraser case, and we can also think about some poetical similarities or parallels there. Has this prompted you to consider why would we not in this state consider, for example, a judicial inquiry. Similarly, that's a mechanism used in the Folbigg case to fully examine and put to rest the persistent question that are there around a poetical miscarriage of justice in the Sue Neil-Fraser case? Why would we not be considering doing that so our state can have confidence in the way we have approached that and resolved it?

Ms ARCHER - One thing we have done is create the opportunity in terms of that legislation. In that matter, members might recall is we created the new opportunity to make an appeal which was utilised in the Sue Neil-Fraser case of fresh and compelling evidence. That was an additional layer of an appeal. I have every confidence in our justice system, particularly

our criminal justice system and the appeal process being undertaken. It is for every defendant - as is their right - to engage a strong legal team and this case, at every stage there's been legal representation. That is a matter for independent legal advice to pursue the avenues of justice.

As Attorney-General I have every confidence in our justice system that we do not need to be going to a separate inquiry or commission of inquiry on a matter that has gone all the way to the High Court.

Ms WEBB - The Folbigg case in New South Wales also went through numerous appeals that failed. It was only through the judicial inquiry of review that finally a miscarriage of justice was potentially found and pardoned. I am wondering why we wouldn't want to put that to rest, given that appeals don't really prosecute the whole case.

Ms ARCHER - Members are forgetting it was this Government, through Dr Goodwin, that created the legislative avenue, if you like, of fresh compelling evidence which was utilised. Not everyone will pass that test, if they'd like to be able to use that, but it was used in this case. That was the additional layer of an additional appeal process. That is why I have every faith in our judicial system, in our judicial offices, in our DPP, that they have carried out every possible inquiry and avenue in relation to this matter.

Ms WEBB - At a federal level, do you support the idea of a national criminal case review commission, similar to the UK, where these sorts of matters can be taken to also be looked at?

Ms ARCHER - No other state has done that, and I'm not sure if any other state is looking at or considering it. I do have another Standing Council of Attorneys-General meeting later this year and I'm certainly of a mind to listen to that discussion, but at this point there are no plans for such a commission.

CHAIR - Thank you. We will now turn our minds to our individual line items. I will ask the member for Launceston, Ms Armitage, to commence the questions around Supreme Court services.

Output Group 1 Administration of Justice

1.1 Supreme Court Services

Ms ARMITAGE - I am looking at the Supreme Court 2021-22 annual report and noting the comments by the Chief Justice, the honourable Alan Blow:

The court's greatest challenge remains the backlog of first-instance criminal cases.

Can you give an indication of the current number and whether it has decreased, and perhaps how long the oldest would be?

Ms ARCHER - Thank you. I will invite to the table the Supreme Court Registrar, Penny Ikedife. You will recall Penny from her previous role as administrator of the Magistrates Court.

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Ms IKEDIFE - Thank you. The figures for the year 2021-22 were 652 criminal pending cases, down on the previous year, which was 711. This year, year to date, we have 696 pending cases to 1 June, and those cases that are over 24 months in age amount to 40 per cent of the total pending case load.

Ms ARMITAGE - What would be the oldest case, or the longest? You have some over 24 months, but what -

Ms IKEDIFE - The 40 per cent over 24 months?

Ms ARMITAGE - Yes. The longest is obviously over 24 months, so what is the longest period that someone has been waiting?

Ms IKEDIFE - I do not have the figure for the longest case that is over 24 months.

CHAIR - Is that available, Attorney-General?

Ms ARCHER - We can probably get that. I imagine some of the reasons would be with the criminal backlog, the prioritisation is family and sexual violence and child sexual abuse matters, as members will know. Then others in other categories, I know some of the particularly difficult fraud cases tend to get delayed.

Ms ARMITAGE - To have a trial hanging over you for a number of years would be a terrible situation.

Ms ARCHER - I am not suggesting that. There is a prioritisation.

Ms ARMITAGE - If we could take that on notice that would be really good to know.

Ms ARCHER - We can take that on notice, yes.

Ms ARMITAGE - Perhaps how many there are in the longer period. His Honour, the Chief Justice also commented that the only significant development in reducing the Supreme Court case backlog was that a greater proportion of the pending cases are now in the Magistrates Court, awaiting the making of committal orders. A smaller proportion are pending in the Supreme Court. Do you believe all the measures that have gone through parliament to target the case backlog having their intended their effect? Do you anticipate any meaningful reflection in the case backlog anytime soon?

Ms ARCHER - That is reference to the fact that preliminary proceedings were transferred to the Magistrates Court so that we didn't have matters or unnecessary matters clogging the Supreme Court, if you like. We have created additional magistrate positions to deal with any increase as well. We've got a record number of magistrates around the state, you will recall. I think it's 17 statewide and a half split between north and south, so south, and then the north, the north-west.

Ms ARMITAGE - Has the increasing the retirement age helped with that? Hopefully making a few more available?

Ms ARCHER - I think it's too early to tell in relation to that. You've indicated just by saying that is that there have been a number of measures. There's no silver bullet, as we say. We have taken quite a few measures in relation to dealing with matters in the Magistrates Court. No doubt we'll get to the Justice Connect project as well and that will have a significant effect as well once that's fully implemented.

Even though we've got a seventh Supreme Court Judge now for the first time in a long time, there will be a continuation of at least an acting judge to not only deal with conflict situations but also still assist in the criminal backlog. Each Friday through trial sittings in Hobart, a third criminal court sits in order to deal with pleas of guilty, directions, hearings, preliminary proceedings, orders and bail applications. Judges have also conducted a series of concentrated trial periods of criminal trials and the court has a policy of conducting directions, hearing at regular intervals. In relation to pending matters, there's a matter of routine case management of criminal cases and a more rigorous management of the appeal processes as well. These are things that the Chief Justice has put in place.

Ms ARMITAGE - What do you mean by more rigorous management of the appeals process? What exactly does that mean?

Ms ARCHER - That's the Court of Criminal Appeal. It's a different part of the Supreme Court. It deals with the appeal court part of the Supreme Court rather than just a trial judge sitting alone. It can obviously take up more resources because typically an appeal court will be three judges, sometimes more with the complexity of an appeal.

This has been reinforced, I am advised, by additional practice directions. Our strategy as a government, members will recall, I've said the additional judge, the acting judges, the additional funding...

Ms ARMITAGE - And the judge-only trials?

Ms ARCHER - And the judge-only trials.

Ms ARMITAGE - I'm wondering how they are going. How many people have opted -

Ms ARCHER - I am getting to that. This is a really important area that we deal with every year, and I want to demonstrate this year that there have been significant inroads in reducing the criminal court backlog.

We've also put additional funding into the DPP and Legal Aid to deal with the additional seventh judge. The legislative changes, members know about the Justice Miscellaneous (Court Backlog and Related Matters) Act that we put through, the Justice Miscellaneous Amendments Bill. I have mentioned the jurisdictional boundaries, giving more back to the Magistrates Court to deal with those matters of procedure.

Speaking to procedural changes and other efficiencies, there's been the relocation of a set of preliminary proceeding decision-making and expansion of categories of crimes trial, all summarily, and amendments to bail legislation. The department is also sponsoring a project as members know called Astria, which within the department we also call Justice Connect.

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All of those matters in conjunction with the fact that I know the concentrated effort that the Chief Justice is making of the allocation of judges and of various courts I believe, is, starting to make some sort of impact in the case numbers.

Ms ARMITAGE - So, the judge-only trials? Are more people opting for them? I'm wondering what the number is for that?

Ms ARCHER - We'll look for the number and while Ms Ikedife looks for the number, in relation to judge alone trials, that was an initiative not only as in other states where they've done it only as a COVID-19 measure, we have done it as a longstanding measure to stay there. Those wishing to, I wouldn't say it fast tracks but it can tend to deal with a matter a lot faster than empanelling a jury and going through a jury process. Again, it's voluntary, so nobody's required to undertake a judge alone trial, unless, I'm not sure of the term we use, but similar to extenuating circumstances where a judge might order it in circumstances where I think there's a fear of tampering with juries or something like that. I would expect that would be very rare.

Ms ARMITAGE - So then, the number?

Ms IKEDIFE - There have been six applications for judge-only trials since the commencement of the legislation on 8 June 2022. Of those, five have progressed and were granted and all five have been finalised.

Ms ARMITAGE - All been finalised and one still pending.

Ms IKEDIFE - One didn't progress, or hasn't progressed to date.

Ms ARMITAGE - What feedback are you receiving from the legal sector - including judges, lawyers and academics - about the effectiveness of the legislative changes and the measures to address the backlog? Are you hearing back from the legal sector? Are they pleased with the changes or did they make any suggestions?

Ms ARCHER - I meet with the President of the Law Society and I meet with the President of the Tasmanian Bar Association, as I've said, I meet with the Chief Justice, the Chief Magistrate and also the head of Legal Aid and the DPP. I get good, broad feedback across the sector on. Everyone is positive about the changes but the reality is that we have an issue with more crimes being committed and therefore prosecuted as well. They're matters beyond our control. The court is dealt that sort of issue to deal with, both courts - the Supreme Court and the Magistrates Court -but there are still matters beyond our control.

Overall, everybody is positive about the changes and I'm sure looking forwarding forward to our Justice Connect solution as well, which is partially in place but still not fully implemented which I'm sure we'll get to in the relevant output.

Ms ARMITAGE - You also mentioned a few minutes ago the Justice Connect and the Astria IT projects. Can you provide an update on the implementation and how they're progressing?

Ms ARCHER - I'll get the secretary to explain that, thank you.

Ms WEBSTER - The jury system, which is the first component of Justice Connect went live in November last year and was used from the beginning of the legal year this year. It is in use at the Supreme Court. The corrections components is the next element of Justice Connect to be delivered and components of that system are being released in tranches. We're getting to the end of the tranches that are being delivered and then we are undertaking user acceptance testing and training.

The final tranches to be released are in the second half of the year, followed by that fairly robust user-acceptance testing and training. We would have to train our corrections staff, the TPS and Community Corrections. We expect we will be able to identify a go-live date after that final user-acceptance testing to make sure all the bugs are ironed out to make sure our staff are happy to use the system. The courts and prosecution stream have had some challenges. It is a very complex system bringing police prosecutions, the DPP, the court systems, Supreme Court and Magistrates Court all together. That has been a very challenging process and it was originally scheduled to go live later this year, but now looking early next year.

Some of the reasons - including the complexity of the project - are it is a very hot market for IT, ICT staff and there is a lot of competition for that. We have been recruiting some additional positions in there. The other thing I would say is we really changed and improved the steering committee in the last 6 months of the project to make sure we have the right people on the steering committee. I chair that and we have the Commissioner of Police, the DPP, Chief Magistrate, the Deputy Chief Magistrate and a judge and the administrators of the court so, we are really trying to get that moving as quickly as we can. We know it will have a significant impact on the operations of the court.

We are currently also looking at South Australia as they have rolled out a similar system. We are currently assessing that system to see if we can use some elements and doing a gap analysis on that system at the moment.

Mr WILLIE - I just heard you, Attorney-General say the acting judge's initiative will continue. There is a footnote in the Budget saying that will conclude 2025-26. Will it be reviewed then?

Ms ARCHER - The measure of acting judges was always supposed to be temporary and particularly to assist in dealing with matters of conflict. We have kept them on because of the backlog situation, at least three at a time. I consider now we have a seventh full time load judge. The continuation of the acting judge we have funded one to continue and then I will review. Obviously, what the review of that will consider is how the backlog is and if it is necessary to continue then that will go through the usual budget process at that point in time.

It does not mean it drops off completely if it is still required, but certainly, it is not there in the hope it is significantly improved with the seventh judge with a full case load which should make a significant difference.

Mr WILLIE - On the current trajectory of crime though it is probably likely they will continue?

Ms ARCHER - I remain a glass-half-full kind of person, but if that situation continues to get worse in terms of the number of figures of criminal offences being committed and then therefor prosecuted, then that is something we will need to take into account at that time.

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Ms WEBB - In the first instance with the efforts being made to reduce the backlog, how would you categorise the current status of that backlog and do you have an anticipated timeframe given the measures in place it might return to a manageable workload?

Ms ARCHER - I am particularly hopeful when we have Astria fully on board is going to make a significant difference to the throughput of matters. Perhaps, the secretary could describe briefly what that will do in terms of prosecution services; management of claims and how efficiencies can be made through that process of not being so totally reliant on humans to be doing all of that load.

CHAIR - A brief explanation might be useful, thank you.

Ms WEBSTER - When Astria goes live, it will enable the full implementation of the court backlog bill. There a number of measures in there that are actually reliant on an electronic system. If we implemented the bill before Astria, it will actually be overly reliant on human process and would actually slow things down. The answer to the question is we would really like to see when Astria is fully up and running and we have implemented that bill in 12 months' time where we sit with that backlog, noting of course that a lot of it coming through is out of our control because of what is coming through from police.

Ms WEBB - We might have missed it but when is Astria coming on line and able to be utilised?

Ms WEBSTER - At this stage we are looking at probably around March or so next year.

Ms WEBB - And then there'd be a 12-month period for it to function and help clear the backlog with the full implementation of the legislative change?

Ms ARCHER - First to get a pretty good indication of how that operates.

Ms WEBB - We are looking at March 2025 as a time that we might see the full impact of the measures being taken of legislative reform to reduce the backlog? Okay, so we are still quite a way out from that, aren't we?

Ms ARCHER - Yes, we've still got other measures that we put in place with the other backlog bill that I've mentioned in terms of those procedural issues. Again, we've thrown a lot of resources at it - an indelicate way of putting it - but the significance spend in Justice has been on looking at a concentrated effort on the criminal backlogs with the additional magistrates and the additional judge, and giving what the court has asked for - the second judge, and additional magistrates. I'm sure there is always more that the courts would like in funding but I think that we can also create efficiencies in how the criminal process operates as well in the preliminary functions. I have had discussions with the Chief Justice, which I can't go into great detail on at this stage, that there is another measure that I think will make a significant difference as well in relation to the Supreme Court.

Ms ARMITAGE - Regarding the cybersecurity risks, what sort of measures are we putting in place?

Ms WEBSTER - One of the things that we've done in the department is, when we're building our new system, cybersecurity is a major consideration of that new system. In some

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of the legacy and current systems that we have, we have implemented a cybersecurity unit and we have now two staff operating in that unit. We have increased our people power.

Ms ARMITAGE - You appreciate there could be risks.

Ms WEBSTER - Absolutely, but building a new system is much easier in terms of that cybersecurity risk, because we are able to take that into consideration rather than an old legacy system that wasn't necessarily built at the time when we might be considering cyber risk.

Mr VALENTINE - On that system, can you give us an understanding of the cost of that system and period of time it is likely to be in play and the staff involved?

Ms WEBSTER - You're talking about the Justice Connect system, Mr Valentine?

Mr VALENTINE - Yes.

Ms WEBSTER - As of 31 March, the program has spent \$20.2 million and the budget for that project is \$35.2 million. We are expected to be able to meet what we need to meet within that budget. As for staffing, I just need to look at that and provide that to you.

CHAIR - We will take that a little bit later.

Ms WEBB - I have another question on the backlog. The other aspect of criminal trials is criminal lawyers being available for them. There's been some commentary around the critical shortage that we appear to have in Tasmania of criminal lawyers available for criminal trial work.

Ms ARCHER - Particularly in the north-west, I think.

Ms WEBB - I have been informed and perhaps you can confirm that there are fewer lawyers working on criminal trials this year than there were undertaking that similar work last year - is that correct? Are they decreasing?

Ms ARCHER - I can't comment on the number, that is a question that the Law Society might be able to answer. I do meet with the president of the Law Society quite frequently and we've had discussions about this issue and about trying to entice people into that area. For example, when I was practising, I found it a much more interesting area than civil litigation, but I concentrated on civil litigation because at the end of the day, to use a well-oiled phrase, crime doesn't pay, and in the case of legal proceedings, a lot of legal aid type cases, and if you have a pressure and are found to be making money for the firm, it's a difficult area to practise. You have to take on quite a few clients to make the equivalent that a colleague might make in civil litigation.

For me, that's my anecdotal thought process in relation to one of the challenges around that.

Ms WEBB - Can I ask you about that? In relation to that, because it's true, there isn't such a high payment for that work, even through the legal aid system that we have. What measures are you taking to potentially incentivise larger firms to provide some of their people to do that?

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Ms ARCHER - I don't think it's the Government's role. Yes, we play a part, and we're a cog in the wheel so to speak, but this is why I meet with the Law Society. It's why I meet with the Bar Association. It's very much, I think, we all work together in relation to educating new lawyers coming through. I found it a really exciting area to practise in. The reality is that it is much more difficult than in other areas of law. I know that there are challenges with lower numbers in the north-west as well. There's quite a bit of work to do, not just in government alone. It's again about the Law Society, Legal Aid. Recently during Law Week, I know the Law Faculty as well provided information to students going through and different areas that they can practise in. It's not an easy area. It's certainly not something that government can do alone.

Ms WEBB - Can I clarify? In terms of legal aid funding -

CHAIR - We have a line item for Legal Aid. We've sort of crossed over here.

Ms WEBB - Okay, I'll come back to it. In relation to the diminishing number, apparently, of criminal lawyers available for the work, do you see that as a factor in holding up how we address the backlog? Is there any consideration given to - in our health system, we bring in locums and things like that to assist with work in that department? Is there any consideration of that?

Ms ARCHER - Every state and territory has the same sort of issue. It's not unique to Tasmania. The market out there in a lot of different areas is highly competitive. We're finding it in corrections as well. I know the police service are finding it as well. We're all recruiting from the same market, if you like. It's not an issue that's easy to fix for us here. As I said, it's one of those ongoing conversations that we have to have with new students coming through about enticing them into that area and enticing them to practise, and dare I say, not going into government roles, and -

CHAIR - I was just about to say, it'd be interesting to see how many we have sitting in this room right now.

Ms ARCHER - A lot would have practised first. I would encourage that because it gives you very good grounding. They're the sorts of conversations we need to have getting them in early and encouraging people to practise.

CHAIR - I am mindful that we need to move on.

Ms ARCHER - Just in relation to that, of course it's one of those factors on the backlogs as well, I imagine. I acknowledge that if we find that if a defence lawyer is not available, then that can obviously hold up the trial or, similarly, if one of the Legal Aid lawyers that's handling a matter is not available for whatever reason, that can hold up a matter as well.

CHAIR - The Attorney-General might need to give a presentation at the School of Law.

Ms ARCHER - I am very willing to. I'll organise it.

CHAIR - Are there any other questions around Supreme Court services?

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Ms ARMITAGE - On Justice Connect, I've got the figure. The full FTE - what was the first figure?

Ms WEBSTER - It's 20.5 FTE.

Mr VALENTINE - Can I have one follow-up question?

CHAIR - Only because it's your last Estimates.

Mr VALENTINE - Quite often when these systems are being built, redundancy is built into the system and that is really good and gives it digital security for going on with.

What about business continuity? If the whole system crashes, you can still function. Can I have some comfort that is happening? Quite often it doesn't and everyone gets in a tizz because they cannot function because there is no electronic system.

Ms ARCHER - At the moment our challenge is making sure we transfer people from having relied on the paper system for so long.

CHAIR - The answer we are looking for is yes and yes.

Il we need.

Ms WEBSTER - If there are any more technical questions on Justice Connect, I might be out of my depth -

Mr VALENTINE - That's a manual question.

Ms WEBSTER - That is right. We are looking at business continuity important in terms of a number of things.

Mr VALENTINE - Thank you.

CHAIR - I learned a long time ago, there's no guarantees in this life.

Ms WEBB - One other small area in the Supreme Court. I know a member of our Chamber has a deep interest in it and was interested to see questions put. They may have been clarified yesterday. It is about the Burnie court and access to the Federal Circuit and Family Court of Australia. Is that in this Supreme Court area?

Ms ARCHER - It would have probably been in the overview. I am very happy to answer it and in the Chair's hands.

Ms WEBB - Essentially, it is just a matter of access as an area has been identified where people in Burnie and the north-west coast are able to access to have their matters dealt with around families and children. If so when is that going to be operating? Obviously, the Burnie court is being built, but presumably there needs to be a temporary solution in place that is more convenient than travelling to Launceston.

Ms ARCHER - Sorry. Did you say that an area has been found?

Ms WEBB - No, I said I was asking for clarification about whether an area has been.

Ms ARCHER - Sorry. I thought you knew something I didn't know.

Ms WEBB - No. Has a suitable location being found?

Ms ARCHER - Without revealing too much of the conversations I have with judicial officers, but I have spoken to Chief Justice Alstergren. He is doing everything humanly possible to find something as a measure in Burnie. I am sure, he will have further discussions as federal colleagues will with the federal attorney-general on something as a more permanent solution, because it is a federal jurisdictional matter.

They are leaving no stone unturned and looking at every possible thing from a club room to a bar has been said, which was said in jest, but that is indicative of the fact they will look at any sort of site so people are not disadvantaged by that.

My department has been assisting, because we will always assist people to access justice. It is a federal jurisdictional matter though, but we have been trying to assist in whatever we can to assist that process as a longer-term solution for the Burnie court. Our scoping of that now is that because of the demands in our system, it will have a fourth court which the original design on the other location didn't.

CHAIR - Perhaps you could send the current one up to Mooreville Road?

Ms ARCHER - It has been suggested to the feds.

As to when that is built, I imagine it is going to be needed for our purposes and the feds need to come up with their own solution. If there was a dramatic decrease, and we had capability, then we are always willing to help our federal counterparts where we can.

1.2 Magisterial Court Services

CHAIR - We will move now to 1.2 Magisterial Court Services.

Ms WEBB - We've crossed over into areas I had flagged for questioning in our discussions on Justice Connect. Is there anything in this area that you would like to draw attention to in relation to the roll out of Justice Connect IT solution that relates to the magistrate's area.

Ms ARCHER - One thing that I will say is that the capability, I don't think everyone appreciates the dramatic difference it will make to decreasing human error. Human error is never deliberate. It is unfortunate and I know that it impacts on people greatly when they do make a mistake or error. It must be terrible to have that situation occur, particularly in our area of corrections and the prison service, if there's an early release or something's done incorrectly because of an incorrect date recorded. That will virtually eliminate those types of errors and that is something we are really looking forward to being able to implement for the benefit of our staff, particularly in the court registries.

Ms WEBB - On the topic of temporary magistrates and that arrangement in this area, is there anything you wanted to add?

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Ms ARCHER - Temporary magistrates is usually typically done as and when required. I don't think I've ever refused a request when it's been required. If a magistrate needs to take longer leave for whatever period, we might need to put a temporary magistrate in place to take their case load. It's never a situation where we leave the court without that position because in most circumstances it would make quite a significant difference to the operation of the court and the flow of matters. We've always been willing to, and have appointed, temporary magistrates.

In recent times, we've had quite a few retirements. I will take this opportunity to thank many of our retired magistrates for coming back and filling those temporary positions when they've been available. It's been really efficient to have someone, particularly if they've only just recently retired, they can pick up virtually where they left and I'm sure it's a great benefit to the court.

Ms WEBB - The annual report for the Magistrates Court speaks about difficulties in recruitment at times, and for staffing. Do you want to provide a description of what that looks like at the moment in vacancies or particular areas that have been difficult to recruit?

Ms ARCHER - I might invite our Administrator of Magistrates Court, our recently appointed administrator, Yolanda Prenc, to the table.

CHAIR - I had a lovely list of everyone's names yesterday. But it hasn't arrived today.

Ms ARCHER - We'll try to get one for you. So, what was the specific question again?

Ms WEBB - Challenges with recruitment.

Ms PRENC - There are challenges in recruitment in the Magistrates Court; it's a very young workforce.

CHAIR - That's a good thing, isn't it?

Ms PRENC - It is, but experience in the court process and an understanding of the nature of the work in the court is very important. It's not for everyone so it is difficult to retain staff.

Ms WEBB - Regarding your recruitment and retention, what comment can you make about newly-recruited staff? Over the last two years, what's the retention been like?

Ms PRENC - I can't comment on the retention specifically but perhaps can provide some statistics later. Regarding staff at the court, there is a progression made for staff through various areas of the court. They start in data entry area; they might progress through the registry to the front counter; they can become a clerk in court if they wish. Significant training is provided to the staff throughout that entire process and the court takes trainees as well on a 12-month program.

Ms ARCHER - I've noticed myself when I've been down there for graduations for the court-mandated drug program that there's quite often a clerk sitting with a new trainee clerk at the clerk's table for that very purpose, on the job training.

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Ms WEBB - Perhaps some figures? If you were able to provide some figures on recruitment and retention across recent years that would be useful, thank you.

CHAIR - Thank you. That is something we'll request. We are requesting some figures on recruitment and training for the Magistrates Court.

We have a question here from the member for Launceston who recalls last year.

Ms ARMITAGE - Thank you, Chair. My question is a follow on from last year with regard to coroners. How many coroners do we currently have in Tasmania and the backlog of cases?

Ms ARCHER - I do not seem I have that.

Ms ARMITAGE - There were three last time.

Ms PRENIC - There are three full-time coroners. They are all based in Hobart.

CHAIR - Does that present any challenges, Attorney-General, having them all based in Hobart?

Ms ARCHER - That is an operational question. On that issue, I know that Ms Armitage raised it last year in relation to having a northern and I have -

Ms ARMITAGE - You were going to have discussions with the Chief Magistrate.

Ms ARCHER - Yes, we have raised that issue and the consequence of that is - and you appreciate that I do not intervene in the management of the Magistrates Court the Coronial Division.

Ms ARMITAGE - You did mention that the allocation is a matter for the court but obviously if it was a policy driven matter by the Government then they would take that view on board strongly. I wondered whether it is felt that - and I have heard from some magistrates that it would be really good to have coroner in the north.

Ms ARCHER - I can say that it has been raised and as a result of that it is a matter for the Chief Magistrate, it still is and always should be, but at this point in time it is not a foreseeable thing at present. It is for the Magistrates Court, it is for the Chief Magistrate to determine where each magistrate is placed and whether or not a magistrate in the north would take on coronial matters. At this point in time, obviously they do not.

I am sure Ms Prenc can fill in the details as to what does happen, if the Committee is interested in how the case load is managed from the perspective of needing to hear matters in the north. I think it is on an as-and-when required basis, whether or not is more appropriate to be heard in the north or the south of the state.

Ms ARMITAGE - And the backlog as well.

Ms PRENC - Regarding the backlog, the case load to 3 April this year has seen 675 cases in the coronial division and that is an increase to last year when there was 653. Just bear

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with me while I search for the backlog. Last year the clearance rate was 94 per cent to the financial year ending 2022. The clearance rate to 3 April this year is 85 per cent.

CHAIR - I have a question regarding security at courts. Has there been any incidents and has there been any requirement to increase security staffing?

Ms ARCHER - Again, that is operational, so I am very happy for the administrator to answer that. I do know that it is an issue that has been raised by the Police Association of Tasmania ensuring we have appropriate security in place and that the security contractor has sufficient staff who are sufficiently trained. That is a matter for the court to be satisfied of and I believe that has dramatically improved from the circumstance that we had in Launceston at some stage the COVID-19 period where it was difficult for the security contractor because of numbers being down. We were greatly assisted by Tasmania Police at that time. That was a snapshot in time which was dealt with but in relation to how the court can satisfy itself of security arrangements -

CHAIR - And any significant issues or serious incidents.

Ms PRENC - There have been no significant issues or concerns. The security situation has improved with the contractors since COVID times. It is pleasing to note that there has been a decrease in all areas, with the exception of Hobart, in relation to anything that is reported as an incident and they may be minor incidents. Certainly in Launceston, Devonport and Burnie there has been a significant decrease in incidents in the last 12 months, and in Hobart the number of incidents has remained the same.

In terms of figures, the number of reported incidents over the last 12 months to date is 19; Launceston this year to date is 14, where as it was 20 in the previous year. In Devonport to date it is 8, whereas that was 14 in the previous 12 months; and for Burnie the current figure is 5, whereas in the previous 12 months it was 12. So there has been a significant decrease everywhere except Hobart, Hobart remains stagnant at 19, which was the same in the previous 12 months.

CHAIR - Just a little bit more respect required.

Ms WEBB - I have a question in the area of coronial area. Regarding your comments earlier about confidence in our justice system, in the matter of the Jari Wise death and the coronial inquest pursued there, we had the Crown opposing an inquest and then, quite promptly, you intervened after the court handed down its decision, to put an inquest in place. In your intervention in that sort of situation, what sort of triggers are there to prompt your intervention given that the court had just handed down a decision?

CHAIR - And we do not need any specifics.

Ms WEBB - No, it is a broader question around principle.

Ms ARCHER - Don't worry, I'm quite capable of knowing what I can or can't say. That power of mine under that act has never been used. I will preface this by saying that I do have every faith in the police investigation and in the carriage of the matter by the DPP, but in relation to coronial matters, sometimes coronial hearings could go into far more depth and

breadth of issues, or receive different evidence than might be permitted at trial because of the rules of evidence needing to be applied in the trial.

So, in light of the power that I had - and I stress that it has rarely, if ever, been used; we cannot find a case - I have utilised my power under section 24(1)(g). That decision was not made lightly. I do that and say that I would hope that it will bring closure to Mr Wise's family and in the circumstances where his mother has information, or allegedly information, that was not necessarily considered or able to be considered at trial, so I am hopeful that the coronial proceedings will bring about some closure.

Ms WEBB - Was that the trigger to allow consideration potentially of other matters?

Ms ARCHER - You could say that, yes. I will say that the purpose of a coronial investigation is to include determining how the death occurred and the cause of the death. That is the general area of a coronial proceeding and something that I am sure will be considered as part of that coronial hearing which will be listed by the court. That is something for the court to determine when that is listed, but I have made the direction.

MS WEBB - Interesting, thank you.

Mr VALENTINE - I have one question on youth going through the magisterial court.

Ms ARCHER - That is possibly outside my realm being the children's minister's jurisdiction.

Mr VALENTINE - I am just talking about the court processes. I am wondering whether the courts themselves deal with youth in a different way than they do with adults?

Ms ARCHER - The short answer to that is yes, there is a children's court process. Typically, we have a magistrate assigned to the children's court area. I know for many years it was our Deputy Chief Magistrate, Michael Daly and I am not sure if he still is. He was in that jurisdiction for many years and specialised in youth justice matters. Anything to do with the jurisdiction of the Youth Justice Act, is not mine, but that is the overarching legislation utilised by that court.

Mr VALENTINE - And they are generally separated from adult attendees at court?

Ms ARCHER - Yes, separate court listing, unless it has changed from when I -

Ms PRENC - The Chief Magistrate is currently the magistrate presiding over the youth justice division, generally. Other magistrates do hear youth matters, but predominantly it is the Chief Magistrate in court 9 which is separate to other parts of the court. However, you do have to come through the main entrance to get to court 9, but they are then separated from others.

The process is different, it is perhaps more therapeutic, if I can use that term in that a number of external stakeholders often attend with a youth and are invited to put forward their views in relation to particular youth matters and what approaches can be taken.

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Mr VALENTINE - The sort of services you are able to point them to, there are option there to be able to assist them through that whole process as opposed to what you might with an adult?

Ms PRENC - Yes, much more far reaching and dedicated Legal Aid lawyer for youth justice matters.

CHAIR - One final question and there will be some numbers involved. It will be a sharp question with a sharp short answer.

Ms ARMITAGE - In regard to case lodgement time and I appreciate you cannot give me the full figures, but how is it tracking? In the case load 2021-22, the case load type criminal adult 14 146; criminal youth justice 1286; family violence order 1594.

How are they actually tracking? Are they increasing or gone down? I appreciate you can't give me the full year at this time, but particularly with the criminal youth justice and following on from the member for Hobart, is that increasing substantially? We hear in the community the number of things actually happening. Is the number coming into the youth justice system, is it static or increasing?

Ms ARCHER - Youth justice system I can't and won't answer because that is my colleague's area.

Ms ARMITAGE - This is Magistrate Court.

Ms ARCHER - We need to stick within my boundaries as Magistrates Court. Youth justice is separate.

Ms ARMITAGE - I am looking at the Magistrate Courts annual report for 2021-22, so I assume that would be in the Magistrates Court for 2022-23, if it goes in your report, it is just case lodgment type.

Ms ARCHER - Yes, we can do lodgements.

Ms ARMITAGE - That is what I am asking, how the numbers are tracking?

Ms ARCHER - I needed to make sure we were not dealing with specific matters I couldn't deal with. Okay, lets answer the question then.

Ms ARMITAGE - As long as you understand what I am asking.

Ms BOURNE - The lodgements in the youth justice division from the financial year to 31 March 2023 were 1134 compared to a full year figure of 1286 in the 2021-22 year. There is an increase in the number of matters coming through. The youth justice -

Ms ARMITAGE - The criminal adult number as well? That was 14 146. I'm wondering how that's tracking.

Ms BOURNE - Yes. The 2021-22 figures are 14 146; the financial year to 31 March 2023, 10 963.

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Ms ARMITAGE - The only other one I was interested in was the family violence order applications, which were 1594 in the previous year.

Ms BOURNE - Yes. For the financial year to 31 March 2023, there were 1267 family violence orders.

1.3 Births, Deaths and Marriages

CHAIR - I seem to have the guernsey here. Attorney-General, we often bring Ms Owen to the table. I know she's arrived. I saw her arrive.

CHAIR - Thank you very much. Welcome, Ann.

Ms OWEN - Very happy to.

CHAIR - It's a statistics-focused question.

Ms ARCHER - Yes.

CHAIR - The usual question that we have is just in numbers. Can we have the numbers of births, deaths and marriages? We usually have a comparison, but I've got last year's figures.

Ms OWEN - These are figures up to 31 May 2023. Births registered: 5473. Deaths registered: 4740. Marriages registered: 2619. Relationships registered: 218.

CHAIR - A little bit down on registered relationships and up on everything else. That's how we are tracking. The only thing that I've ever seen come down in a budget paper is the actual cost of a unit cost per transaction which the actual, on page 110 of the budget paper relating to this area, was \$20.30 compared to \$20.75. Is that just a more efficient office, or is it just the fact that we've had less?

Ms OWEN - We actually were down on staffing levels just through delays in recruitment for a period of time, which led to some savings.

CHAIR - Okay. You don't see that very often. Your registration with seven days received is on track for percentage, 93 per cent, and certificate within seven days of receipt is 93 per cent. Is your staffing at a full complement at this point in time?

Ms OWEN - Yes, it is.

Mr WILLIE - How many parents are electing not to include gender on the birth certificate these days?

Ms ARCHER - We've got that figure.

Ms OWEN - We had births registered, 5473. The number of parents who ordered a certificate at the time of registration was 4328, and the number who ordered one without gender was 69. That is for the period of time up to 31 May this year.

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CHAIR - Sixty-nine. You asked the question last year Mr Willie, how many 16-year-olds have elected to change their birth certificate?

Mr WILLIE - I can ask that too.

CHAIR - It was a good question. I thought I'd ask it.

Ms ARCHER - I have a figure of two here. To 31 March, though, down on 10.

Ms OWENS - That is registrations. This is certificates issued.

Ms ARCHER - Sorry.

Ms OWENS - As far as genders registered for adults over 16 for this financial year is 45, and for children under 16, four, up to 31 May.

CHAIR - Any other questions, members? You have probably given up a lot of your time today to come down Ms Owen and we really appreciate your time, everything's in the Budget papers and we know your staff is at a full compliment, thank you.

1.4 Support and Compensation for Victims of Crime

Mr VALENTINE - It is interesting there is no performance information in the budget papers on this particular item and no performance indicators for the line item, why is that?

Ms ARCHER - The Sectary can answer or we can get Catherine Edwards up to table.

Ms WEBSTER - We would have performance indicators within the unit themselves and I believe they are in our annual report.

CHAIR - So, what happened to the budget papers?

Ms WEBSTER - There are some outputs that do not have performance measures included. We are always happy to look at improving our measures and we have one output this year where with new indicators because of a question last year. We are always willing to look at that, but we have internal indicators we would have records of.

CHAIR - Is the member hoping to see Ms Edwards at the table?

Mr VALENTINE - I want to know how many victims of crime are supported at the in each of the last 5 years.

Ms ARCHER - Welcome Catherine Edwards, who is Manager of Victims Support Services for the purposes of Hansard.

Mr VALENTINE - A question on the number of victims of crime supported by this particular line item in each of the past five years to have some idea as to the movement.

Ms EDWARDS - Victims Support Services operates across four areas. Victims of crime assistance which administers the Victims of Crime Assistance Act of 1976. We also operate

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the Eligible Persons Register, which provides information to registered victims about the progress of an offender while they are within the prison system. We have the Victims of Crime Services which provides counselling support and referral service to victims of violent crime and then we have the Court Support and Liaison Service which provides support and assistance to victims of family violence.

With our quarterly reports, we do provide statistical data in relation to the client contacts that have been provided across the services. I can speak to that if this will assist.

Mr VALENTINE - I just want some figures, so we can get an idea of how this is running over the five-year period. If you have to take it on notice, I am more than happy for that to occur. I just want some hard figures on how many have been -

Ms ARCHER - Do we have those figures?

Ms EDWARDS - I can give some figures for this year of the client contacts.

Mr VALENTINE - And then if we can get the previous four years on notice perhaps, is that fair?

Ms EDWARDS - Yes, Victims of Crime Assistance on average receives about 400 applications each year. As at 31 March this year, there were 307 applications for victims of crime assistance that were received. The victim's assistance unit is managing each cohort of applications that come in each year, but also providing ongoing case management for previous victims of crime assistance applications where there's been an award made for financial assistance. As at 31 March there were 307 applications of victims of crime assistance received.

Mr VALENTINE - Thank you for that. It would be good if we could get previous four years.

Ms WEBSTER - We have it.

Mr VALENTINE - You have it? Well, that will please the secretary here.

CHAIR - One less letter to write.

Ms WEBSTER - From 1 July 2018 to 30 June 2019 there were 338 applications. For 2019 to 2020, 385 applications; 1 July 2020 to 30 June 2021, 378; 1 July 2021 to 30 June 2022, 375 and as Ms Edwards said, to 31 March this year, 307, so we are tracking around about the same number.

Mr VALENTINE - It's a pretty tough area for staff to work in sometimes and in a sense, my question might have been better in overview. The number of referrals to the wellness program, this area would certainly be one of them, I imagine, that would have some referrals?

Ms ARCHER - Do we have that sort of knowledge? We don't necessarily know names or anything like that. That is highly confidential.

Mr VALENTINE - Of course it is, but do we know numbers as opposed to people?

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Ms WEBSTER - From the wellbeing unit, we don't break it down into area because some of the areas are small and we could identify. But from our regulation and service delivery area from which victim support sits under that portfolio, we've had 72 referrals to our wellbeing unit. All up in the same period we've had 278 referrals.

That's not just Victims Support Services. There's a large number across that division within the department.

CHAIR - Would it include legal assistance and all of those?

Ms WEBSTER - Legal assistance is in the Justice and Reform area. I am happy to provide a breakdown.

Ms ARCHER - Can we just mention the five areas?

Ms WEBSTER - The five divisions where we collect the broad data for the wellbeing unit are corporate strategy and policy, which is essentially head office functions, 25 referrals; regulations and service delivery, 72 referrals; justice and reform, 34; corrections, 110; and other is 37. That might be people, I'm surmising, who may not wish to say which area they're from for a variety of reasons.

Mr VALENTINE - Understandably.

Ms ARCHER - That's the data captured.

Mr VALENTINE - Thank you for that. I really appreciate that.

Can you provide a breakdown in the appropriation between the cost of providing services to victims of crime, including what those services are, and the cost of providing compensation for the last five years?

Ms WEBSTER - Just as an overview answer, we can provide a breakdown of data for compensation provided, but the compensation comes from reserve by law funding. It isn't part of the appropriation of the unit of Victims Support Services.

Mr VALENTINE - That was my next question. How does this accounting work?

I had written down here, is the remaining pot of money available for this rolled over each year? You're saying it's reserved by law. It's not actually a vote or an allocation; as it occurs it gets paid.

Ms WEBSTER - For a more accurate picture, I'm happy for our finance director to answer that question.

CHAIR - Gavin has been waiting to arrive at the desk.

Mr VALENTINE - It's his reason for being here today.

Ms ARCHER - He is our numbers person, as you know.

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CHAIR - We have Gavin Wailes, Director of Finance, joining us.

Mr WAILES - The Victims Support Services budget is made up of three main elements. There's the reserve by law component, which the secretary referred to; there's the service delivery component which is funded from appropriation; and then there's another \$2 million included in the appropriation, which is allocated for victims of crime specific services, for commissioner salaries, but also for compensation as well.

Once we reach the limit of that appropriation funding, then the reserve by law kicks in and you'll notice in the budget papers there is an extra \$4.2 million for the settlement of those compensation amounts.

If we need more than that, we'll just draw that down under the power of the act.

Mr VALENTINE - What is the current maximum award levels to victims of crimes? Last year was \$22 344.81. What is it at the moment?

Ms ARCHER - I recently progressed reforms which are the regulatory framework that provides financial health and assistance to Tasmanian victims of crime and that included the introduction of an annual increase to the maximum annual award levels in line with CPI from 1 July 2022. Also, the removal of the total group cap available for related victims of the same incident.

These changes were designed to remove any disadvantaged for related victims in situations where there are more than five related victims to a crime or act of violence. There was a case, in particular, that I had in mind when I did that which prompted that sort of action. I thought there was an unfairness in the situation. The removal of the total group cap for related victims of the same incident also ensures that all related victims have the same access to an award for future counselling and medical expenses as other categories of victims.

Mr VALENTINE - It sounds like a good move.

Ms ARCHER - Yes, and out of the usual funding from last year's budget the \$12.5 million for the Third Family and Sexual Violence Action Plan, this funding provided \$160 000 in the 2022-23 budget to increase victims of crimes service counselling services in the north of the state, with a particular focus on the north-west. That's worth mentioning. It was removing the total maximum cap of \$50 000.

Mr VALENTINE - The question was and you may have answered it, how is the removal of the total group cap for victims of the same incident gone since its introduction last year?

Ms ARCHER - I am not sure whether we have a figure there of access. I am very happy for you to give that.

Ms EDWARDS - The indexed figure as at the 30 June for the primary victim of a single offence, the total cap amount is \$30 918. There will be another round of indexation commencing in the new financial year so for the financial year ending the 30 June 2024 that amount for a primary victim of a single offence will be \$33 134. The calculation amount does end up often being quite an odd amount, the nature of the calculation. For a primary victim of more than one offence for the financial year ending the 30 June 2023, the maximum prescribed

amount was \$51 531 and then commencing for 1 July of this year that indexation amount will rise to \$55 224 for a primary victim.

Ms ARCHER - Do we have any information we were referring to with the group situation?

Ms EDWARDS - As noted, the total group cap for related victims of the same offence has been removed. Related victims for the year ended 30 June 2023, the maximum award was \$10 306 and commencing in the next financial year ending 30 June 2024 with an indexation amount, that will rise to \$11 045. There is a separate component for funeral expenses to be paid as well, over and above the amount that each individual related victim can claim.

Ms ARCHER - Have we had any access in that new scenario, though?

Ms EDWARDS - Yes, and that clearly has had a benefit, particularly for those related victims in circumstances where there have been more than five related victims.

Mr VALENTINE - How many of those have occurred in these past 12 months?

Ms EDWARDS - I do not have a precise figure available at the moment but I can confirm that they are all related victim claims that have been heard and determined by a commissioner since the operation of the new regulations have not had a cap applied, and there have been a number.

Ms ARCHER - We can get that figure for you if you like, but it sounds like it's been a benefit.

Mr VALENTINE - No, I think I have enough information. Thank you.

It is noted over the forward Estimates there is a gradual increase in the appropriation for the output group, which is reflective of the underlying inflation estimates, or is it? That is the question. Without performance indicators, it is a bit difficult to know where the state might be going in staffing need and costs. Do you have any comment on the trend in activity and how you might be controlling the growth of the appropriation into the future?

Mr WAILES - What's included in the appropriation for VSS at the moment is just inflation; in out-year 4 there is a twenty-seventh pay, so that spikes up the amount slightly, but that's applied for all outputs.

Mr VALENTINE - Thanks for that.

1.5 Tasmania Legal Aid

Mr WILLIE - A lot of my questions have been asked already about Legal Aid rates and things like that. I might change tack. Attorney-General, you would know about the pilot being managed by Legal Aid and the Women's Legal Service and how they receive funding from the Tasmanian Community Fund. They've missed out on federal funding because they weren't a recognised health justice partnership. They can't reapply for federal funding until -

Ms ARCHER - Is that Legal Aid?

Mr WILLIE - Yes, and the Women's Legal Service. They can't reapply for funding until 2025 and at the end of this calendar year, the funding will run out. Is there an opportunity for the state to bridge the gap until they can apply for federal funding? It's my understanding there's a lawyer based in the women's shelter and it's about meeting unmet demands, so it is an access to justice issue.

Ms ARCHER - The Women's Legal Service receive funding through the Tasmanian Community Fund, as you have identified. But to establish that first, the Health Justice Partnership Just Healthy Families, Legal Aid, did partner with the Women's Legal Service Tasmania in the application. Additional funding from the Commonwealth administered by the state was subsequently provided to support Just Healthy Families and that service commenced in January 2022. I might get Ms Bourne to go into more detail on that because you deal with our Tasmanian legal assistance sector, for which we are very grateful. They provide services free or at low cost to vulnerable Tasmanians. I'll be very happy for Ms Bourne to explain that situation and the funding.

Ms BOURNE - As the Attorney-General said and Mr Willie, you've indicated that this Just Healthy Families Health Justice Partnership, which is the first of its kind in the state, is cofunded through two separate sources, including the initial injection of funding from the Tasmanian Community Fund. It is also supplemented until 2025 through additional Commonwealth National Legal Assistance Partnership funding that the state administers.

The TCF funding, when it expires at the end of this year, is an issue that we continue to talk to women's and TLA about. Also, as we enter into negotiations around the next Commonwealth National Legal Assistance Partnership Agreement and potentially other opportunities where we can work with both services to ensure that the partnership can continue, there is that additional source of funding that is provided by the Commonwealth, administered by the state until 2025.

Mr WILLIE - Attorney-General, it sounds like you're in discussions to maybe bridge that.

Ms ARCHER - That would be through SCAG meetings as well where I have the opportunity to raise those types of issues with the federal Attorney-General or I pick up the phone to discuss the issue as well in relation to that funding.

Broadly, the Commonwealth legal assistance funding is quite confusing in how it's administered and where it's administered to. It's very pleasing that they've come to funding until 2025, but as you've identified, that TCF funding that runs out is the component that we're in discussions about.

Mr WILLIE - It sounds like a successful scheme, so it would be a shame to see it go.

Ms ARCHER - I've always held the view that there's a strong link between justice and health, as there is with a lot of cross-portfolio issues. I think that there's a strong link between the arts and health as well, and indeed justice through rehabilitation components. I am a strong supporter of those types of initiatives.

Ms WEBB - There's more detail on it that I'm happy for you to follow up, if you like, rather than me follow up.

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Mr WILLIE - No, you go for it.

Ms WEBB - The thing we were speaking about in the overview was clarifying that the state is responsible for funding criminal law matters for Legal Aid and the federal government is responsible for other matters funded through Legal Aid. That's correct?

Ms ARCHER - Broadly speaking, yes.

Ms WEBB - In terms of that, what's our current state hourly funding rate for Legal Aid grants for lawyers seeking to represent clients at criminal trials?

Ms ARCHER - How about we get Ms Wylie to the table? She seems to be on the front.

CHAIR - Kristen Wylie, the Director of Tasmania Legal Aid. Welcome.

Ms ARCHER - Quite recently appointed. Congratulations.

CHAIR - Another lawyer joining parliament. Now we haven't got any on the ground.

Ms ARCHER - And proudly from the north-west coast, all the way from Burnie.

CHAIR - The member for Murchison is not in this committee, but we'll pass it on.

Ms ARCHER - No, but we've been discussing the north-west and the challenges there. I'm very happy for you to address that question.

CHAIR - The hourly rate?

Ms WEBB - The hourly funding rate for Legal Aid grants for lawyers seeking represent clients at criminal trials.

Ms WYLIE - There are two rates. The rate for the Magistrate's Court and for solicitor work in the Supreme Court is currently \$145.66. For the last two years, it's been indeed by 2 per cent, and we are planning a further indexing again of 2 per cent this year, which will bring it up to \$148.57. The rate for counsel in the Supreme Court is currently \$166.46 and in the coming year that will increase to \$169.79.

Ms WEBB - Also a 2 per cent increase.

Ms WYLIE - Yes, correct.

Ms WEBB - Nowhere near keeping track with CPI, for example, or other wage increases in the State Service.

Ms ARCHER - It's the board that sets the rate in Legal Aid, not the state government. I can make that clear.

Ms WEBB - The Legal Aid board? How often - is that an annual decision that's made by the Tasmania Legal Aid board?

Ms WYLIE - Yes, it is.

Ms WEBB - Is that made based on the budget you're given from the state government to provide for this area of legal support?

Ms WYLIE - Yes, it is. Currently it's been based on the indexing that we've received in our payments. We pass that on. We will be averaging the indexing we receive from both the Commonwealth and the state budgets, which essentially is allowing us the 2 per cent increase.

Ms WEBB - What is the indexing from the state government's funding to you?

Ms WYLIE - I do not actually have that figure on me, sorry.

Ms ARCHER - No, it is very important to note there are a number of sources of funding from the state for various different things, broadly speaking across the legal sector and we have certainly topped things up when we've had surplus funding.

The \$2.2 million over per year over four years from 2021-22. There has been additional funding to the sector of \$640 000 per year, again in that same budget to provide certainty and baseline funding. This year's Budget includes an additional \$827 000 to extend the 2021 commitment for a further year to the 30 June 2026. The serious cases fund allocated \$2.3 million over four years from 2020-21. The assistance in reducing backlogs, \$3 million over 5 years for complex criminal cases. If I can make it clear there has been different sources of funding we have provided. When the Solicitor's Guarantee Fund hasn't been in surplus, the state has provided that top up funding ourselves.

Ms WEBB - Thank you. I appreciate that clarification but I'm just trying to drill down into what's provided from the state Government to legal aid to provide criminal legal support in criminal matters. That amount is indexed and trying to find the indexation of that amount coming through.

Ms ARCHER - I have not got the figure because as I have said it is from a number of different sources. I am not sure; can we get that figure? Or is it? I think Mr Wailes can be of help.

Mr WAILES - The amount of indexation applied to Tasmanian Legal Aid was 1.65 per cent this year, which is lower than it was last year. Last year it was a bit higher, which I'm just looking for at the moment.

Ms WEBB - I see. Was there a rationale for a lower indexation rate Attorney-General in this area to drop below 2 per cent?

Mr WAILES - The indexation rate is calculated by the Treasury's budget system and can vary from year to year depending on the specific allocation and how that is made up within the system.

Ms WEBB - Can I ask then the legal assistance that's provided, do we have figures that detail the number of criminal trial hours we have funded from legal aid grants, as for 2021-22 and to date in this financial year?

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Ms ARCHER - Do we keep that sort of statistic?

Ms WYLIE - No.

Ms WEBB - We do not keep a statistic about how many hours we are funding through legal aid in criminal matters?

Ms ARCHER - I think maybe that is really drilling into some detail we do not require them to do, I'm not sure.

Ms WYLIE - It is not something we required to report on. We report on the grants of aids that we provide both to our in-house and private practitioners to deliver all kinds of work. It is probably possible, although it would be extremely time consuming to run a report because you'd have to drill down not only on Supreme Court, but also the Magistrate's Court. It is possible, but it would be quite difficult.

Ms ARCHER - And a drain on resources.

Ms WYLIE - That's right. We tend to run the reports we are required to do meet our reporting obligations.

Ms WEBB - It is all about how you collect data, you could potentially set up a data system that where it would not necessarily be a drain on resources to run that. I find it interesting -

Ms ARCHER - No. I disagree with comments made like that, because it is rather flippant to expect organisations that need to use their funding wisely. It is not just a case of extracting data and putting it in, unless you have a system like our ASTRIA system that will come on board. A lot of those things require people to enter the data and I am imaging that Tasmania Legal Aid staff have much better things to do with their time then enter data into computers.

CHAIR - A follow up question because we are going to break for morning tea very soon.

Ms WEBB - I appreciate that. It is also interesting because data is important when planning, tracking what we are funding and in what areas and what trends are happening in those areas and what unmet need might be in those areas so without data, it's difficult to-

Ms ARCHER - We do keep a number of matters in relation to the services that legal aid delivers in terms of the telephone service, the inhouse service, the outsourcing to external council. I imagine those types of data collection.

Ms WEBB - But not outsourcing to external council or criminal matters? We do not have that? That was one of the figures I was trying to get.

Ms WYLIE - We do have an overall figure of payments to private practitioners -

Ms WEBB - You cannot extract criminal from that?

Ms WYLIE - No, not easily.

Ms WEBB - How many FTE legal aid duty lawyers undertake criminal trial work state-wide?

CHAIR - The member might send that through to the secretary and then it will come to you at the end of the day.

The committee suspended from 10.46 a.m. to 10.59 a.m.

1.6 Legal Assistance

CHAIR - I have a question in regard to a follow-up question from last year from the honorable member for Elwick, in regard to representation of people under the guardianship and mental health acts around the support from TASCAT. It is under this new structure in the commentary it talked about 'a lot of work being done under the benefit of the new TASCAT structure to increase provision of information and resources to persons coming before the tribunal to assist them during the hearing'. You went on to talk about that and the work that is being done. I am just interested in whether that has actually come to fruition.

Ms ARCHER - At 1.10 we have a special allocation to TASCAT and I am just wondering if we will leave it till then when we get the registrar.

CHAIR - This is about the legal assistance because there were 83.1 per cent of people unrepresented through the legal assistance process and then there was this direction that the TASCAT benefit would be under the new structure. I am interested in whether that has occurred.

Ms ARCHER - I understand the question; I am just trying to think how best to answer it and accurately.

Ms BOURNE - The separate representation work that you refer to has commenced and there are a number of separate representatives that have been appointed to represent represented persons at TASCAT - relatively low numbers at this point, but it might be something that the principal registrar could talk to later on in the hearing schedule. There is a memorandum of understanding with Tasmania Legal Aid about the provision of those services, a fact sheet and some other material that is available on the website to inform people of the availability of that service.

CHAIR - So the figure of 83.1 per cent of people unrepresented has not shifted dramatically given you have said that there is not a lot of representation yet.

Ms BOURNE - If we break it down into relevant streams of TASCAT, for people who appear before the guardianship stream, 803 persons or 90.33 per cent of matters were unrepresented; 53 persons were legally represented, 21 of those by Tasmania Legal Aid and 32 by private legal representative; 31 persons were represented by Advocacy Tasmania. TASCAT appointed two separate representatives, as a part of the new administration that you referred to in the guardianship stream.

CHAIR - Do you envisage that representation appointed by TASCAT will increase? Two just seems quite a low number.

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Ms ARCHER - I don't think I can comment on that given that is an unknown. Well, it is a low number, I think because tribunals have transferred over to TACAT so naturally enough that has transferred. As Attorney-General, I would like to see the number go down so that people do not feel like they need to be legally represented but that is what I would like to see. Whether or not that transfers into reality is another matter entirely.

CHAIR - And there is some funding through the National Legal Assistance Partnership to this area as well, so is that by a matter of course? We've heard about the initiative on the Women's Legal Centre and the fact that they missed out on Commonwealth funding. I am just interested-

Ms ARCHER - No, they didn't miss out, it is when the Tasmanian Community Fund runs out. There is Commonwealth funding.

Ms BOURNE - The National Legal Assistance Partnership, the pool of money, the Commonwealth funding the state administers on the Commonwealth's behalf, had an additional commitment made by the Commonwealth to support people with mental health conditions to access justice. As part of that initiative, Tasmania Legal Aid was granted \$1.411 million over four years to expand its mental health program, providing information, referral and advice services to people before the courts and the protective division of the Tasmanian Civil And Administrative Tribunal, as we alluded to earlier. As to the number of overall separate representatives appearing before TASCAT up until 31 March is five since those arrangements commenced in late 2022.

CHAIR - Thank you very much.

Ms WEBB - Just one more question. My understanding is that at the last state election, an additional \$2.2 million was promised for the legal assistance sector, so Legal Aid Commission of Tasmania and community legal centres. Some of that funding was distributed in 2022. Then last year, you wrote to the sector to let them know that were additional surplus funds, and that applications were invited for innovative projects to improve Tasmanian's access to justice. I believe there's been some in that sector who in May were informed that their projects were successful.

How much funding was available through that effort? When is your Government planning to make those announcements about the successful applicants?

Ms ARCHER - I made it yesterday. I am just trying to turn up -

CHAIR - That always happens to this committee.

Ms ARCHER - Because we are jumping a bit, I'm trying to find it.

CHAIR - It's either the day before or the day after. I'm not sure why.

Ms ARCHER - Someone might be able to assist with the correct information. This always happens when you make the announcement the day before.

CHAIR - If you had waited until the committee, you'd have had it ready to go.

Ms ARCHER - It's that \$2.2 million over years that I mentioned before morning tea. The announcement I made yesterday of the successful proposals, which I think are innovative programs that will improve access to justice in Tasmania, were: \$30 000 per annum over three years to Community Legal Centres Tasmania to fund the use of interpreters to assist Tasmanians from culturally and linguistically diverse backgrounds; \$15 000 to supplement a Fullbright Tasmanian Scholarship for a Tasmanian student; \$78 127 per annum over two years to the Launceston Community Legal Centre to employ a duty lawyer to provide free advice to court users at Launceston Magistrates Court; \$195 000 to the Tasmanian Aboriginal Legal Service to pilot free civil legal services.

There was also \$48 400 to the Tasmanian Refugee Legal Service, which typically is funded federally; \$13 200 to Tasmanian Legal Aid to create a suite of short videos to assist the community to understand and navigate the legal system; \$45 000 again to Tasmanian Legal Aid to facilitate trauma-informed practice training; \$197 562 over two years to the Tasmanian Law Reform Institute to evaluate how well the Tasmanian youth justice system is responding to sex offences committed by young people. In addition, \$25 000 was provided to the Tenants' Union of Tasmania to prepare a report to consider the reform and regulation of assistance animals in residential tenancies; and \$25 000, again to the Tenants' Union of Tasmania, to prepare a report exploring the transfer of jurisdiction of residential tenancy matters to TASCAT.

Ms WEBB - Thank you. That expended, then, the whole \$2.2 million, some of which had gone out the year before?

Ms ARCHER - I'm looking to Ms Bourne because she's my expert on the legal assistance sector funding. I haven't added it up myself.

Ms BOURNE - That's right. Each year that expression of interest process is run with the available surplus from the \$2.2 million commitment each year.

Ms WEBB - May I have another short one?

Ms ARCHER - Sure.

Ms WEBB - Are we noticing in this state any impact from the NDIS scheme and an increase in appeals to the Administrative Appeals Tribunal as a result of people having their plans cut and their funding cut under that scheme? Those people perhaps needing legal assistance to pursue that process through the Administrative Appeals Tribunal. Is that something we've become aware of in terms of a need for legal assistance in this state?

Ms BOURNE - As the Director of Tasmania Legal Aid approaches the table, it is certainly something that TLA -

Ms WYLIE - Tasmania Legal Aid have funded for it.

Ms BOURNE - Yes. And had have noticed an increase in the complexity of those matters, and have been provided specific purpose funding from the Commonwealth to meet the increased demand.

Ms WEBB - Does it meet increased demand?

Ms WYLIE - I didn't bring the figures with me but I do know that the NDIS team are very busy. I believe that we're currently meeting demand but the Commonwealth is in continuous discussions with us about our need for funding. It's not an area that we have any funding concerns about.

Mr VALENTINE - Not so much on that but on the previous split, how you apportion the money across various services?

Ms ARCHER - It is based on their applications and based on the available funding.

Mr VALENTINE - There was a legal needs mapping that happened a couple of years back. Did that help inform the distribution of those funds? Are you looking at doing that on a regular basis?

Ms ARCHER - That was quite a large project and Ms Bourne was intimately involved in that, so I will get her to make a comment as well.

From my perspective, what it did tell us was the heavy reliance on the Solicitors' Guarantee Fund, the SGF. We haven't been able to utilise any surplus from it for a while because it has not been in surplus due to the calls on it, interest rates, that sort of thing. It is hoped that will recover very shortly, I believe, and again Ms Bourne can address that.

It did demonstrate to me that rather than applying for pilot programs or once-off type funding, which is what the SGF should be used for, it was the continual request each year for the same funding. That's what we'd like to see a move away from. What that list I just read out demonstrates is that the majority of those things are for short-term type project-based things that will deliver us with some information, or otherwise, that we require. We are moving towards what the SGF, once it's back in surplus, will hopefully see more of.

CHAIR - Does that satisfy the member?

Mr VALENTINE - It is just whether it is going to be repeated in the future?

Ms BOURNE - The legal needs mapping exercise that the member refers to was undertaken a couple of years ago now in very close consultation with our sector. There are a number of findings that report made. It probably wasn't to the standard or the degree of usefulness that the department and the sector had hoped for but certainly assessing the needs of the sector and particularly where there is unmet demand is something that we continue to talk about with the Commonwealth and other jurisdictions. We are talking about the best way to map that without imposing a further reporting burden on services to keep information about unmet demand.

The criteria under which this expression of interest process was run was based very much on projects that can help address the throughput of matters, that are innovative and enable services to pilot new things. Unfortunately, that mapping exercise that you refer to, which has been discussed and circulated with the sector, didn't quite give us the level of information that we needed.

Mr VALENTINE - You wouldn't be repeating very likely.

Ms BOURNE - I couldn't rule anything out. We certainly need to look at how we can map unmet need better. I think we can utilise the input and a shared approach with other jurisdictions, led by the Commonwealth, which is a better way of looking at that.

1.7 Equal Opportunity Tasmania

Ms WEBB - My question is in relation to a matter that is in the annual report from the OT, page 27, where beneath the heading, Continuing Barrier Access Justice, the Anti-Discrimination Commissioner highlights the apparent impact of a case, Bullard v the Anti-Discrimination Tribunal on the accessibility of justice. The case draws a distinction between when the complaint is not accepted, and when a complaint is rejected. Apparently, that distinction results in the application of the Anti-Discrimination Act becoming more complex and less accessible. When someone has a rejected complaint, they can apply to TASCAT for that rejection to be reviewed, which is free - but those who have been deemed not accepted can only apply for a costly judicial review in the Supreme Court, which I think can cost over \$1000.

Attorney-General, I believe the commissioner wrote to you recommending the act be amended to allow non-accepted decisions to be reviewable by the tribunal. The question then is, does that situation described by the Anti-Discrimination Commissioner create a two-tiered system for Tasmanians seeking access to justice, where they can access justice if they can afford it in some categories? Also, in light of the written advice to you to suggesting an amendment to the act, have you decided to proceed with that, or to monitor the situation - or what action?

Ms ARCHER - I can answer that in a very short way. I have discussed this matter with the Anti-Discrimination Commissioner and I am considering an amendment to enable TASCAT to review the commissioner's decisions not to accept complaints under the Anti-Discrimination Act.

Ms WEBB - So that is now being considered.

Ms ARCHER - Yes.

Ms WEBB - Is there a time line when you might expect to arrive at a decision?

Ms ARCHER - It is probably yet another one for Justice Miscellaneous. I think we probably have one more of those this year. It's possible it might make it into that one.

Ms WEBB - I'm asking about the time line because I believe that since that Bullard decision, over 40 complaints have fitted into that category of not accepted. That's a fairly sizeable number of complaints who aren't necessarily able to access what they might.

Ms ARCHER - We will take that on notice and make sure that's considered.

Ms WEBB - Another broad question. Is the efficiency dividend outlined in the Budget expected to be applied to entities like the Anti-Discrimination Commissioner's office?

Ms ARCHER - I don't know if we've discussed isolating certain areas. No. We haven't yet discussed that.

Ms WEBB - To be determined.

Ms ARCHER - Yes. That's not a yes or a no.

Ms WEBB - Sure. I understand that hasn't been fully considered yet. Looking again at the annual report, on page 19 it states the average time frame for a complaint to be assessed during the reporting period was 37 days. That's up from 34 days. I'm interested if the slight increase in time taken to assess complaints is due to the more complex nature of the complaints? Is it a resourcing issue, or is there some other contextual reason?

Ms ARCHER - I'd have to ask the Anti-Discrimination Commissioner to address that type of question. Welcome, Ms Sarah Bolt.

Ms BOLT - Thank you. We have 42 days to accept or reject a complaint. We've had some staff turnover and recruiting has been a difficult issue for us, but I'm satisfied that the complaints are being accepted within the time frame of 42 days.

Ms WEBB - So there's not a contextual reason, other than potentially some staff turnover issues.

Ms BOLT - That's correct.

Ms WEBB - Thank you. Attorney-General, in the annual report I noted a comment that I was interested to understand a little more. I believe 142 inquiries specifically related to COVID-19 were made to the office. It sounds like 35 per cent of them did not relate to conduct covered by the act, but the rest did - including, apparently, disability, age, religious belief or affiliation. Without being specific about any complaints in particular, I'm just interested in some broad comments about the resolution of those complaints, and the degree to which there were demonstrated instances of discrimination potentially in relation to COVID-19 during that period.

Ms BOLT - A lot of those matters were actually inquiries through our reported form, and there were some complaints as well. The majority dealt with either mask wearing, which was not covered by our jurisdiction, or issues in relation to race, which was probably the predominant area of discrimination over the COVID-19 period, and was predominantly directed at anybody who was Asian in appearance.

There were some in relation to aged care, but they were more of an inquiry nature rather than a formal complaint.

Ms WEBB - Some questions about the education and training sessions. Part of the remit of the office is education and promotion of matters relating to this area of equal opportunity, human rights discrimination, compliance with the act. Regarding the educational sessions delivered for the previous financial year, there was 300 sessions mentioned in the budget papers, or 300 sessions mentioned as a target for 2022-23. Are we on track to meet that? As well as whether we are on track to meet it, how that target is arrived at. The breakdown of what that, a mix of those sessions look like across the private sector, public sector, perhaps, in education institutions where they are delivered.

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Ms BOLT - I am happy to get a proper breakdown of you like of exactly those areas. We have sort of stopped doing that as far as discrete outline of each and every area, because it is so broad, it is state-wide training. Within the government areas is probably one of our highest areas of training. We certainly will not be meeting that sort of benchmark of around 300, for two reasons: there are two discrete areas of training, one is community education and development, and the other is our fee for service. Since November 2022, the person who was employed in the position of community engagement unfortunately, was unable to continue working. Then, in December, the person who was doing fee for service training took a position in another agency. Again, it has just highlighted the difficult of recruiting. We have actually gone out, not once, but twice, and we may have to go out for a third time to get people who are able to do that delivery at the volume and expectation of professionalism it requires.

Ms ARCHER - We are seeing that in a number of areas across the board. The market is quite competitive everywhere.

CHAIR - The target was aspirational.

Ms BOLT - Actually, the target in light of previous years was on mark and it again, we had a second trainer who was seconded over to State Service Management Office. There was a gap in that fee for service assistance. Then, we only focused on the community engagement side of things. Really, over last 14 months or more there has been a deficit in our ability to sort of perform to a target we would think is reasonable.

Ms WEBB - One last question on that area. Noting last year in 2022, the Commissioner was active around advocating for a human rights act of Tasmania and drawing together stakeholders, what, if any, ongoing activity is being undertaken through the office and by the Commissioner?

Ms BOLT - There was quite a lot of activity last year in relation to the call for a human rights act in Tasmania. The alliance was formed, which is very broad and far-reaching in its participants. At the moment, everything as far as I am understanding in relation to the alliance and where to go from here is pending upon the next report from the Tasmanian Law Reform Institute. I understand this has been completed, but I cannot answer the question as to exactly where that is at.

CHAIR - Does the Attorney-General have anything to add?

Ms ARCHER - I don't believe so. We do not have the report. I think it is imminent.

CHAIR - Given we are about to leave this part, there was a question from the member for Hobart on the gender split for the wellness program. We will put that on our request questions. The member for Hobart will send that through to the secretariat.

Ms WEBSTER - I can answer that. We do not actually keep that split, Mr Valentine. I apologise for that. The answer is no.

Mr VALENTINE - You can only but try.

CHAIR - Thank you very much.

1.8 Elections and Referendums

CHAIR - Moving now to 1.8 which is elections and referendums, which is joyful to so many of us here. I am not sure that some of them in the back feel quite the same.

Ms WEBB - To start off, I am just curious; I do not believe there is clearly identified funding in the budget papers relating to implementing proposed new political donations disclosures and reforms coming through.

Ms ARCHER - It hasn't been passed yet.

Ms WEBB - That is right, it has not been passed by parliament yet but presumably it is anticipated that there will be some funding required in order to implement those if and when it passes and that will be provided to the electoral commission as required?

Ms ARCHER - Absolutely, the electoral commission cannot do it on the existing funding; there would need to be additional funding for that purpose, yes.

Ms WEBB - Has there been a clearly laid-out plan about the funding that would be required in that space in terms of the bill as it is drafted and has passed the lower House, around implementation by the electoral commission and what that would require in both resources and time?

Ms ARCHER - I do not know what the bill might look like so we cannot deal with the scenario until the bill is passed.

Ms WEBB - I was asking about -

Ms ARCHER - I know what you are asking, but I just am not in the position because we cannot scope something that has not passed.

Ms WEBB - That is fine, I am sure it will come up when it comes to our Chamber anyway.

Ms ARCHER - No, I will just deal with that. We will not be in the position to answer those types of questions. They cannot be answered. They simply cannot be answered.

Ms WEBB - Advice from the electoral commission on potential time lines and resourcing requirements to implement what is in the bill.

Ms ARCHER - That's a different matter, but as to how much and whatnot depends on what the bill looks like.

Ms WEBB - The question was about what the bill looks like currently and whether advice had been provided around time lines and resourcing in it.

Ms WEBSTER - Yes, we have had discussions with the electoral commission around potential planning for that bill. The Attorney-General has indicated that depends on the final model and the final bill but it is important to note that the funding that is required for that will be reserved by law funding predominantly. It is a little bit different in terms of a funding

submission; it would be a request to draw down. Mr Wales probably knows more about the technicalities, but it is a request to draw down on that reserve by law, but certainly we have had the discussion.

Ms ARCHER - I don't think there is anything to fear in that.

Ms WEBB - I appreciate that. I have another question about accessibility of election participation, fair and equitable access. Are you aware of recent developments in New South Wales where the organisation Blind Citizens Australia lodged a discrimination complaint with the Australian Human Rights Commission against the New South Wales electoral commissioner's decision to drop their internet iVote system for their March state elections this year, which removed blind and vision-impaired New South Wales voters' capacity to vote independently, which I believe they'd had for over a decade. Although they are intending to fix that in New South Wales with something more robust, the commissioner did not consider there was sufficient time to test it prior to that election, so blind and vision-impaired citizens were left unable to vote independently. My question is: what progress has been made to provide blind or vision-impaired Tasmanians with the capacity to vote independently without having to divulge over a phone who they are voting for, and will blind and vision-impaired Tasmanians, as well as Tasmanians with a disability who might have limited means to travel to polling booths, be able to vote independently as other Tasmanians do it the next state election?

Ms ARCHER - Mr Andrew Hawkey has just joined us at the table to address that question. He is the Tasmanian Electoral Commissioner.

CHAIR - Welcome, Mr Hawkey, lovely to see you again.

Mr HAWKEY - Thank you. In 2010, Tasmania established an independent voting process for people with a print disability or who are blind or vision-impaired. That has been running in all of our parliamentary elections since then and is available in different areas around the state. In relation to the New South Wales elements, I think some of the issues there were around the integrity of the process and therefore the commissioner felt that there were other integrity issues that were broader. I'm not sure what they are looking to undertake further.

We have a system already in place. Part of the progress in the area of disability and accessibility is that the commission currently has a working party which primarily arose from issues around the compulsory nature of local government elections and the issues around a postal vote, which we addressed, and issues with providing independently assisted voting, not fully independent voting. That working group has met and will look into what needs to be done in the local government sphere going forward, which of course is a broader issue as to what's going to happen with local government elections as well.

Ms WEBB - Is it that our understanding that Tasmanians who are blind or vision impaired believe that they're being appropriately catered for currently for any upcoming elections so that they are able to vote independently?

Mr HAWKEY - The advisory groups that are a part of it are happy with the progress, from my understanding. Even with the issues that arose from local government elections becoming compulsory, those additional services were in place for the voting period. There was strong coordination from the close of nomination through the early pre-polling period. It is an

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area that's progressing reasonably well at the moment. I'm sure there is further work that can be done.

Ms ARMITAGE - What are the FTEs of the electoral commission now, and are you recruiting? Is the number you have enough, or do you need more?

Mr HAWKEY - We have currently 15 FTEs, of which we are about 12 and partly we haven't filled those because different events keep occurring for such a small number. With the different items that are in the Government's agenda around funding disclosure and changes in local government and the recommendations there that the commissioner manages the general managers' roles and a range of other elements that have come through those recommendations, plus issues in the Aboriginal Land Council area that again involve the commission, there are a broad range of new responsibilities that may be coming to the electoral commission, so we are undertaking some preliminary work with the Department of Justice to look at what that would require to be able to fulfil our responsibilities in those areas.

CHAIR - My question is about the Legislative Council participation rate, which always interests members of this committee. I note that last year's participation rate, for 2021-22, was 82.6 per cent. Can we have a percentage of participation rate for the 2023 election that have just been?

Mr HAWKEY - Since the last budget Estimates we had the Pembroke by-election in 2022, which had an 81.19 per cent return. Our three periodicals were:

Launceston - 82.39 per cent;
Murchison - 85.19 per cent; and
Rumney - 82.39 per cent.

Murchison had around a 1 per cent increase, where the other two had around 2 per cent decrease.

Mr WILLIE - The Government's numbers have changed in the other place and I am interested in the electoral commission's planning in case the election is called before it's due and how much notice they need.

Ms ARCHER - I am not going to answer that. I'm not going to give it oxygen. We haven't got an election planned until two years time and I'm sure the Electoral Commissioner has plans for that event. That's my answer. I think Labor are just coming in quite cocky to these budget Estimates thinking that they're going to an election early.

Mr WILLIE - It's a legitimate question on whether the electoral commission is prepared.

Ms ARCHER - I'm not going to give that silly question any oxygen.

CHAIR - Does the honourable member have a follow-up question?

Mr WILLIE - I thought it was a legitimate question on preparation for elections.

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Ms ARCHER - The electoral commission is quite able to deal with elections as and when they're called, but we're not planning one until two years time - that is the answer to that question.

Mr VALENTINE - Thank you. My question goes back to the previous election where the Legislative Council election was on at the same time as the State Election and the changes that may have taken place to make sure that when a situation like that occurs, people who come into polling booths are able to lodge their vote at that polling booth as opposed to being told to -

Ms ARCHER - The situation that arose in one of the electorates, in 2021. It was Windermere -

Mr VALENTINE - I was just wondering whether any changes have been made in your processes and procedures to save that from occurring again?

Mr HAWKEY - That was a once in a 150-year event.

Mr VALENTINE - I know it was. Hopefully it'll be 150 years before it happens again.

Mr HAWKEY - Essentially, we had four weeks to develop a processing system and the key assumption we made at that time was that we could have every polling place that would have been open for those Legislative Council periodic elections open for those as well as pre-polls across the state being able to issue votes for both the Legislative Council and the House.

What we didn't get a grasp of - and we certainly didn't resource - was that we could provide voting for both elections across every polling place. Part of the initial discussion we have had is about changing that model so that essentially there may be a single point with each polling place rather than every issuing point being one. Again, with another two years until the election and other things to be organised we haven't done a lot of detail in that yet, but there are some scenarios that we are looking at. But it's a significant resource.

In 2010, the Electoral Commission moved to the netbooks, which removed absence voting and streamlined a lot of costs of rolls, scanning of rolls, and reducing the need for people to fill in envelopes, which was very effective. That process, and the netbooks that we bought in 2009, which need to be replaced fairly soon, is a million-dollar projects. Now, that is just for a House. If you're throwing other elections that's an additional resource. So how we manage that additional resourcing in a way that's effective, we'll have more thoughts on closer to the next one.

Mr VALENTINE - Now, you've certainly answered the question. The fact is, you've got your mind on it. That's the important thing. I wouldn't cast aspersions as to how bad it was that people didn't have the information handy.

Ms WEBB - Well, thousands of Tasmanians were disenfranchised.

Mr VALENTINE - But at the end of the day, it does disenfranchise people. So, if you've got your mind on it, that's the important thing.

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Mr HAWKEY - The participation rate was still reasonably close to what they would of normally have been, so, that disenfranchise gave us a better understanding of where people are with elections.

CHAIR - They were just grumpy they had to drive somewhere else.

Ms WEBB - Or perhaps didn't drive somewhere else.

Mr VALENTINE - Yes that's right, or might not have been able to do that.

CHAIR - Any other further questions on any elections and referendums?

Mr WILLIE - The participation rates last year in the provision for - we've heard about people who may have an impairment or a disability but, language barriers is a particular issue in my electorate - that's feedback I get from voters in your electorate too, minister - in terms of provisions for people helping to navigate that.

Mr HAWKEY - As I mentioned at the last one we had a temporary position established to basically scope out areas of need relating to accessibility and inclusivity. That progressed slower than we would have liked but we did some early work, particularly with the Migrant Centre and the Nepalese community, which is probably the biggest one.

We are now in the process of establishing a permanent position that will start the ball rolling with that. We'll take over issues and accessibility opportunities with the print disability group. It's a very large area for us to grow into.

Elections, as Australia has traditionally done them, cover the core slab of maybe 80 per cent or 70 per cent. We are getting better and appreciating that needs to be broader because every elector should be entitled to vote. Interestingly, today on AM radio they were talking about what the AEC is doing in relation to trying to increase understanding in far western Australia. There are a lot of opportunities for growth and by making a permanent position, we'll be looking to invest more in that area.

Mr WILLIE - It is great to see the AEC at citizenship ceremonies and things like that with information for voters.

Is that something you could look at being at present at those sorts of ceremonies?

Mr HAWKEY - Yes. The role is a national role. It is one I have a governorship role on and it is a little bit of a hands and feet. The AEC who have staff around the state are effectively the ones that directly appear and undertake the enrolment processes for Tasmania, but we support that and help fund that process.

1.9 Tasmanian Industrial Commission

CHAIR - Right. We will see Mr Hawkey at Scottsdale at the next citizenship ceremony. Lovely. Thank you very much, Mr Hawkey

The next one we have is the Tasmanian Industrial Commission and Attorney-General can we go to the clearance rates of the matters finalised during the reporting period. The note tells

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me the percentage is due to the increasing complexity of matters under industrial disputes. Can we have some examples of what that might be. We have an actual of 86 per cent of matters with the target of 95. Given they are complex, how do you see meeting that target? Thank you.

Ms ARCHER - We might need to take that on notice because our person from the Industrial Commission has come down with COVID-19.

CHAIR - Okay.

Ms ARCHER - I do not have someone specifically as specialised in that area, unless of course, our statistical people have the information. It might be best for us to take that question on notice.

CHAIR - I am happy for that question to be taken on notice on the nature of the complexity of matters. I note, given you don't have anyone with you and you weren't prepared to answer my question in Parliament last week on the issues paper on parliamentary salaries and allowances, I expect the same will be today.

In light of that, members, are there any other questions in regard to the Industrial Commission?

Ms ARCHER - Sorry?

CHAIR - It was around the report the Industrial Commission was undertaking into -

Ms ARCHER - No. I am just not in a position because we have not got the report.

CHAIR - I asked for a time frame.

Ms ARCHER - I can't give that though, because I cannot demand it of the Industrial Commission.

CHAIR - Hence, I was going to ask the person today, but that person's not available.

Ms ARCHER - Yes. It's not that I'm refusing, I'm not positioned to answer that just for the record.

CHAIR - Any other questions? No. We'll move straight on to the office of the Public Guardian.

Mr WILLIE - You missed TASCAT.

CHAIR - Did I?

CHAIR - Thank you, Mr Willie.

1.10 Tasmanian Civil and Administrative Tribunal

Mr WILLIE - Attorney- General, will there be additional resources provided to the tribunal when they take on the extra planning and CBOS matters?

Ms ARCHER - Obviously, we need to be looking at that. At the moment TASCAT is resourced quite well with an FTE of 45. I'd prefer to see how they go in relation to those matters, because what we need to appreciate is there we have quite a few ordinary sessional members who can hear matters and of the existing members, some probably have some expertise in this area or can certainly demonstrate their ability to do that. For example, we would have some that cross jurisdictions from workers comp to anti-discrimination matters to possibly this.

At this stage it is best we see how we go with existing sessional members. I am not certain of their numbers, but we have quite a lot. I want to demonstrate there are sufficient people.

Mr WILLIE - That was my next question, whether that was a recruitment strategy to make sure people have these diverse skills.

Ms WEBSTER - There are 89 sessional members and eight full-time members.

Ms ARCHER - That is quite a lot to draw from already. If further expertise is required from the decision-makers, if we like, they can be recruited with some specialist knowledge in that area.

Mr WILLIE - Previously you've mentioned some magistrate matters being moved to TASCAT. Where is that work at?

Ms ARCHER - The department is progressing the transfer of jurisdiction of administrative appeals, including from the Magistrates Court. Those administrative appeals are provided for in over 80 acts, so the work that is required is a bit complex. We want to ensure we achieve the desired effect of accessibility and access to justice. This work obviously remains a priority, because that would be a really useful area to transfer from the Magistrates Court over to TASCAT. We would require an amendment to the act to enable that as well. That work would need to be done.

Mr WILLIE - I know the Chair covered representation a bit, but last year at Estimates it was raised that there was a change in practice for TASCAT, and that advocates and legal practitioners are no longer routinely notified when people are appearing at the tribunal in the protective streams of the mental health and guardianship. Since then, we've heard through consultation on the current bill that at least 89 per cent of people are unrepresented in the guardianship stream alone. Numbers in the mental stream are understood to be similar, with an alarmingly high 83 per cent of people unrepresented.

What is being done to change practice to make sure that people are represented in these protective streams?

Ms ARCHER - There have been a number of issues raised by Advocacy Tasmania. This is just the isolated issue of representation. Is it representation across the board? Or by

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Advocacy Tasmania? Because I think the statistics we revealed before - I think Ms Bourne used the example of the guardianship stream. Could I get Ms Bourne to address that? You have that information.

Ms BOURNE - As noted in a previous answer I gave the committee, the Separate Representatives Scheme under section 98 of the TASCAT Act commenced in late 2020, and there have been five separate representatives in proceedings up until 31 March represented. I think people coming before TASCAT are also provided with information about the range of advocacy services that are available to them, including Your Say Advocacy Tasmania and Legal Aid.

Through you, Attorney-General, I think the matter to which the member refers is the former practice of providing information to the former mental health tribunal, which was ceased to make sure the tribunal complied with the requirements and protections under the Mental Health Act. The president of TASCAT and the Minister for Mental Health and Wellbeing have corresponded with Ms Groombridge from Advocacy Tasmania on that matter. Certainly Justice, in consultation with the Department of Health, is continuing to liaise with Advocacy Tasmania and TASCAT in ensuring existing systems meet the needs of people coming before TASCAT and they have the support they require.

Mr WILLIE - It is my understanding that the Tenants' Union, for example, is notified when there are sessions - not necessarily names of people - but they are able to turn up and potentially help people.

Ms ARCHER - We have always got to balance the rights ensuring people in that jurisdiction understand not only what their legal rights are, but they consent to it. Particularly, we are now shifting to a will and preference model. I am very mindful of that too.

Mr VALENTINE - What was the model?

Ms ARCHER - Will and preference model in the new bill that has been tabled.

Mr VALENTINE - We will get to see?

Ms ARCHER - You will get to see. We have not debated it yet in our House.

1.11 Office of the Public Guardian

Ms ARMITAGE - If I could start with the annual report on page 11 states the number of new OPG appointments had declined by 32 per cent compared to 2020-2021. Conversely, the number of matters where the appointment of the Office of the Public Guardian had been continued had increased by 37 per cent. It goes on to say there was an increase in matters dismissed due to need and/or disability or capacity criteria not being satisfied. Can you give us an understanding of some of those areas dismissed?

Ms ARCHER - Thank you. Angela McCrossen who is our Acting Public Guardian.

Ms ARMITAGE - What happens to these people who do not meet the criteria? Where can they actually go if they are in this need and they do not meet the criteria, disability or capacity where can they go?

Ms McCROSSEN - From a guardianship perspective as opposed to administration the test of need is quite often a key of needing a decision making or having decisions that are forth coming or you could project them into the future. To some extent, a person may still have decision making inabilities, but the need for somebody to step in and make a substitute decision on their behalf is no longer there. It is not necessarily the case there needs change, but likely decisions that are coming forward. How do they get their needs supported whether they do or do not have a substitute decision making in place? Many of our representative persons are heavily engaged with the NDIS so, the withdrawal of an appointed substitute decision maker does not equal their support system also withdrawing.

Ms ARMITAGE - The annual report also noted the number for emergency orders had dropped from 2019-20 to 2021-22. It is a downward trend and any idea what that can be attributed to? Obviously, it does not relate to COVID-19 because I have looked and they were very high then also.

Ms McCROSSEN - It is really difficult to answer that. It is very hard to quantify the reasons for those drops. Obviously, the test is different for emergency applications in terms of the urgency of the matter. You can only assume if a person has a need that has not hit that threshold of urgency they have been dealt with through the general application process.

Ms ARCHER - We would hope under the new structure it might decrease even further.

Ms ARMITAGE - I have been looking at the regional profile. While I appreciate that the Office of the Public Guardian were unable to account for the dramatic regional differences. Obviously, they are quite significant when you look at the annual report in the rate of guardianship appointments in the south of the state compared to the north and northwest. Do you have an actual data showing per capita or proportional rates of guardianship appointments regionally?

Ms McCROSSEN - We would be able to capture some of that data but I don't have that available.

Ms ARMITAGE - We can take it on notice.

CHAIR - The secretary has that in his sights as we speak.

Ms ARMITAGE - This is a hard question to ask you because you are probably going to say 'of course not'. Do you believe that the fact that the large service providers are headquartered in the south and some specialist aged, disability and forensic services are only available in Hobart are possible contributing factors to the high regional variability and can you indicate that these services should be available elsewhere in the state? Do you think that would assist the office if some of them were available? If people can't access them, the southern region, when you look at the graphs in the annual report, is hugely -

Ms ARCHER - Perhaps the question needs to be, how do we deal with regional matters?

Ms ARMITAGE - How do we deal with it or do we look at having some outreach? Or do we have an outreach in these areas?

Ms ARCHER - I think that's the question.

Ms McCROSSEN - From an Office of the Public Guardian perspective, we have staff who are located in the north and north-west and engage with those networks that are available.

It is interesting to some degree because with the remote location and perhaps the different level of accessibility to support, you would expect to have the reverse impact in terms of data, so a higher number of guardianships applications as a result of those support systems being fewer or less.

I am not sure if we can connect service accessibility to the guardianship applications because you could almost predict that they'd be the opposite.

Ms ARMITAGE - It is just interesting when you see the huge difference - not even a slight difference; it is a massive difference.

A question that I'd also have about the office is: how well are the activities and the advocacy promoted? Do you do media campaigns? How do you get it out there to let a lot of people in these areas, particularly the regional areas, know that it is there?

Ms McCROSSEN - In many ways. Firstly, the office's ability to do public education and awareness campaigns is quite limited due to most of our work being around decision-making and being appointed as a guardian.

We have had our public website developed and that's constantly evolving. There is real commitment and active work taking place in accessible resources that can be made available to people who can access the website.

In addition to that, we receive regular requests for community education and awareness, mainly from professional bodies, however, as opposed to from the general community.

We are currently in conversation with a university about doing 'train the trainer' and supported decision-making and guardianship. That would allow our staff to have the skill set to roll out community education sessions. That is also in balancing the key role of a decision-maker being appointed by the tribunal.

Ms ARMITAGE - My final question is: can you expand on the processes around some of the complaints that have been made regarding the office recently? What is the complaints resolution process? How many of the complaints, for example, in 2021, have been fully resolved? Do you have reviews after complaints processes? Is there an internal process for implementing learnings that arise from the complaints?

Ms ARCHER - I will start with the complaints aspect. There's been a bit of confusion about what the difference is between the Public Guardian, the Public Trustee and indeed the Guardianship and Administration Board, which is now the Guardianship and Administration Stream in TASCAT. It's not just an isolated thing about complains about the Office of the Public Guardian. In fact, I think the Office of the Public Guardian is probably less in that area of having had complaints, but I will allow it.

Ms ARMITAGE - I assume there are some that come, for a variety of reasons, whether people consider they've been properly looked after or other reasons.

Ms McCROSSEN - I guess the reasons for complaints are generally around a decision being reviewed. We have a process whereby, if somebody is not happy with a guardian decision, they can seek a review of that decision. That is generally processed by the Public Guardian. So, there is a commitment to feedback about whether or not that decision would be upheld, and what the other options might be.

There are also complaints that come in that I would say are difficult for the Office of the Public Guardian to resolve, insofar as access to services in the community or engagement with other third party organisations or professionals. They are probably still responded to in terms of what we can and can't respond to, but where it's our scope -

Ms ARCHER - There is actually a very good page on your website that deals with it, in very short, succinct areas.

Ms ARMITAGE - Is there an appeal process for people who aren't accepted?

Ms ARCHER - Aren't accepted?

Ms ARMITAGE - What is the appeals process for matters that are declined or dismissed? Is there an appeals process?

Ms McCROSSEN - There's an appeal process through the tribunal, so if a decision is being appealed, that would be through TASCAT. We always offer different avenues with the ombudsman as the next step if they are still unhappy with the outcome of the complaint.

Ms ARMITAGE - Thank you.

CHAIR - We are going to take a very brief break for four minutes.

The Committee suspended from 12.02 p.m. to 12.06 p.m .

1.12 Child Abuse Royal Commission Response Unit

Ms WEBB - A brief explanation of line item in the table 5.10 on page 129. There is a fairly large increase from 2022-2023 to 2023-2024 from \$13 million to nearly \$30 million. The footnote over the page explains that reflects the funding profile for the National Redress Scheme and associated civil claims compensation. Because it is quite a distinct increase, could you explain what's changed?

Ms ARCHER - The demand has been quite high of both the Redress Scheme and the increase in civil litigation. With the increase in civil litigation, one of the factors that would have caused that, and positively so, is the removal of the limitation period and also setting aside previous judgements. I know this have been life-changing in a lot of circumstances for victim/survivors. As I said in my opening statement, we have topped up by \$30 million, but of course if it needs topping up again, then the Government is committed to ensuring we fund those areas according to need.

Ms WEBB - Thank you. From the Royal Commission, one of the recommendations prompted we have just passed through parliament in terms of the Child Safe Organisation

Framework and the independent regulator that comes as part of that. Is that funded here in the budget? And if so, in what area?

Ms ARCHER - That is part of the -

Ms WEBB - In this line item?

Ms ARCHER - Yes. Sorry, it is in the DPAC budget, not in this output at all, apparently. I might get the secretary to explain that.

Ms WEBSTER - The \$70 million that's the change to the Redress and civil claims is our department and we manage that funding. The independent regulator, as you indicated, commences on July 1. There has been \$30 million allocated that DPAC are managing, that we will draw upon and the Secretary's Board will draw upon that figure for this year. Over the period of the next 12 months, we will have a better indication of the actual costs of the independent regulator and their Reportable Conduct Scheme. That will be part of a budget process for next year, but there is a capacity to obviously draw on that \$30 million this year and we have already had those discussions.

Ms WEBB - Will it sit within this department from next year, rather than DPAC, Attorney-General?

Ms ARCHER - I think so because we will have established the office of the independent regulator, we are in the recruitment phase now. Work is being done by a CARCRU in terms of location of office and all of those things that go with setting up the initial office.

1.13 Safe at Home

Ms ARMITAGE - Looking at the Safe at Home website for end of support services, there are a number of resources available which are largely referrals. Is there any scope for the Safe at Home program to more proactively look engaging with offenders to address violence and abusive domestic conduct. Has that been considered? Isabelle Pace, Acting Senior Consultant, Safe at Home?

Ms ARCHER - Yes, and the secretary quite rightly pointed out to me it can also be through Community Corrections, which is in my next portfolio.

Ms ARMITAGE - Would you like me to put it on notice? Would that help?

Ms ARCHER - That would help. Let's put it on notice, because it gives an option of explaining it.

Ms ARMITAGE - I am happy to put that one on notice.

Do you collect any qualitative data from people who engage with the Safe at Home Program, and if so, what feedback is being received about the program and its effectiveness?

Ms ARCHER - That would be more a survey, wouldn't it?

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Ms WEBSTER - The Safe at Home program is quite broad. It would depend on the particular department. There is the facilitation of the Safe at Home steering committees and regional committees undertaken as part of the role of the Department of Justice. Then there is those as the Attorney-General said, more specific components of the program. It would be very much dependent on the specific area of Safe at Home we are delivering the service to.

Ms ARMITAGE - You are not sure whether data is collected across. I appreciate that there quite a few different departments involved.

Ms ARCHER - There is Justice, Legal Aid, the Department of Health, Police, Fire, and Emergency Management and also Education, Children, and Young People.

Ms WEBSTER - We do collect a range of data across those programs. It would be very much about the specifics of that question.

Ms ARMITAGE - I noticed there were also publications available, including the internal performance review report from 2014. Have there been any further reviews since then? Were there any planned at any time soon? I appreciate it's probably not easy, it is obviously worthwhile.

Ms WEBSTER - That review in 2014 is the last major one we have done of the program. But very happy -

CHAIR - We are welcoming to the table Isabelle Pace, Acting Senior Consultant of Safe at Home. Welcome, Isabelle.

How can you assist the effective of those working in the program without having an internal performance review, at least every so often?

Ms PACE - In the 2022-23 financial year, No to Violence was funded to run the men's referral service, receiving a total of \$180 850. We also fund Relationships Australia that deliver the Men Employing New Strategies Program. They received \$374 000. As was mentioned, Community Corrections also deliver the Family Violence Offender Intervention Program and they deliver other programs such as EQUIPS, focusing on behavior change within offenders of family violence.

Ms ARMITAGE - Thank you. I appreciate that answer.

Mr VALENTINE - With respect to that last one mentioned, sorry did you want to answer about the review?

Mr WAILES - Those programs that Isabelle mentioned are funded through other agencies. The Safe at Home funding which the department receives, we get some appropriation which you have seen in the key deliverables at the front of the budget chapter. But there is also other funding provided by other agencies, which is previously Department of Communities Tasmania. I think that may be DPAC now.

Ms ARMITAGE - We've DPEM and Health and a lot of the others involved here, haven't we?

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Mr WAILES - Those programs that Isabelle mentioned were funded from another agency.

Ms ARMITAGE - That is all right, they are still relevant. The resources and the programs are available.

Mr WAILES - Correct.

Ms ARMITAGE - Are we looking at having any reviews? It is hard to assess the effectiveness of those working in the program without having an internal performance review every so often and 2014 is quite a while ago.

Ms PACE - I have nothing further to add than what was previously mentioned; that review occurred in 2014.

Ms ARMITAGE - Would we be looking to have another review in the near future?

Ms ARCHER - I am not sure; DPAC is the lead agency on this. I am not trying to avoid the question, but it would be a DPAC question.

Ms ARMITAGE - I'm not sure if an answer might be coming.

Ms ARCHER - We might have a more definitive answer, I don't know if it's worth it.

CHAIR - We have just got the DPAC budget notes.

Ms WEBSTER - I have been advised that the Department of Premier And Cabinet will be establishing a victim survivors' advisory body and that will enable government and agencies to hear from victims/survivors on what is working and what is not. That will allow us to continue to improve our response. I think it is important that we are looking more at the services we are delivering rather than internally at what we think works. It is better to ask victims/survivors.

CHAIR - So we do have a DPAC briefing note.

Ms ARCHER - It is ours - I think it answers that somewhat. We've had something further.

Ms WEBSTER - We have had four reviews under Safe at Home, the 2007 review, a 2008 review, an internal performance review in 2014, and it was reviewed as part of the family violence service system review in 2019.

Mr VALENTINE - The final service you mentioned - you went through a list of services and there was one about community. Can you just repeat that?

Ms PACE - Community Corrections received a total of \$334 000 to deliver their Family Violence Offender Intervention Program. They also deliver EQUIPS programs focusing on behaviour change in family violence offenders.

Mr VALENTINE - I think my question is probably for another area.

**Output Group 2
Legal Services**

2.1 Crown Law

CHAIR - Thank you very much and we appreciate your responses. I am not sure whether this is an appropriate question, but I am going to try anyway. Given that this output aims to protect the interest of the Crown by providing legal services and advice, I am interested in whether this area or are you aware whether Crown Law had had any input into the agreement between the AFL and the Tasmanian Government. We heard yesterday there were hours and hours and hours of input.

Ms ARCHER - Well, if it had, it would be legal professional privilege and I would not be divulging Crown Law advice. I don't have specific advice myself.

Ms WEBB - Broadly, I was interested to know about the Office of the Solicitor-General; we have heard about recruitment and retention issues in other areas and I am wondering if you could provide a description of what is going on in that area, any comings or goings - obviously not of any individuals but broadly - of positions.

Ms ARCHER - I can indicate it is difficult to recruit in that area more broadly across the legal profession. In that office and indeed across all of Crown Law it is difficult to get specialist knowledge and expertise that you require. I am aware there are some vacancies.

Ms WEBB - The staffing complement is what and what is the vacancy at the moment?

Ms WEBSTER - This is the Office of the Crown Solicitor and Office of the Solicitor General. So, Crown Law without the DPP component. At 31 March 2023, the staffing FTE was 57.9 with a head count of 62. That compares to 2022, same date, and it was 50.2 with a head count of 55. There has been an increase because of some funding that was provided last year in the budget. But, as the Attorney-General said, there are some vacancies. I don't have the current vacancy rate at the moment but we have had some people take promotions and move interstate and there has been some movement in that office recently, across the board.

CHAIR - Do you have traineeship arrangements throughout the department that might assist with the expertise or experience?

Ms WEBSTER - We do have graduate programs. We had three graduates last year across the department and we are looking at three to four this year across the department. It would depend on the qualifications and the expertise of those graduates as to where they might go, but certainly looking at if they were legal graduates, cycling them through the very broad range of legal services we have within the department.

CHAIR - So you don't take them straight out of law school?

Ms WEBSTER - If they are graduates, we do, and they may come straight out of law school and apply for a Legal Practitioner Level 1 (LP1), it is possible.

Ms WEBB - Can we get on notice from you, the current vacancies, you mentioned you didn't have it at the moment?

Ms WEBSTER - I can take that on notice.

Ms WEBB - Current complements and current vacancies as of today. Is this the area we need to ask about the new State Litigation Office?

Ms ARCHER - You could.

Ms WEBB - If it belongs somewhere else and someone else has questions?

Ms ARCHER - I'm happy to take it here.

CHAIR - The person who had the lead forgot to ask it.

Ms WEBB - I am interested to know, the new office of state litigation, it's not a statutory office?

Ms ARCHER - A prescribed officer.

Ms WEBB - A prescribed officer. Is there any concern that there's a lesser degree of independence in relation to that rather than being a statutory office in thinking about potential political influence? It's a principle question; it is not an accusatory question.

Ms ARCHER - No, because the types of matters they are dealing with and because they will be legal practitioners, I have every faith as officers of the court that they will maintain their impartiality. They will deal with civil litigation more broadly and also child sexual abuse matters. I don't have any doubt that the people who are recruited in that office, or the prescribed officer that heads up the office, will be and can be, impartial.

Ms WEBB - There are model litigant guidelines that already need to be adhered to. Does this go beyond that?

Ms ARCHER - It goes beyond that in terms of all of them will be trauma-informed trained. There will be that specific focus to ensure that the types of matters they deal with are dealt with that sensitivity.

Ms WEBB - Where will that training be sourced?

Ms WEBSTER - I have just completed Trauma Informed Practice Training and it was delivered through Lifeline Tasmania, as the deliverers. Staff in the Civil Litigation Branch have already undertaken some trauma informed practice training. This training that has been rolled out through Lifeline Tasmania has been managed by the Department of Premier and Cabinet. There may be other training that other jurisdictions specifically do about the management of civil claims in relations. It would be a matter of working and looking at other jurisdictions to see what we can also utilise.

Ms WEBB - At what point will everybody who is part of that office, be fully trained?

Ms WEBSTER - As the Attorney-General mentioned, we're currently recruiting for that office so, I think it would be a matter of coming in and doing a review of what additional skills we might need. I wouldn't want to make that comment until we had that person in place who

was able to establish that office and provide some advice to the Attorney-General in relation to what other guidelines or policies might need to be developed.

Ms ARCHER - It's going to very much be that person's purview.

Ms WEBB - And is the recruitment of positions in that office already from people within the Solicitor-General's -?

Ms ARCHER - People will be transferred and there will need to be new positions just in cases there are vacancies at the present, which I think there are.

Ms WEBB - One final question on it. Other than the training that will be undertaken by those involved, will there be something documented about the trauma-informed practice guidelines or trauma-informed practice framework that will apply? So that anyone coming to interact with, or be involved with, the activities of that office could have a referral point about how they can expect to be treated or now they might understand the model that they're engaging with?

Ms ARCHER - I don't know if you've read the model litigant guidelines. It's very thorough presently but if the prescribed officer felt that needed to be supplemented or amended or they needed to have their own, then that would be a matter for that prescribed officer. The model litigant guidelines currently are very robust in this area.

Ms WEBB - But they're not specific to trauma-informed practice? Sorry, I'm just trying to understand because we've created this to be above and beyond -

Ms ARCHER - The short answer is, it's a matter for the prescribed officer.

Ms WEBB - Yes.

Ms ARCHER - I would encourage them to do that if they felt the need to do so.

Ms WEBB - It's good for people to understand how they might expect to be dealt with within a particular model, given that we're going to such trouble to set one up.

Ms ARCHER - Yes.

Mr VALENTINE - I chair the Integrity Committee and, on occasions, the committee might need legal advice. At the moment, it goes through a request to you, but - and without casting aspersions on you particularly, the role of Attorney General - quite clearly some legal advice is needed that might be related to what the Government does. Is there a way of that particular committee getting access to legal advice that is independent from government?

Ms ARCHER - The Solicitor-General do you mean? So, diverted to the new civil litigation rather than the S-G, is that what you're asking?

Mr VALENTINE - Well, I'm not sure what the answer is but when there's an occasion where we need legal advice.

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Ms ARCHER - My general process is that as long as it's not going to conflict with the Government needing advice or different advice, then I'll always grant that type of request. I also take that same position in relation to advice sought by the clerks as well. That has been put in place.

Mr VALENTINE - Well, the clerks are our first port of call, generally. We'll go to the clerks. I'm wondering -

Ms ARCHER - Sorry, the clerks when it's on employment and other types of industrial matters and things like that might need advice on from time to time, I should be a bit more specific. So, as long as it's not provoking conflict because, the office of the S-G is there for Government predominantly. As long as there's not going to be a conflict or I don't foresee a conflict I'll always grant it. That's the view I take.

Mr VALENTINE - Is there a way of perhaps a certain pot of money being set aside, or hours of access?

Ms ARCHER - If you did need to seek external counsel, that's a matter for the parliament because the committee is set up under the parliament, not under the executive.

Mr VALENTINE - Yes. I'm just trying to see how it could work independently of government, if you can understand where I'm coming from in that regard.

Ms ARCHER - I think the advice, yes, but the cost, parliament. Clerks are going to hate me for that, but that's my knowledge of being Speaker in a former life.

Mr VALENTINE - So the advice, could it be the committee chair approaches the Solicitor-General for advice and the Solicitor-General is in a position to say, 'Well, at this particular point in time we don't'-

Ms ARCHER - The Solicitor-General would always then come to me.

Mr VALENTINE - Yes I know, there's no independence here, I'm just trying to -

Ms ARCHER - Well, there is because I take my apolitical role and I think any Attorney-General would take their apolitical role in that circumstance very seriously, so it's quite different to me - sitting in Cabinet with my colleagues and having a political argument about policy, although I often put my apolitical hat on in that environment as well - and provide advice as I see fit as first law officer. There is a component of my role that is apolitical, and I consider that to be part of it, as well as when I need to intervene or be a contradictor in cases.

Mr VALENTINE - Yes, I guess the observation on that is, is it seen to be independent?

Ms ARCHER - Yes, but I'm not intervening in any advice sought and nor would I see it, it's just the decision to grant it and where the cost lies, so it is quite a different matter.

Mr VALENTINE - It is just that, on occasions, that could come up. I just wanted to make sure that the committee can operate in an independent manner.

CHAIR - I think this is probably more of a conversation outside this forum, but I appreciate that it is important.

Ms ARCHER - Thanks, Chair.

Mr VALENTINE - Just a question that needed to be asked.

2.2 Legislation Development and Review

Mr WILLIE - How many staff are allocated to this line item and will there need to be some additional resources provided to implement the recommendations of the commission of inquiry when they're handed down?

Ms ARCHER - Sorry, could you just repeat the question?

Mr WILLIE - How many staff, FTE, are involved in this line item, and I guess you don't know what the recommendations will be yet -

Ms ARCHER - No, I don't.

Mr WILLIE - but no doubt there will be a heavy workload in terms of legislation changes. Are you open to boosting this resource to get those through?

Ms ARCHER - Oh, look, we would have to, and part of that is why we have allocated in the Budget the \$30 million, I keep forgetting which is the 30 and which is the 70, obviously resourcing the recommendations. There is going to be significant legislative load and we require more people to do it so then we are going to need those resources, yes. Again, we are going to be a challenge in any event because of recruitment of specialists and legal practitioners, and the competition of the market that we've talked about. We are ready for that, and we are just going to have to attract the staff we need.

Mr WILLIE - In terms of the current staff that are involved in this?

Ms ARCHER - Who's got that figure?

Ms BOURNE - There are currently 17 approved positions within Strategic Legislation and Policy as at the end of March this year; 15 of those are occupied positions. As the Attorney-General said, it's a flexible model that often has to adapt to priorities and other matters that come into the program.

Mr WILLIE - Attorney-General, in terms of the donations reforms, we've seen that go to the bottom of the agenda now, what are the intentions there on moving that through parliament?

Ms ARCHER - Which reforms, sorry?

Mr WILLIE - The electoral donation reforms.

Ms ARCHER - Well, that's in your House.

Mr WILLIE - Yes, but it was-

Ms ARCHER - I suppose we shouldn't really be discussing it here when it's on the Notice Paper to be debated, or -

Mr WILLIE - You're the minister responsible, so -

Ms ARCHER - Yes, but I don't control when you debate. I have been told well and truly that that is a matter for the Leader of the Government in the Legislative Council; that's a matter for you.

Mr WILLIE - Well you're the minister that would direct the leader, no doubt.

Ms ARCHER - I don't direct the Leader on when she lists things, no.

Mr WILLIE - I'm sure there are a lot of ministers that would make recommendations -

Ms ARCHER - I don't, no I don't.

Mr WILLIE - Well, we were told -

Ms ARCHER - As to when things get debated - obviously, if things are urgent, then the Leader of Government Business is aware of the urgency or otherwise, and with respect to the electoral reform, we need to ensure we allow for sufficient time before an election is due.

Mr WILLIE - How about I try a different tack. Is it the Government's intention to move that reform through the parliament this year?

Ms ARCHER - Yes.

Mr WILLIE - By the end of this year? Ok.

Ms ARCHER - I already gave that commitment when I put it through.

Mr WILLIE - Well, it has just changed around in the House that is why I am asking the questions.

Ms ARCHER - I wish Labor would stop thinking things have changed dramatically. We are in government. Very cocky.

Mr WILLIE - It's not cocky at all.

Ms ARCHER - Yes, it is.

Output Group 3

Corrections, Rehabilitation and Enforcement

3.3 Enforcement of Monetary Penalties

CHAIR - I am not sure if you want to invite Mr Wayne Johnson who will have some stats for us at 12:00 last night. Welcome Wayne.

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Ms ARMITAGE - I cannot look him up anymore. I did not try. Because I had noticed we no longer have the name and shame so I did not even try to look them up to see. What is the current figure owed is and we are all sitting down except for one waiting to see what the figure is at the moment. How much has gone up compared with last year or if it has gone up?

Mr JOHNSON - It is \$66.3 million as of yesterday, which is slightly more than last year. Quite similar to last year.

Ms ARMITAGE - The amount we have actually been successful in recovering.

Mr JOHNSON - For the year it was \$16 million. I could give you the exact amount.

Ms ARMITAGE - That is similar each year or has COVID-19 made it more difficult to recover has it been harder for people to pay fines?

Mr JOHNSON - It is similar each year. It varies a little bit. I can say so far this year we have noticed some very large amounts coming through, which we get every year. For example, 33 amounts this year have been over \$10 000.

Ms ARMITAGE - Are they generally council land tax.

Mr JOHNSON - Not land tax no.

Ms ARMITAGE - I was trying to think things that might have been over \$10 000. A lot of people have little amounts. Are you able to give an idea of the type they are?

Mr JOHNSON - I can tell you of those 33 amounts over \$10 000 we have already collected \$1.2 million of those so it is about half that we have already collected. As far as the types go look there is a range: court fines, a lot of court fines a lot of compensation orders - which are traditionally difficult to collect. There are some infringements, but it mainly those larger amounts the court fines in compensation orders. Those compensation orders might come from the Magistrates Court, might come from the Supreme Court.

Ms ARMITAGE - How likely is it to get a payment from a person that resides outside of Tasmania or outside of the country? Are they likely to be collected as particularly, a lot of them are smaller fines. Like parking fines that just increase. Someone is over here and they get parking fines. At what stage do we write those off rather than have them there causing admin work?

Mr JOHNSON - It depends on the fine, the person, and what intelligence we have as to where they are. It is more difficult and challenging to collect fines interstate. We certainly have more enforcement tools those people within the state that have fines.

Ms ARMITAGE - There is nothing reciprocal still with other states?

Mr JOHNSON - There are some reciprocal arrangements. We have a reciprocal arrangements provision in our act, not all states have that, Queensland do for example. It is difficult in practice, for example in relation to Queensland where many Tasmanians relocate to they seem to follow the sun they have reciprocal legislation. However, to be able to use that

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the legislation requires the request to come from a relevant officer. The relevant officer means the registrar of a court, not me.

Ms ARMITAGE - It needs to go through the court as opposed to the MPES.

Mr JOHNSON - Correct in relation to Queensland it does yes. I do have the power to apply through the Magistrates Court for a warrant of commitment in relation to where somebody is interstate to bring them back here to serve a period of imprisonment, but that's an absolute last resort. I have been in the role for over six years and I've used that once, to good effect. The person owed \$113 000 and they were working and they've entered into a substantial payment arrangement and continued to pay it off.

Ms ARCHER - Well done, you.

Ms ARMITAGE - With regard to the removal of the 'name and shame' publishing of the debtor's name and address, has that been fully implemented?

Ms ARCHER - It has and we are looking at alternative options.

Ms ARMITAGE - Have we removed the old lists as well?

Ms ARCHER - Yes, I believe all of it.

Mr WILLIE - You can still access it.

Ms ARMITAGE - Oh, what? That looks like MPES on the screen.

Mr JOHNSON - It might be the old list, but we've not added to the list or published the list.

Ms ARMITAGE - What efforts is the department making towards making sure that old lists are removed?

Ms ARCHER - I thought old lists had been removed. Very happy to make that request now.

Ms ARMITAGE - I note that in October 2022 they were readily available when searching this.

Ms ARCHER - I've just said I would have them removed.

Mr WILLIE - Names and addresses.

Ms ARCHER - I think they've been there for so long, but having said that, they should be removed and I will ask Mr Johnson to do that.

Ms ARMITAGE - Thank you, that's appreciated.

Ms WEBB - It is great that you have made that commitment to have those removed and that broad approach has been taken. Is there going to be an amendment to the Monetary

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Penalties Enforcement Act to remove that discretionary power so that it just becomes set that the naming and shaming no longer occurs?

Ms ARCHER - I think that is part of what I have asked the department to be looking at, yes.

CHAIR - One of those miscellaneous justice bills?

Ms ARCHER - Yes, I have asked my department to review the act to provide advice about legislative amendments to address this issue.

CHAIR - We thank you, Mr Johnson, for the work and effort that you've put into trying to bring in the money that's owed to the state of Tasmania.

Capital Investment Program

CHAIR - I am interested in the new budget for the Burnie Court. I said by interjection earlier that the federal government could go up and use Mooreville Road because it was fit for purpose at one stage but is no longer now. That is a significant increase of \$46.5 million on the back of community pushback.

Ms ARCHER - It is but it is also after discussions with the Burnie City Council on the issues that they have in the CBD and wanting to revitalise the CBD and the gateway to the CBD. There is a view there that this is an integral part of that and they didn't want to lose the court from the CBD itself - not only the local jobs in construction, but beyond that as well. It is hoped, with that activity, that there will be an injection into surrounding businesses as well.

Mr VALENTINE - It is visited by 55 000 people a year.

Ms ARCHER - In a nutshell, that is money that is required now to develop a site that is quite dilapidated. I'm imagining it needs demolition and we need to purchase the site. If there are going to be questions on that aspect, I do have Mr Colin Shepherd here available who heads up that project team to which I referred to earlier that deals with all of our infrastructure.

Mr VALENTINE - Is it fair to say that the \$45 million is basically the value that the Mooreville Road building was going to provide to the project? You didn't have to purchase that. One expects that -

Ms ARCHER - Yes. We didn't have to purchase that, but this is a new site, which will have different requirements and quite a different design as well. It's going to have to go up rather than redevelop out, and a new build, which is quite different again. You sort of can't put figures on it, other than the total figure, which is what we've allocated.

Mr VALENTINE - I just thought it might be basically because the Mooreville Road site wasn't being used that it was added to the cost.

Ms ARCHER - And the scoping of an additional court. The original design was three, and now we're allowing for four.

Mr VALENTINE - So it's added then. Okay.

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Ms ARCHER - That takes into account the need now - because we do have a seventh Supreme Court Judge actually residing in Burnie. She does go on a circuit, but predominantly hears matters out of Burnie, so it's a very busy court. We also have a permanent magistrate there and visiting magistrate, so it's very busy.

Mr VALENTINE - Just for the record, the original expected cost was about \$15 million.

Ms ARCHER - That was before we found asbestos and it was just going to be a redevelopment, upgrading some things. Then that was found, and so it changed to a \$40 million project design, because we couldn't redevelop on that site and were unable to find anything suitable to decant to, with the requirements of needing a sally port and secure cells and all sorts of things.

Mr VALENTINE - Some of us have toured the site. Most unsuitable.

Ms ARCHER - Yes. It's probably one of our worst.

CHAIR - Moving on, can I receive an update on the Northern Correctional Facility, or is that at a later time?

Ms ARCHER - You can now. I will get Mr Shepherd up for that because he has been integral or heading the team in relation to the due diligence and the reports. The reports have been made public through the project team's website.

CHAIR - Welcome, Mr Colin Shepherd. You probably don't want to hear these questions on behalf of the community that I represent, neighbours of the current Ashley Detention Centre.

Ms ARCHER - That's quite all right, but -

CHAIR - It's been 18 months since the announcement, so there is some concern around the next stage of the development.

Ms ARCHER - Yes, and we've been corresponding. As of yesterday, I received another email. Mr Shepherd, can you provide an update?

Mr SHEPHERD - Thank you. Through you, Attorney-General. In the last 12 months or so we've been working on the due diligence reports, as the Attorney-General has alluded.

We've completed three of the seven reports. We've completed the report on the natural values of the site, on the European heritage and a traffic impact assessment. A new economic impact assessment report is virtually finalised, and a social impact assessment report is close to being completed. We've done a services report as well.

As the Attorney-General has indicated, all the reports will be made publicly available upon completion. Three of those are already on our website, and an Aboriginal heritage assessment that we're also doing is nearing completion.

The next phase for us will be to finalise the accommodation profile for the project. Then we'll be looking to develop a request for tender to go out for architectural design. That will be

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similar to the approach we used at the previous site, where we will understand what the approach will be in terms of what we're intending to build.

As has always been the intent for this project, it will be a staged construction approach. We'll have a stage one design, then a stage two design and we'll then go to construction.

CHAIR - Attorney-General, given that the pushback from the Burnie community against the original Burnie Court site gave you the momentum to change that site, is there any intention with the pushback from the local community that that may well be your focus in the future for this particular northern correctional facility site?

Ms ARCHER - I'm committed, and the project team is very committed to working with the neighbours. It doesn't matter where we build, we're always going to have concerned nearby neighbours. What I want to do, and what the project team wants to do, is work with the neighbours to alleviate those concerns. Also, to work with them on ensuring that they understand that this is going to be a facility that is predominantly focused on rehabilitation and providing the appropriate programs. It's a purpose-built facility with that purpose in mind.

It's in a rural area, I know that farms and other properties are in need of people working on them. I know that there are shortages in that industry as well so there are opportunities for skills and education and training there. That's what we want to deliver to ensure that the types of programs we offer at that type of facility - and now I'm really going into an area that we're not even supposed to be in because I haven't got my corrections team here but -

CHAIR - I can leave these questions.

Ms ARCHER - No, it's okay, I mean, it's fine, because we're talking about infrastructure but, the short answer is that we'd really like to keep working with the neighbours to alleviate their concerns.

CHAIR - Is it a fact that the complete Ashley detention centre will have to be completely bulldozed to start again?

Ms ARCHER - I don't think so.

CHAIR - There have been some assessments made.

Ms ARCHER - Can I get Mr Shepherd to answer that?

Mr SHEPHERD - A steering committee has been set up for this project and that committee has considered a range of options. One of the options that is potentially available is to repurpose the existing Ashley Youth Detention Centre facility and to use that as a separate facility. We consider that we could do that at a relatively small cost and we could set it up as a minimum-rated facility. Then we would design the rest of the Northern Correctional Facility around that. That is still something that's definitely being considered. At the end of the day, it's really a matter of working out what is available to us but at this point in time, the thinking is that we would look to repurpose that facility and -

Ms ARCHER - And we would like to because there's been a lot of money that has been spent on Ashley over the years.

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Ms WEBB - In terms of the steering committee that doing that work, who's on that steering committee? Who comprises that?

Mr SHEPHERD - It's mainly deputy secretary level. We have representatives from the Department of Justice, Department of Police, Fire and Emergency Management, the Department of Education, Children and Young People. We have a representative from Treasury and from State Growth, and then our own deputy secretaries from within Justice.

CHAIR - If you haven't got anyone who has a background in building and construction, how could you assess whether you could reuse the building?

Mr SHEPHERD - I head up the Strategic Infrastructure Projects team, and that team has a number of staff on it who are experienced in building and construction. We have a dedicated team with a program manager and we provide advice to the committee.

Ms WEBB - That is advice about construction and building things, regarding advice to that committee on an approach to a modern correctional facility from a corrections theory point of view, who provides that advice to the committee? Is there a team within Justice that provides that advice to the committee?

Ms ARCHER - We are really getting into Corrections now.

Ms WEBB - Well I can save that until Corrections.

Ms ARCHER - I'm really conscious we've got statutory officers -

Ms WEBB - As long as Mr Shepherd hangs around.

Ms ARCHER - Mr Shepherd is here. If we are going to drill down into Corrections, I'd like other people to be here as well.

CHAIR - Let's leave it until Corrections.

Mr VALENTINE - You have a \$270 million budget for the northern correctional facility, how much has been spent to date?

Ms ARCHER - We have got that, yes. Secretary?

Ms WEBSTER - Expenditure to date to 31 March, is approximately \$4.716 million.

CHAIR - And that includes the work that would've been done on the previous two site assessments as well?

Ms WEBSTER - That is correct.

Ms ARCHER - Ashley wasn't available for the first expressions of interest process.

Mr VALENTINE - A lot of that work would be the reports that have been - a lot of the money spent would be just on those reports?

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Ms ARCHER - Yes, some of it's transferrable, some of it won't be, but I don't resile from the fact that, I think out of all the sites, this one is the most suitable.

Mr VALENTINE - Given the time lag when that vote was initially set, is the project cost being reviewed?

Ms ARCHER - I think it has by the project team.

Mr SHEPHERD - We are constantly reviewing the budget, but because we are using the staged construction approach, we are still very confident we will be able to build the first stage -

Mr VALENTINE - Meet that within that \$270 million?

Mr SHEPHERD - And that will give us an opportunity to review and see where we are at the end of that.

Mr VALENTINE - Okay.

CHAIR - Thank you, and we will talk to you again later today, thank you very much.

If there are no more questions in capital investment, we will move to the Office of the Director of Public Prosecutions.

DIVISION 5

Output group 1

Office of the Director of Public Prosecutions

1.1 The Office of the Director of Public Prosecutions

Ms ARCHER - This is Linda Mason, who is our Deputy Director of Public Prosecutions.

CHAIR - Welcome Linda, thank you very much for your time today and apologies for keeping you waiting some time. I'm interested in the budget that has been allocated. There is a slight increase, relatively slight, about \$400 000. I'm interested in the staff load, staff numbers, and what the increase in the budget relates to. Is it more staff? Also, can we have any workers compensation claims as well. This would be an area where I expect the pressure is quite heavy.

Ms MASON - Thank you. The office is always looking to create efficiencies and promote the workplaces, one where professional development is a premium focus, and we welcome any funding that supports that. We're currently working with the funding that we have, which is diverted to a number of areas. It includes the area of confiscation of profits, the criminal asset recovery unit, the high-risk offenders legislation, which is coming into fruition in the last 12 months, and the sex and family violence unit, which provides a specialised service for those very important crime types.

Our current challenges right at this moment are, firstly, as far as staff are concerned, recruitment, retention and temporary replacement.

CHAIR - We have heard that a lot today. It is a challenge.

Ms MASON - Yes, it is a challenge.

Ms ARCHER - Across Australia.

Ms MASON - Absolutely.

Ms ARCHER - From all our (inaudible). That is what we are hearing.

Ms MASON - From a retention perspective, there is natural attrition within our office which has a positive slant. It shows we have highly skilled, highly regarded professionals who are attractive propositions for leadership roles, including judicial appointments. That then leaves a hole at the top end. The office welcomes that. It provides for the younger staff coming through a trajectory. Secondly, again, another double-edged sword, we have a number of our staff who are currently on maternity leave. What that does show is that highly motivated, driven and committed females are finding this workplace to be one they want to invest in.

Ms ARCHER - It is a dominant female workforce at the DPP.

Ms MASON - Yes, over 80 per cent of our practitioners are female. That presents a challenge for us because when there are those temporary absences, we cannot necessarily fill like with like. We are a specialised skill set, we are a niche area and what we are trying to do meet that challenge is upskill from below. Really focus on upskilling the younger practitioners but also, to try and recruit which is the third problem, recruitment being a national issue and one of the things we have observed is because of the stress loads in our office, notwithstanding it is incredible and highly satisfying work, those at entry level may be looking at a position in another area that has a commensurate pay but, without the stress levels. We are finding those three things are challenges at the moment.

What we are trying to do is provide a culture which is a supportive one to try and assist people who are managing those independent work stresses and pressures.

CHAIR - Can we have your staffing numbers and your stress related workers comp breakdowns which will have the stress related positions?

Ms MASON - There has been an increase of FTEs by 4.5 over the past two years.

CHAIR - What is the total?

Ms MASON - The total staff numbers are 79 across the DPP.

Ms ARCHER - Is that head count or FTE?

Ms MASON - That is a head count. I should say that our FTE is 75.9.

CHAIR - Predominately female would mean you would have some job sharing?

Ms MASON - Yes, we have flexible work practices. Within our administrative support there is some job sharing which is working well with two females.

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Ms ARCHER - Do you happen to have workers comp?

Ms MASON - I do not.

Ms ARCHER - We can get that for you.

CHAIR - That can be provided later in the day.

Ms ARCHER - And you wanted to know the psychological component?

CHAIR - Just a breakdown, given it is predominately female staffing, I guess it is predominately female access to wellbeing.

Mr VALENTINE - Was that provided earlier?

Ms WEBSTER - The access to the Wellbeing Unit was provided by division, the DPP would be included in one of those divisions. We would not be breaking it down just for identification purposes, but we are trying to get the workers compensation figure.

CHAIR - Members, any other questions in regard to the DPP office? Is everyone back at work? That is a good question from COVID-19.

Ms MASON - Yes, everyone is back at work.

CHAIR - It hasn't happened in every department.

Ms MASON - We have to be on the ground if possible, but we do have flexibility to work from home on occasion, but we need to service the courts.

CHAIR - Thank you very much. Keep up the good work we know there is a lot of work involved. Please pass on our best wishes to Mr Coat, in the north of the state.

Output Group 1

Integrity Commission

1.1 Integrity Commission

CHAIR - Can we now move our focus to the integrity commission 1.1.

Ms ARCHER - We can and we will bring Michael Easton, CEO for the Integrity Commission.

Ms WEBB - Is it expected the Integrity Commission will be subject to the efficiency dividend or is that still to be determined with the other questions?

Ms ARCHER - Same answer as before

Ms WEBB - In light of the efficiency dividend to and the potential there, whether the current vacancy rate or vacancies that might be there in the commission, will it be likely you might put them on hold in the intervening time while it is determined whether an efficiency dividend might be applied?

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Ms ARCHER - I am happy for Mr Easton to answer that as best he can, but like with me nobody is really been at the consideration stage of that. We have just handed down the budget and have 12 months to take all of those things into consideration. Whether there are any current vacancies at the moment was the first question.

Mr EASTON - My answer to that is there are no existing vacancies, but I know there is one coming up in the next couple of months. As to the second part of the question I have my budget and will manage any vacancies in accordance with what I know, which is this budget and I am not aware of any efficiency dividends or whatever.

Ms WEBB - Were you aware there is an efficiency dividend in the Budget that is going to be discussed and I understand that nothing is determined yet.

Ms ARCHER - This line of questioning is a slight waste of time when I have answered a question and we are just trying to get 'gotcha' moments now.

CHAIR - That is not how this committee works at all, Attorney-General.

Ms ARCHER - I am making an observation. It is quite extraordinary.

Ms WEBB - An observation to make about an independent member of the upper House - there is no value in a 'gotcha' moment from me. I am not in any way attempting to do that. I am just trying to understand what the parameters are of what we know at the moment.

Ms ARCHER - It may well be that it does not apply to statutory officers, it certainly hasn't. We have not even sat down and had a discussion about the efficiency dividend at all.

Ms WEBB - Thank you. Just for clarity too, the other reason I consistently ask at (inaudible) different is that if people for example, engage with the transcripts with this or the public record of this later they do not know I have necessarily asked this question in relation to other statutory offices and so, it becomes part of the public record of questioning in relation to this one. To explain why I might be repeating a question you think I should know the answer to already, is a public record issue. The area I wanted to ask about also, is on the lobbying oversight reforms underway and whether the commission is on track to release a model of what the proposed lobbyist register system for public consultation later this year.

Ms ARCHER - I understand there is an initial draft of the lobbying framework from the Integrity Commission. We have certainly had the opportunity to discuss that and the commission maintains and administers the current lobbyist register and the code of conduct in its current form until certainly, late 2023. Then obviously, should it recommend legislative reform, we will take advice and undertake consultation on any proposals.

Ms WEBB - And consider the funding, whatever the funding arrangement might need to be in relation to that?

Ms ARCHER - I'm sure that is part of any proposal that would be included.

Ms WEBB - Thank you, I just wanted to check if there were any further updates on that. The other thing I'm interested in understanding about was in relation to comments from the annual report of the integrity commission. I want to check what was meant in the comments.

I'm looking at the foreword of the 2021-22 annual report, it's on page 5 of that document. It describes a function which I wasn't fully aware of before so I want to understand it. It's mentioned that there will be follow up on any recommendations made in reports that have been done and on these. I take that to mean research reports or papers that have been prepared on certain issues, follow up on any recommendations made to ensure that government or relevant public authorities takes the issues seriously and that appropriate change is being implemented based on what's presented in the reports.

How is that documented or made available for public understanding? What does that follow up look like? Is there a record of whether the response to recommendations made in reports is then further reported?

Ms ARCHER - I think Mr Easton can address that.

Mr EASTON - I'm really pleased to say that over the last three years, at least the time I've been in the CEO chair, we have increased our focus on oversight and compliance. One of the ways you could look at that is when there's a suggestion that the Integrity Commission has no teeth, that is one of the moments when it can actually have some teeth, particularly if the board has made recommendations, be it though an investigation or through research as you say. We can have a little bit of leverage at that moment with a head of agency or a department to ensure that the board can be satisfied that those recommendations have been properly considered, whether they've been enacted or not is a different question. But at least properly considered and responded to, so we can be satisfied that all the work that we've done on an issue which could be systemic, is actually addressed.

You've asked about how they're going to be made public -

Ms WEBB - Or how we would know that that's occurring and it is it recorded somewhere?

Mr EASTON - It's all recorded, at least from that perspective, is it public though there probably is more to your question. At the moment, we report on a whole range of things in the annual reports statistically and that includes recommendations made as a result of investigations. That's not what they are, just the fact that they existed.

We now produce what we call our triannual operational report which we put on our website each four months. That includes statistical information about the number of recommendations we've put out, so that's available. It still doesn't go to what the recommendations were.

Ms WEBB - No. It doesn't go to what I'm asking about does it?

Mr EASTON - Sorry, just letting you know all the levels. As a part of the oversight program that we're developing - and I've been going around and talking to heads of agencies about this is we want to publish more about what recommendations the board has made, the number that are outstanding for example and how they've been dealt with. We're grappling with how we do that because one of our realities is the board chooses not to publish all investigation reports. If we've got a situation where the board has chosen not to publish a report but it's made recommendations to an agency, we have to think about then if we want to publish

those recommendations and have some public accountability there, how do we do that if we haven't tabled the report? It becomes a real issue for us.

The aspiration is for us to be more public about not just how many but actually what recommendations have been made and ideally to whom, or to what and then feedback on the response to those recommendations. We just haven't quite got there yet.

Ms WEBB - Noting that that particular chestnut to be figured out relating to confidential investigation reports and recommendations, more broadly, any that are not confidential in their investigations - and certainly any of your research papers that have recommendations in them. Is that reporting back or public reporting of the follow-up oversight being held up because you're still trying to figure out how to deal with confidential reports? What time line could we expect to start seeing information in the public domain about the follow-up on recommendations, say, in the research papers or in the public investigation reports?

Mr EASTON - I wouldn't say it's being held up by that, but we are still developing what we're calling our oversight and compliance program, and the escalation matrix within that. For example, where we've made recommendations, the escalation would be I might meet with the head of agency, the Chief Commissioner might choose to meet with a head of agency, we might invite a head of agency in to meet with the board. Part of that escalation also would be publishing the recommendations.

The research ones, yes, they are public anyway. We could report on them. We just haven't developed the program sufficiently to be able to be doing it properly yet. That includes developing the website appropriately to make it user-friendly and have all the information in the right spot.

Ms WEBB - I am interested in how long that might take, particularly because, as an example, your paper 2 that came out, grant commitments in election campaigns, has recommendations which are quite time-specific in the sense that each recommendation begins 'prior to the next state election'. It's great if there's a mechanism whereby you go back to check if there's progress being made on those recommendations in that public research paper. They were time-specific. It would be good to be able to understand if that check-back has occurred, and that is in the public domain for us to know. But it might not be the case that your time line comes into play there, for example.

We are not expecting it in the next year, for example or -

Mr EASTON - For that particular matter?

Ms WEBB - For your system to be in place so that that could be reported on.

Mr EASTON - I just don't want to commit to an exact time line.

Ms WEBB - I am not asking you to commit a date.

Mr EASTON - We are working on it.

Ms ARCHER - I think it does provide a commitment, which if Mr Easton is not comfortable saying, he should be able to say so.

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Mr EASTON - I wouldn't want to mislead anyone, but definitely, I am hoping we will have this established within the next six months or so.

Ms ARCHER - There is a board.

Ms WEBB - That's a great indication, potentially within this year. I just wanted to understand if it's imminent-ish, or are we talking three years away...

Mr EASTON - No, it's imminent-ish, as you say. I apologise for that, but we are still developing it. I think there would be some lower, easier ones to get up and going quicker. I wouldn't want to wait for the whole thing to be set up. If we can get on with the research and the public reports sooner, then we should.

Ms WEBB - I appreciate the answers to that.

Mr VALENTINE - It is quite often talked about in the public arena about the Integrity Commission and them not holding public inquiries. Can you address that complaint if I can put it that way? Why aren't more public inquiries held by the Commission?

Mr EASTON - I need to break that down a little bit. Inquiries aren't public by default. They're actually held in private. It's the hearings we might be talking about in which -

Mr VALENTINE - Public hearings.

Mr EASTON - Yes. Those under the act are -

Mr VALENTINE - Poor choice of words on my part.

Mr EASTON - No, I just want to be clear. Your question really goes to the inquiry bit I think, or is it the hearing bit, or both?

Mr VALENTINE - Probably the hearing bit more particularly.

Mr EASTON - Firstly, the board has conducted an inquiry now. That's on the public record. As I say, they are by default private. In terms of the hearings for that inquiry and more generally, they are held in public, but there's an option for the Chief Commissioner acting as the Chair of the Integrity Tribunal to have those hearings closed to the public. That's what he chose to do in the current inquiry.

The default is that they are public. It's just that in this particular matter, the Commissioner felt, given the subject, content, or nature of the hearings themselves, and the ability for those to impact upon people, the sensitivity of the information that is being talked about, he chose to close those to the public.

Mr VALENTINE - You're saying innocent parties could be significantly affected by the public hearings?

Mr EASTON - Witnesses and others, including the respondent, who in this matter has allegations of misconduct. It's an inquiry, it's inquisitorial, it's a balance of probabilities standard, and the Chief Commissioner in an inquiry can make findings of misconduct, but until

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he does so, everyone's participation in that inquiry - you used the word innocent - they're not found guilty of anything necessarily at that point, but by association, can be tainted. It's not just reputations we're talking about, it's people's welfare as well.

Ms ARCHER - Absolutely, it's a pretty awful process to go through.

Mr VALENTINE - In your mind, when you line up the Integrity Commission with those in other states, where they say more public hearings, and indeed inquiries, I think, in other states happen, as opposed to what's happening here. Do you have a comment on that? Is it their structure that's wrong or is it the way the commission is set up? The powers of the commissioner don't allow the same level of transparency?

CHAIR - Is that relevant to the Budget, honourable member?

Mr VALENTINE - Well, you're probably right.

CHAIR - Well I am.

Mr VALENTINE - It's just that the -

Ms ARCHER - She's being very strict.

Mr VALENTINE - She wants a break I can understand that and I do apologise.

CHAIR - I think it's difficult to ask that type of question.

Ms ARCHER - Yes, that type of question is a bit -

Mr VALENTINE - I was interested to know whether there was a fundamental difference between the legislation that exists on other states compared to here, that's basically it.

Ms ARCHER - I think it's the type of government that implements a policy like that. I don't think that it's something that the Integrity Commission -

Mr VALENTINE - Okay, I'll be guided.

Ms ARCHER - By nature of the government's in all other states, I think we're seeing an opening up of a process that perhaps might be regrettable and reversed down the track at some stage.

Mr VALENTINE - It's just that we all get emails -

Ms ARCHER - Peoples' own health and welfare is a big concern, as you've identified.

Mr VALENTINE - We all get emails in relation to this.

CHAIR - A notice of motion in the House, member, can I suggest?

We very much thank you for your time, Michael. The next area we have is relating to decisions on complaints referred to the Ombudsman and Health Complaints Commissioner and Right to Information.

1.1 Decisions on Complaints Referred to the Ombudsman and Health Complaints Commissioner and Right to Information

Ms ARCHER - Before we start, we have the answer for the workers compensation on the DPP.

Ms WEBSTER - We have one current workers compensation claim with the DPP.

Ms ARCHER - Are we able to say whether it's physical or other?

Ms WEBSTER - Better not because of the nature.

CHAIR - That's fine I won't be asking it.

Ms ARCHER - That's why I asked the question and don't say it.

CHAIR - Welcome Mr Connock, thank you for your patience.

Ms WEBB - Attorney-General, in August last year, we saw media reports calling Tasmania the secret state following a national comparison that was done of Freedom of Information laws tabled in parliament, indicating that Tasmanian RTI requests are the least likely to be granted, and almost the least likely to be returned on time. In response, the Premier was reported as saying that at that time in the *Mercury*, that the Government was introducing a centralised, consistent training provision, and the purposes of that was to be upskilling RTI practitioners.

Can you provide an update on the status of this new centralised training provision, and detail on how it's intended to ensure that a push spirit, an intent of the RTI act is honoured and delivered?

Ms ARCHER - That centralised system was going to be headed by DPAC, so I don't have that information at hand. Suffice to say, I think Mr Connock is probably able to say that he has been working with the department on more training for RTI officers, I believe, from a discussion we had.

Mr CONNOCK - We have been, it's still in the planning stages but we are planning on. Our focus remains trying to get the work done that we've got, but we do see a need for providing training at all agency levels, and that's something we would be very keen to do.

Ms ARCHER - And we are hoping, we are involving the Ombudsman's Office itself in that process.

Ms WEBB - So it's still at the planning stage for that centralised training approach?

Mr CONNOCK - No, that is a different position in the Department of Premier and Cabinet. I know that has been advertised, I don't know how far it's progressed -

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Ms ARCHER - I don't either, I can't say -

Mr CONNOCK - But it's nothing to do with us. That is a completely separate independent entity.

Ms WEBB - That's not in correlation with your roles.

Mr CONNOCK - No, but one of the functions we have under the RTI act is to provide advice to agencies, and I think that is something we could usefully do. We haven't been able to in the past because we've been so under-resourced.

Ms WEBB - That probably ties in to my next question. I'm wondering if it's still the case that the Ombudsman's office maintains an RTI guidelines manual that collates precedents and determinations of reviews and appeals, which would then be available to the agency RTI officers to assist them in ensuring they're making consistent determinations on applications that come over their desks, and when the RTI guidelines manual for RTI officers reference document was last updated.

Ms ARCHER - I stand to be corrected, but I'm not sure that exists. That could be something that could be looked at as part of that process of consistent training that we're talking about. Can I say, though, that I wouldn't like to have the broad assumption that RTI officers in Tasmania are all really bad. I think they're very good.

Ms WEBB - I don't think anyone is making that suggestion.

Ms ARCHER - No. I'm making a statement. I wouldn't like to think that this is broadly being implied by anyone. I'm not picking on the member. I think there is that belief, but as a Government we push out more information than any previous government. Also, as part of that RTI process, that commitment to set up the centralised system to ensure consistency shows we really want to improve the RTI process so that it's faster. I think it's protracted in places as well. That is part of the reason for resourcing the Office of the Ombudsman a lot better than we have in the past. That has been a bit of a journey, hasn't it, over the years. Recruiting has been a bit of an issue in the Office of the Ombudsman as well.

CHAIR - Previously it was funding, and this committee assisted with that.

Ms WEBB - With the additional funding that has been provided, which is really positive, I imagine that is primarily targeted to addressing backlog issues?

Ms ARCHER - No.

Ms WEBB - No? Okay.

Ms ARCHER - Quite a substantial amount was provided -

Ms WEBB - Proactive, front-foot funding to do the sorts of proactive education, training, guidelines production, potentially? That funding is currently available to the Office.

Ms ARCHER - The funding was provided after discussions with Mr Connock. That amount was produced to adequately fund the Office to conduct all of its functions

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Mr CONNOCK - Through you, Attorney-General, I might add that we do have a published manual and guidelines available on the website. They are getting a bit old.

Ms WEBB - I was going to say, updated?

Mr CONNOCK - They are still good, and accurate, but they could probably stand a review. Again, it's a question of resourcing. We also have an RTI user group of delegated officers and decision-makers, and we send out regular newsletters and things to them, and talk to them, giving tips and guidelines on the operation of the act. So, we are doing a bit, but not as much as we'd like to.

Ms WEBB - May I ask you, then, is that a resourcing issue? To fully do those roles, do you require more resourcing that has been provided?

Mr CONNOCK - No, it has been. What I can say is we did get the additional funding for the RTI. We have had a problem recruiting for all the positions in that. The extra funding went from one band six RTI officer to a principal officer band six and a band five. If we could get the backlog under control, that is adequate resourcing to run the RTI.

At the moment, with the additional funding, we've been able to put on an extra three or four contract positions dealing solely with the backlog. Plus, we have a deputy ombudsman now, which has been a great boon. A major development for the Office.

Ms ARCHER - So you can take a break and delegate.

Mr CONNOCK - It has taken a while, but we're -

Ms WEBB - Just to clarify, you mentioned that it's still dealing with backlog issues, not necessarily front-foot issues.

Mr CONNOCK - There are still backlog issues, but we're getting higher numbers of new matters coming through, which we're dealing with differently where we can, rather than putting them into formal review, because that's how the backlog started. Everything got locked into formal review. We still do have some old cases that we're working through, but we're getting a large number of new ones as well.

Ms ARCHER - So what you've said just then was incorrect. The Office has been funded, and is front-footing. It is not just funded to deal with backlogs, it is funded adequately to deal with everything.

Ms WEBB - We are not quite there yet in terms of updating guidelines and things like is what I just am trying to clarify. The extra funding is very positive. Let me just be really clear on the record I am really supportive of the extra funding and to all intents and purposes going forward it would be sufficient once backlog is cleared and recruiting can happen appropriately.

Mr CONNOCK - We have recruited to all the positions now, which is one thing. That has only been in the last 6-9 months. We now have a full complement of permanent staff, but as I say, we have some extended contracts which other officers who are dealing solely with the backlog decisions. This is not a luxury we had before, because they are very time consuming, very complex and they need to have proper attention given to them.

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Ms WEBB - One very final question in terms of the fact RTI officers in each area and department are really under the pump. They do that in addition to their core duties and try and keep up with what's going on so they can undertake the role really effectively. That is obviously a lot of competing priorities for them. In the same way that centralisation of training has been looked at and pursued, has there been any consideration or inclination towards the feasibility of establishing a centralised, roving RTI unit, that could then service the different agencies. They could be totally up to date with everything in terms of determinations and able to direct their attention.

Ms ARCHER - That is the intention of what we are creating, but again that is a question for DPAC, for the secretary of DPAC is heading that.

Ms WEBSTER - There is also a need though to maintain expertise in the agencies because some of the requests are very specific. It might actually slow things down and be counterproductive if that was all centralised. I think what DPAC are doing is looking at how we can be more efficient and effective, but we would still need someone for example to know how do we get this information relating to the prison service. For example it is coordinated in an appropriate way and as quickly as we can.

CHAIR - Members, any other questions for the Ombudsman who has many hats? We are very pleased to see the increase in staffing to relieve some of the pressure your office had been presented with the challenges over a number of years. We still feel like this committee has assisted in that.

Ms ARCHER - You did, you lobbied hard, as did the Ombudsman.

CHAIR - We had that conversation Attorney-General. The conversation was the production of what we see today. We shall suspend and return at 2:30 this afternoon. Ready for the next area of scrutiny and thank everyone who was with us this morning and for those who do not return this afternoon we appreciate your work, thank you.

The committee suspended from 1.33 p.m. to 2.29 p.m.

MINISTER FOR CORRECTIONS AND REHABILITATION

CHAIR - Attorney-General, I welcome you back to the table for this area to commence scrutiny under Minister for Corrections and Rehabilitation. I know you would prefer to be referred to as the Attorney-General. I'm sure you will have an overview to share.

DIVISION 6

(Department of Justice)

Output Group 3

Corrections, Rehabilitation and Enforcement

3.1 Prison Services

Ms ARCHER - I will but I am going to reintroduce the Secretary of the Department of Justice, Ms Ginna Webster, and to my right, Mr Rod Wise, Deputy Secretary, Corrective Services; again, this year we have Ian Thomas, Director of Prisons.

PUBLIC

CHAIR - It is good to have some consistency at the table.

Ms ARCHER - I will keep my opening statement as brief as possible. This Budget delivers almost \$64 million in additional funding over the forward Estimates to achieve our very strong commitment for delivering positive outcomes in our corrections system - that's across the Tasmania Prison Service as well as Community Corrections.

Our Government has already made significant improvements in rehabilitation programs which we commenced last June and are continuing on, staff recruitment with our intensive recruitment campaign, our intensive infrastructure program as well, and this Budget extends that even further.

In new money it also provides \$50 million to delivering a new 52-bed maximum-rated accommodation unit on the Risdon Prison Complex site. This follows on from opening the Southern Remand Centre in July last year, where we've been able to separate remandees and non-sentenced people from the rest of the prison population, which is best practice in this industry.

As part of our commitment to assist inmates to address the causes of their offending behaviour, the Budget also provides a further \$1 million to expand and prioritise the delivery of Family Violence Offender Intervention Programs within the TPS and \$1 million to employ an additional five therapeutic staff to provide increased drug and alcohol intervention therapeutic sport in Tasmania's correctional facilities.

As well as addressing the causes of offending behaviour, we know it's very important for inmates to be provided with the skills, the support and the strategies that will enable them to effectively reintegrate back into the community following their release and for the successful reduction in their likelihood of reoffending. To support this, we've provided \$496 000 in the 2024-25 Budget to continue the 2021 election commitment over the forward Estimates to reduce reoffending by way of our Australian Red Cross Community Based Health and First Aid program, to train inmates to become special status Red Cross volunteers. This is particularly powerful because it improves the health and wellbeing and safety within the prison population. I've visited prisoners at the Mary Hutchinson Women's Prison who've been undergoing that and speak incredibly highly of that.

Also, the highly successful Connect42 Just Time prison parenting program teaches parent-child attachment skills. The Dress for Success Hobart Welcome Back(pack) initiative has been extended as well because it provides essential clothing and toiletries upon female inmates' release but also helps them to write job applications and support them through the job interview phase.

I am very proud of the significant improvements across Corrections. There is always more to do. I always say that because it's a very complex area, but one which, out of all my portfolios, people probably think it's the one I'd like give away, but it's always the one that I like to keep because there is so much to do and so much to continue with, particularly with all of the initiatives I've mentioned. I continue to always fight for more money for rehabilitation programs because I strongly believe in them. We must reduce the recidivism rate and that's the key.

CHAIR - Thank you. Does anyone have any overarching questions?

Mr WILLIE - Minister, we were fortunate to have a site tour of a number of correctional facilities recently and I thank you for that, and your staff who facilitated those.

I have been fortunate over my time in parliament to visit a few facilities numerous times. On reflection, it is always quite a sad experience in terms of the human potential not being realised, the trauma that people are suffering, and the trauma that's been inflicted on the community through repeat offences and things like that.

We know lockdowns are a particular issue in correctional facilities. I am interested in the latest lockdown figures. Inmates spoke to us most about this on the site tours. The impact it has on visits. It is almost blanket punishment, because sometimes the prison isn't staffed in the way it needs to be to be safe? Interested in this year's lockdown figures and potentially, the previous year.

Ms ARCHER - I thank the member for the question. Lockdowns are probably one of the most significant issues at the moment we are tackling. That I why we have developed a strategy to address this. It is a new flexible staffing strategy, particularly at the Risdon Prison complex, because that is where most of the lockdowns occur.

Along with an intensive recruitment campaign I have talked about and again, I have to stress we are competing with jurisdictional markets. All states and territories and all of my counterparts have swapped notes on this. We are all competing for the same pool of people. Putting on correctional staff therefore remains a challenge and the reason for the intensive recruitment and I say intensive is engaging people who are quite expert at means of attracting people to positions.

One thing I have noticed in the recruit schools or the people we have recruited, a really broad range of a demographic of age, in terms of skill, of employment they have undertaken. The good thing about COVID-19 was a lot of people re-examined their lives, and we are getting a lot of younger people who are putting their hand up for the training courses. That is a good thing. But we compete for numbers with Tasmania Police and other types of similar types of occupations and professions.

In relation to lockdowns, they do not always occur because of staff shortages, but that is one aspect of it. It is really important to note prison management will always try to minimise the length and actual need for lockdowns in the first place. That goes without saying. Nobody intentionally has lockdowns, unless they absolutely needed it.

They are an essential operational tool. They are utilised to ensure a safe and secure correctional environment. There might be a prisoner-on-prisoner assault, for example, or just one prisoner causing an issue and for a safe correction environment there needs to be a lockdown for the safety of inmate staff and any visitors.

Mr WILLIE - We visited during an incident.

Ms ARCHER - You have experienced it, there you go.

CHAIR - We moved out the way very quickly.

Ms ARCHER - They do occur. In most situations, essential services, and inmate supports, including personal visits are still maintained where it is safe to do so. The good thing about the Southern Remand Centre there are phones in each cell. They have access to that, but as a means of communicating with people they have nominated to be able to talk to, including their legal representative. There is a much broader range of the ability to deal with those situations. Often lockdowns will just be one particular unit or area rather than the entire facility.

We heard earlier numbers in our prison service are up and that is really pleasing. Since 2016, we have had 308 new recruits. That is just recruits. That is really pleasing to boost correctional officer numbers. That is why yesterday I was fortunate to on behalf of the prison management launch their trial of a new flexible staffing strategy at the Risdon Prison complex I mentioned. The focus of this strategy is continued access to services. This prioritises the continued deliver of the core services such as rehabilitation, intervention, and education programs, if any lockdown is required.

It's expected that the new strategy will reduce the number of days where lockdowns occur significantly, and also allow for increased out-of-cell hours for inmates, which is important. The strategy works to provide greater flexibility in how the RPC operates and allocates staff following the opening of the Southern Remand Centre last year. The strategy also focuses on a hierarchy of needs to ensure core services continue and the maximum number of areas can remain operating as usual where staffing shortfalls do occur. Importantly, the new model will reduce the need for overtime and will not negatively impact our correctional officers and therapeutic staff undertaking their work in a safe manner. A pilot of this strategy is being trialled over the four weeks, and then it will be reviewed based on the outcomes and findings during the trial period, as well as feedback from correctional officers.

I think this is going to be a period where hopefully this will enable, as the name suggests, more flexibility in the situation regarding lockdowns. I take the opportunity to thank unions and correctional officers for their input in the strategy itself. I think it's safe to say, gentlemen, it's taken quite some time to get to this point to get to this sort of trial stage of something that's new. It involves a different rostering system, and I know change in that type of environment is very difficult at times, but it's hoped that it will make a significant difference, along with the other strategies of trying to continue with more recruit schools. We have had four last year, are expected to have two this year and ongoing courses.

Mr WILLIE - So the answer to my question is around - it's a nice filibuster but can we have the data?

Ms ARCHER - Which data is that?

Mr WILLIE - The lockdown data for this year and the previous year, please.

Ms ARCHER - Oh, the lockdown data? We have the details of the out-of-cell hours. It's really important with out-of-cell hours that we look at some areas of the prison, and I'm sure Mr Thomas can explain this further, but my understanding is that we have the Franklin, Tamar and Huon units, which are quite different in terms of how they must operate for the security of the prison environment and other inmates as well, and staff of course. It's much more controlled in relation to the out-of-cell-hours, but the total average out-of-cell hours per inmate per day for the TPS is 7.7 hours, down marginally from 8 hours in 2020 to 2021, and currently 7.5 hours to the 31 March, so I'm hoping that improves with the strategy.

PUBLIC

During 2021 and 2022, there was a higher than normal number of lockdowns due to staff shortages and absences due to COVID-19 as well, which impacted overall average out-of-cell hours across the service. It goes without saying that lockdowns needed to occur for isolation purposes as well, so quite a unique and different reason because we had as many as 40 staff unavailable on Sundays due to testing positive for COVID-19, so that sort of skewed things there.

Mr WILLIE - How many times has the gym at Risdon Prison been open in the last year? It's often talked about.

Ms ARCHER - We would have to take it on notice.

Mr WILLIE - Just out of interest, are prisoners given vitamin D supplements if there are extensive lockdowns, and they're not getting out in the sunlight? I mean I'd take a vitamin D supplement.

Ms ARCHER - Well, one, I suppose, what would we mean by extensive lockdowns? It might be good for Mr Thomas to explain further the realities of lockdowns, because a lot is said about lockdowns but obviously the Director of Prisons is out there.

Mr THOMAS - Yes. I suppose, as the Attorney-General alluded to, a lockdown for somebody in Tamar can be very different to a lockdown for the whole of minimum security or SRC, in that Tamar it is often due to their behaviours, their threat of violence to others or risk to themselves, so that is very restrictive and probably their time out of cell is minimal; whereas in other areas, typically in medium security, even if they're locked in they're only actually locked in the pod that they live in so they still have free access to the pod, they just don't get to the outdoors for an extended period.

But, again, within that there's further complexities in that if I take one pod in medium security of seven prisoners, those seven prisoners could have a very different experience - one might go to court, one might go on a visit, one might go to a program even though the area is locked down.

The new strategy the Attorney-General talked about will further enhance that, so even though the area they are live in may be locked down for a period, they will get greater time out of the cell than they do now, so it's quite complex to explain it because it can vary from prisoner to prisoner and area to area. We aim to provide those services even when they are locked down and we aim to get prisoners out of their cell for a period during the day. To go to the vitamin D point, that's predominantly a health question, but if Health determine that they should get any type of vitamin supplements then they will provide them accordingly.

Mr WILLIE - Can we go to the northern prison again?

CHAIR - Well, that will be in Capital Investment, won't it? I think we'll leave that; we'll exhaust all our questions in Prison Services and then we'll get to that there.

Ms ARMITAGE - Is the body scanning technology now up and running? How is it working and how much contraband does it find?

PUBLIC

Ms ARCHER - It is not yet up and running, but we can give you an update on it. The reason being it's come from the USA and there have been delays with that.

Ms ARMITAGE - It's four body scanners, isn't it? Three for the prison and one for Ashley?

Ms ARCHER - That's what I was thinking of.

CHAIR - Someone is reading your mind.

Ms ARCHER - Someone is, but because we did a lot of this announcing yesterday, I don't have the correct things on me.

Ms ARMITAGE - When do you think it'll be up and running?

Ms ARCHER - It's a \$1.3 million technology and as members will recall, it's going to cover the Hobart and Launceston reception prisons, Mary Hutchinson Women's Prison, and two scanners in the Risdon Prison Complex and the Ashely Youth Detention Centre as well.

We've now received them, finally, and are currently undertaking the necessary infrastructure modifications to allow the scanners to be installed. I must say it's been quite some process. I'll get Mr Wise to explain briefly what the process has been, but because it's X-rays, obviously there's training involved, there's permits involved, there's been quite some process in the lead-up to this, so I might get you to explain some of that and when we expect to have it operating.

Mr WISE - The scanners, as the Attorney-General said, took some time to get to us because they were held up on a wharf in the United States before they came to us. They then went to Sydney, came down to Burnie, I think, before they came down to Hobart, so it's been a long process, but we're now in the position of having them on the TPS site. We have about 320-odd staff who have been trained in radiation safety, which is an integral part of the training. The second part of the training has to wait until such a time as the scanners are actually installed. We haven't quite got that, but we've engaged architects and we're getting the building works done. A lot of the modifications should be able to be done within the next month or so and then we'll get the first of the scanners put in place, people trained on that and hopefully within the next couple of months we'll have them fully functional.

Ms ARMITAGE - So when I ask the question next year, they'll be in place?

Ms ARCHER - Yes. Well, you'll recall when we did the front of this Parliament House. It's not a quick and easy thing to install, let alone wait for so I hope that's demonstrative of 'now that we've got it, it's got to be installed'.

Ms ARMITAGE - With contraband coming through, are we seeing just as much coming through as previously, are we picking up more? Do we have the dogs at the prison?

Ms ARCHER - We do have access, don't we?

Mr WISE - Yes.

Ms ARMITAGE - Would drugs be our main thing coming through?

Mr THOMAS - The main items coming through are what we term broadly as unauthorised items. That might be things you typically are allowed to have in the community such a cigarettes, tobacco and lighters, but are unauthorised in prisons. That tends to be the predominant item, other than drugs and alcohol which is the overarching issue. That is again whether a drug that is legal in the community, but banned in prisons for safety reasons or illegal drugs coming in and drug related paraphernalia such as syringes, foils and the type they will use. Some of that is not just contraband introduced, but it is often contraband from items they have created. Taking a big bar and making it into a pipe that they can smoke their drugs through. We have classified all of that in contraband.

Ms ARMITAGE - Are you finding a lot?

Mr THOMAS - I have some statistics here to date, To 21 April this year there were 149 finds in total with 109 of those alcohol, drug and drug taking implements; 2 mobile phones; 14 weapons or potential weapons; and 24 other items.

Ms ARMITAGE - Smoking and tobacco was mentioned, how are we going with these?

Ms ARCHER - It's banned.

Ms ARMITAGE - Yes, it is banned for prisoners and for officers. How is that going? The reception prisons they actually get patches don't they. But, they don't get patches once they come in. Do they purchase patches if they need them or are they just going cold turkey and have we still got a ban on teabags?

Ms ARCHER - For how long do they get patches for?

Mr THOMAS - The patches are used in the two reception prisons still, although we find it less and less prisoners are asking for them. It was 2014, when we banned smoking in the prisons in Tasmania and they are used to and accept it now. They can get patches from health, if health determines, given their nature of their addition it is better to put them on a nicotine replacement therapy then they will do so.

Ms ARMITAGE - Have them calmer.

Ms ARCHER - Absolutely, it is a bit of a concern with some of them.

Mr THOMAS - And teabags are no longer banned, they can get access to teabags.

Ms ARMITAGE - They are not using the tea bags to smoke anymore?

Ms ARCHER - I did not even know about tea bags.

Mr VALENTINE - The first one is on behalf of the member for Mersey. You would have noticed in today's paper he had something to say about this, that men account for 95 per cent of the prison population in Tasmania. There has never before been as many people choking up our prison system so what steps are the Government taking to reduce recidivism and provide effective rehabilitation for the many men currently incarcerated in Tasmania?

Ms ARCHER - This is why the \$50 million unit on the Risdon Prison complex site will allow us to also have a component that is education and training that has not yet become available for more maximum rated inmates. That opportunity is quite exciting in terms of the rehabilitation prospects of a cohort which is the most problematic in terms of recidivism. Because of the types of crime they commit can be really serious, the chance of reoffending is quite high.

It is a multi-pronged approach required because family, attachment, employment, housing and all of those things are really key as members know we discuss this every year. This is not just about building the infrastructure, it is about what that infrastructure will deliver and enable us to be able to do on that site. There are areas of the prison where it's difficult to retrofit education training or to have it secure enough to be able to deliver it onsite.

That's the type of thing that we're looking at with that money and that component of maximum-rated inmates. Again, because of the new design of the northern correctional facility, it allows us to have an education and training focus for inmates working their way through a sentence and being also close to the end of their sentence and their rated security being lower than the maximum. We made that decision that Risdon Prison will remain the most maximum-rated and the northern correctional can then have a really strong focus, as Mr Shephard said, on the existing infrastructure. We are looking at making that a minimum-security area. We also need to replace the ageing infrastructure in the Launceston Reception Prison. I don't know if you've had a visit there, but that is well past its use-by date.

Basically, the infrastructure spend allows us to provide what we need to deliver those programs. They will be the subject of future budgets as well and the existing programs that we have. The thing that we are focusing on, or I have a strong focus on as the minister, is the very base-level literacy and numeracy. Not everyone can start at the education and training and skills TasTAFE even academic level as we know, because they can't read and write. Some of them don't have the confidence for that, so the program that we use is very successful. I haven't got in front of me the literacy details, if someone can maybe get that up for me.

In relation to that, there's some pretty good numbers going through, and also what we're seeing is greater utilisation of the prison library. We had Libraries Tasmania for a new program staff, which is now complete. They have program assessments, weekly tutoring sessions with referred inmates. That's begun, or did begin on 21 March, and currently has 13 inmates engaged in an intensive literacy support program. This comprises three to four individual sessions weekly. An additional 23 inmates are receiving one-on-one literacy tutoring and support outside of the intensive program, and a further 11 inmates have undergone a comprehensive assessment with a number of this cohort to commence tutoring sessions shortly.

Pleasingly, over the 18 months, visits to the library have increased by 47 per cent. That's pretty amazing in a prison environment; membership by 13 per cent and borrowing by 80 per cent. Those are extraordinary figures.

CHAIR - You must have some decent books in there recently.

Ms ARCHER - Maybe. I think it's a significant difference. With that focus on literacy, which will continue, because when you're getting results like that -

PUBLIC

Mr VALENTINE - Clearly, one of the big issues is when they exit. I know that goes into a different domain, not Community Corrections, I suppose, once they get out of prison, especially if they're on parole?

Ms ARCHER - Possibly through parole, yes. Sometimes electronic monitoring might be a condition of the parole as well, and that's part of the Community Corrections condition.

Mr VALENTINE - Just for the record, what are you doing to make sure that those prisoners who are exiting are actually going into a home environment, housing, and not needing to reconnect with their old networks? Recidivism comes as a result of that, possibly.

Ms ARCHER - I'll get Mr Thomas in a minute to explain when a prisoner reaches towards the end of their sentence, what the teams work on. What's really important to note is that part of the Parole Board's function, purview and jurisdiction is to look at that. It's not for them to in any way do any sort of training or educative role. They do need to be satisfied of a number of things, and some of those things include that there's housing.

CHAIR - You can think you are going home and then when you get home you are not as welcome as you had thought.

Ms ARCHER - Yes, there is a statistic in relation to that, I used it yesterday. The memory has just gone. I am having a goldfish moment. I think -

Mr VALENTINE - Sometimes when they go out they feel that home is back inside, so they do something to get back inside.

Ms ARCHER - There was something I was really interested in telling you in relation to parole, yes here it is, thank you. About a third of parole applications received this year have been adjourned because of accommodation issues. It's important to note though, and this is where people are assuming incorrectly, that the vast majority of these adjournments have been because of unsuitable places being proposed by that inmate rather than no available housing being proposed. There has been that incorrect assumption, I'd like to eradicate that problem altogether, but it's not as bad as some people would assume in relation to housing.

Having said that, it's obvious that housing is a real key, as is home detention, which is something that, as an alternative sentencing option, I was really pleased to deliver. If someone has employment, housing, family, and you can keep that all -

Mr VALENTINE - Best opportunity. We are doing an inquiry, we will find out a lot more about that.

Ms WEBB - I am interested to have some more data about people who are exiting prison, whether it is on parole or finishing a sentence altogether, and the housing tenure that they are exiting into. Can you provide data about that specifically, whether it's a private residence, whether it's home, whether it's conditional -

Ms ARCHER - I don't think we keep that because once they're out of our system, we don't capture that data because it's no longer our business -

PUBLIC

Ms WEBB - But as a parolee, for example, is leaving the prison, you don't know what housing tenure they're going into?

Ms ARCHER - Parolees we can.

Ms WEBB - I'll take that information about parolees.

Ms ARCHER - But not every inmate because some will go to private rental.

Ms WEBB - I'm happy to have the data for parolees.

Ms WEBB - Would that be a question on notice?

Ms ARCHER - On parolees? Yes, by all means.

Ms WEBB - I want to understand more about the point you were making a moment ago about one-third of those being considered for parole not being able to be provided with parole because of an unsuitable proposal for housing. Can you explain that more?

Ms ARCHER - Yes.

Ms WEBB - In particular, can you explain is it the case that they were being offered a suitable alternative and they refused that and therefore were required to stay in prison instead of being paroled?

Ms ARCHER - I don't think I can give any further detail because it's to do with parole matters, and that's all the information I have is what I read out.

Ms WEBB - It is quite a significant point you were trying to make about debunking something. I'm just trying to understand exactly what we are debunking.

Mr WISE - In many cases, it's because of the nature of the people they will be living with in a house that they have put up for parole consideration. In some cases, the family members will say I don't want this person coming back to my house and living with me because I'm frightened by them, for example. In some cases, they might nominate criminal associates in the house and the Parole Board says, 'we don't want you going back into that location where we think the risk will be elevated'. So, they encourage them to find another residence to put up.

Ms WEBB - Is assistance provided at that point to find another residence?

Mr WISE - It is difficult clearly to find other residences, but that will be done.

Ms WEBB - To be really clear, one -third of people who are being considered for parole remain in prison rather than be paroled because of a lack of suitable housing. Is that the figure we are talking about? Are you saying it's because they've suggested a dodgy option rather than there hasn't been housing available?

PUBLIC

Ms ARCHER - Can I just answer that. It gets adjourned. They haven't yet reached the end of their sentence, so it's not like they've been incarcerated beyond their sentence. It's adjourned.

Ms WEBB - I am just clarifying, was there a housing option provided or were they assisted to find a housing option that could be suitable and therefore had their parole considered at that time rather than adjourned?

Ms ARCHER - The department does everything possible but what Mr Wise said is that it is very difficult in a market where, as we all know it's difficult.

Ms WEBB - Yes, that is what I am thinking.

Ms ARCHER - I don't want to sound harsh but how far do we go in providing something where an inmate needs to -

Ms WEBB - It can be very difficult to secure your own housing from behind bars, I'm imagining, without some assistance.

Ms ARCHER - This is true as well. It is one of those issues that, again, is multifaceted, it's complex, it's not as simple as saying 'the Government should be finding a house for them to live in'.

Ms WEBB - That is not what I'm saying, just to be clear.

Ms ARCHER - This is what it sounds like and it's the responsibility of the inmate and perhaps some family that might be supportive, as long as they are not conducive to the reoffending behaviour. It's far more complex than just finding a roof over their head, it has to be suitable.

Ms WEBB - I completely agree. I'm just trying to understand exactly what does happen at that point in terms of assistance.

Ms ARCHER - The matter gets adjourned and then it's relisted.

Ms WEBB - In terms of assistance, what is available? I am just trying to ascertain that. I'm not making a statement about what the Government should do, I just want to find out what we do.

Ms ARCHER - We have the Prison Rapid Rehousing Program; we have Beyond the Wire; we have partnerships between Beyond the Wire and Salvation Army; we have partnerships with Anglicare Tasmania, Catholic Care, Colony 47 and Hobart City Mission. There is collaboration between a number of different non-government organisations to provide statewide access to services. I know that as an inmate is nearing the end of their sentence, the Housing Connect inhouse team works with them. It's not like they are left with no assistance whatsoever.

Perhaps, Ian, if you could address the inhouse team and what they do to assist an inmate in exiting or nearing the end of their sentence.

PUBLIC

Ms WEBB - I am trying to understand the difference of what might be there between an end of sentence and parole.

Ms ARCHER - I am attempting to answer the question. I have just referred it to the Director of Prisons. I'd ask that you allow me to do that to answer the question.

CHAIR - We have the Director responding to the Attorney-General's request to inform the member about that process between an application for parole and perhaps not a suitable housing proposal.

Ms ARCHER - And when an inmate is nearing the end of their sentence, there is a process that is undergone.

Mr THOMAS - The process starts when somebody comes into custody and we start looking at the length of their sentence, identifying their immediate needs. We have what's called the Planning and Reintegration Team. Then they engage with the prisoners on a case-by-case basis to establish what their immediate and longer term needs are, depending on the length of their sentence. Obviously, the shorter the sentence, the more limited the time we have to work with them. That ranges from everything like do they need to open a bank account through to do they have an immediate housing need. Sometimes that can be because they've been in prison they have lost the housing they were living in at the time of their imprisonment. We will often work with landlords to see if we can extend the lease or get the lease held over until that person is released.

Regarding the Parole Board, again we could be working with somebody to see if we can establish, through some of the partnerships the Attorney-General talked about, -

Ms ARCHER - And Community Corrections as well for the pre-report of the Parole Board report.

Mr THOMAS - Yes - to see if we can secure appropriate housing. Rod talked earlier about how the Parole Board will make that ultimate decision as to whether that housing is suitable or not and that's often where it can get adjourned. Certainly, internally we continue to work with prisoners on all of their reintegration needs, including accommodation and housing; we do regular referrals to all the groups that the Attorney-General talked about earlier as well as I said earlier working with landlords, family members, et cetera, to see if we can secure them accommodation. That happens for everyone but it varies on the individual.

Ms WEBB - Thank you. That answered my question about parole.

Mr VALENTINE - In relation to the earlier discussion on the health and wellbeing program to start, are you comfortable delivering any further detail on access through the program in this area and perhaps with a gender split if you've got it? You might not have the gender split but if you do, that would be great.

Ms ARCHER - We do have corrections 110 referrals, which I think you read out earlier but we can do a refresher.

Mr VALENTINE - That was just in that earlier detail, so nothing extra to add?

PUBLIC

Ms ARCHER - I don't think we split it by gender.

Ms WEBSTER - In relation to those referrals, that could be a self-referral and we very much encourage people if they're feeling like they need physical support or psychological support, go to that website that's a specific website,

Ms ARCHER - And it's offsite as well.

Ms WEBSTER - Yes. As the Attorney-General-General said, the wellbeing unit is offsite and in a different location but also supervisors or team leaders might encourage someone to access that. They also have access to the employee assistance program in addition to that and at the Prison Services they also have the Mates Program, which is officers helping officers, that's a specific program. There isn't a one size fits all. People can access all of those or one of those if you'd like.

Mr VALENTINE - Is the gender split something that you can collect because it would be interesting to have some understanding of that.

Ms WEBSTER - Yes. We can certainly look at that. I guess we are careful that we don't create a look that we're overseeing or trying to somehow drill into who's accessing that program.

Ms ARCHER - And there are fewer women than men, although female numbers are growing, but that might -

Mr VALENTINE - It might skew things.

Ms ARCHER - I don't know of our percentage at the moment across the TPS.

CHAIR - Can we have the staffing numbers while somebody's looking, thank you?

Mr VALENTINE - And the extension of that question is workers compensation, but you may have already given that. too.

Ms WEBSTER - Yes, I can restate. In terms of staffing numbers, as of 5 May we have 448.8 FTE and this is for correctional officers; of that, 327 males and 124 females.

Mr VALENTINE - And so, correctional officers for worker's comp?

CHAIR - While the number's being sourced, Attorney-General, given that you've already identified there's some challenges with securing a workforce, when new correctional facilities come on line, where ever there may be at the Risdon Prison site or a northern correctional facility, can you give me some idea of where the staffing is likely to come from and how you're going to start that?

Ms ARCHER - This is why we will continue the intensive recruitment campaign or strategy, so there's no end date to that at present. As you know, these sorts of situations can fluctuate over time so it's hoped that we continue to recruit at the rate at least what we are at present or even better, to staff across facilities. That is continued and ongoing work that's being done to increase the workforce. As I said, I think I said it was 308 recruits since 2016.

PUBLIC

CHAIR - It's a pretty high turnover of staff.

Ms ARCHER - Look, yeah, it's Corrections, but we continue to do our absolute best to increase numbers and attract staff - and, I must say, attract every possible cohort that we can that actually fits within suitability because there's lots of -

CHAIR - Specialised skills, we noticed, as we walked around the facility.

Ms ARCHER - There are specialised skills but also there are tests that need to be passed.

CHAIR - Fast runners with a lot of patience, I'd expect.

Ms ARCHER - Behavioural and those types of things as well. There's a lot of aspects to it that make it a little more complex to employ.

Mr WILLIE - That was for the response unit.

CHAIR - They were fast.

Ms WEBSTER - I have those numbers: workers compensation year to date, 2022-23, is 94 claims, but that's a 12 per cent decrease on the year to date last year. The cost of claims is a 52 per cent decrease since last year.

Ms ARCHER - Quite good news in this area.

Ms WEBSTER - The separation and attrition, last year in 2022, we had 25. The attrition isn't actually that high. That was 25 numbers. This year, the year to date, it's eight. Turnover is not that great.

Mr WILLIE - In terms of your last intake though, my understanding is that it was very low, your last recruitment intake.

Mr WISE - I think we have 18 on the course coming up.

Ms ARCHER - That's a decent number.

Mr WILLIE - The one before that.

Ms ARCHER - We had a few drop out. You always get some who drop out.

Mr WILLIE - I heard it was two in the one before that.

Ms ARCHER - That was wrong. That was one of those rumours that started that gained some sort of oxygen that wasn't true.

Mr WILLIE - What was the number, then?

CHAIR - I heard the number 13. Is that correct?

Ms ARCHER - It is 13.

PUBLIC

Mr WILLIE - The one before?

Ms ARCHER - Yes, 13. We had four courses, the most in any one calendar year.

Ms WEBSTER - That school graduated on 20 January 2023, and there were 13 officers. Sorry, 12 graduated, and 17 participated.

Ms ARCHER - How many did we have, it was about 86 all up in the end for the year?

Mr WISE - It was 76 last year.

CHAIR - It pains me to ask this question, but I will, because the former member for Windermere, won't be listening but he'd want me to ask anyway.

Ms ARCHER - He might be listening.

CHAIR - What is the overtime?

Ms ARCHER - I think overtime is down too.

Ms WEBSTER - We've got the 2021 figure. It's \$9.347 million.

CHAIR - I've been here so long I remember change management and all those initiatives. I've got my fingers crossed.

Ms WEBSTER - For 2021-22, it was \$9.347 million.

CHAIR - I think it is a tad less than it has been.

Ms WEBSTER - We haven't finished this financial year.

CHAIR - If I get a chance, I'll ring the former member for Windermere and let him know.

Ms ARCHER - We're hoping the strategies that have been put in place, pursuant to what I announced yesterday with our Changing Lives, Creating Futures, that's now available on the Department of Justice website, real officers volunteering for the photos. It shows goals in terms of short term and long term as well as our focus on developing staff, developing inmates. It's basically the blueprint for our strategy. It is the strategic plan for Corrections. You recall Dr Goodwin's previous strategy many years ago.

CHAIR - What's it called again? I always forget. That's my poor memory.

Ms ARCHER - You and I are both as bad as each other.

CHAIR - I should remember that. We've been here for a long time.

Ms ARCHER - Breaking the Cycle. I always want to say Closing the Gap and it's completely wrong. But we do mention that a lot in here in terms of closing the gap because we do have an Aboriginal prison population as well. I encourage members to have a look and provide some feedback.

PUBLIC

CHAIR - The committee of inquiry will be looking at a lot of aspects.

Ms ARCHER - You will be looking at that no doubt. That's good.

Ms WEBB - Just a supplementary on that question about overtime. The year to date for this year, are we tracking to be comparable to the 2021-22 year? How are we looking?

Ms WEBSTER - I've got the year to date figures. I didn't have them correct, so I didn't want to say it, but I've now found them. I think the year to date, as at 31 March, it was \$7.5 million.

Ms ARCHER - Hopefully we can keep it tracking down.

Ms WEBB - My question was in relation to the programs being funded under the reduced reoffending program, which was a really positive set of programs. The first aid, the Connect42, parenting and the Dress for Success and I am interested to hear numbers expected for those. What is offered and how many people are reached by those programs?

Ms ARCHER - Do we have those figures or would we get that on notice? It might have to be on notice with how many people enrolled. As I alluded to in my opening statement I did meet with our female inmates at the Red Cross course. I saw their work and how empowering it was for them to become leaders within the prison population. We had a quite a few long-term prisoners there and that the corporate knowledge - if you like - can be passed on. There were some really positive things to say about the course. It was quite empowering for them.

Ms WEBB - Is it possible to get because I know you gave us some literacy program numbers already, which is really good and positive to hear the flow on benefits from that. Is it possible to get a full list of the rehabilitation and/or education training, but also rehabilitation programs ones focused at building capacity of the individuals there?

Ms ARCHER - Yes, I think we can do that as well as the education training we deliver in terms of courses. I do know we keep those numbers.

Ms WEBB - Potentially, numbers for the last couple of years so we can see how that tracks - not the COVID-19 year because that is different, but since COVID-19.

Ms ARCHER - 2022-23?

Ms WEBB - The 2021-22 would be alright, and then 22-23 which is what we are in. Then to understand better is that very positive as they all, I imagine there is some unmet need identified within the service. How selection occurs for programs occurs and how unmet need is monitored. What we know about the level of unmet need of incarcerated people who would like to be in those programs, but have to be waiting or not able to get involved.

Ms ARCHER - I am very happy for Mr Thomas to address any set of waiting list. One thing from my perspective is with the literacy program at that base level it would be if there is unmet need there, expanding on that program, because it has been a bit of a pilot program. I said as expanding on that because the need in that cohort is great, but we cannot force them to do it.

As much as we would like people to be literate and numerate, you cannot force them as we all know and there might be a high percentage fall into that category. We might have to do a bit of our own research in that respect, but in terms of waiting list for those new programs are you aware of that?

Ms WEBB - Or just any of the waiting list for any of those programs.

Mr THOMAS - This starts when prisoners first come into custody. We do an assessment of all their needs and some of that is based on their offence, the type of intervention program they should be referred to. That is an initial referral to a more rigorous assessment on the people delivering that program to determine their suitability and willingness to engage, the length of sentence they are serving. Then they will be referred to the team that are running that program and then they will go into a waiting list. Waiting lists vary depending on the nature of the course often and not everybody completes the course because they might get parole, may get out early they withdraw from the course. It is difficult to give a definitive- we do keep that data which we could provide, but we certainly have numbers on those that enrol, complete or are participating.

Ms ARCHER - And as for the selection of programs Mr Wise has just reminded me of our submission to your committee at page 24 which talks about the use of evidence-based strategies to reduce contact with the justice system and recidivism. It talks about the risk-need responsivity approach that's used here for our criminogenic programming and assessment framework to adhere to that, what we would call RNR approach, the risk-need-responsibility, so, that's at page 24.

Ms WEBB - My question was about how people are selected for the programs, not the selection of the programs. I'm trying to gauge how people enter the programs? How many we're providing with those programs? How many are waiting for the programs?

Ms ARCHER - We can provide that. That's worth knowing as well.

Ms WEBB - Yes indeed, and we will engage with that in the course of the inquiry, no doubt.

3.2 Community Corrective Services

CHAIR - I don't know if the two gentlemen stay at the table?

Ms ARCHER - Mr Thomas can go and I'm going to invite Chris Carney to the table.

CHAIR - Thank you very much, Mr Thomas. We certainly appreciate the work that you do and on behalf of the committee, I congratulate you on some of those numbers that you shared today, particularly the overtime and those areas that had caused concern in the past. Well done to you and your staff.

Ms ARCHER - Including the deputy secretary and the secretary.

CHAIR - Always in the area of significant interest.

Ms ARCHER - This is Chris Carney, our Acting Director of Community Corrections.

PUBLIC

CHAIR - Welcome. First time to the committee.

Mr CARNEY - Yes, but I was here during the joint standing committee a few weeks ago.

CHAIR - I'm interested in the fact that the costs of community supervised offenders is a very reasonable cost. What has been listed as actual for 2021, this is on page 120 of the budget papers, \$23.60 per day. How much effort is being put into lifting that opportunity for Community Corrective Services given that, compared to having a person in prison a day, at \$432, why we're not doing more of this?

Ms ARCHER - It is a question for the judiciary.

CHAIR - So, it's not one that can be answered. Is there some discussions?

Ms ARCHER - Alternative sentencing options, as I mentioned earlier, with respect to home detention. We've done quite a bit of work with the magistrates when we introduced home detention to highlight the positive values in doing that, much as I mentioned in keeping the family unit together, keeping employment

CHAIR - Keeping a job, paying the rent.

Ms ARCHER - Not losing their housing, those sorts of issues. So, they're not starting all over again by being in prison. Wherever possible, I'm pretty confident that our magistrates and judges award non-custodial sentences or certainly those types of sentences where the freedom and liberty are taken away to a certain degree, so there is a punitive element, but there's a rehabilitative element at the same time. It's about ensuring that we strongly encourage our judiciary to utilise those options.

CHAIR - To look at those options.

Ms ARCHER - From a safety perspective, our family violence reforms have done a lot for victims/survivors in being able to have their own monitoring system for safety purposes and family violence perpetrators being fitted with the bracelets as well. All up, in the Community Corrections side of things, our unit is responsible for overseeing all of that. Quite a significant component of our Corrections system is our Community Corrections, which is delivered statewide.

I recently visited two of our sites up north. For the type of work they do, they are an incredibly happy, cheery bunch.

CHAIR - I would like to take you to the percentage of Community Corrections offenders returning, sadly, to Corrective Services within two years of discharge. There's almost a 30 per cent increase. What does that 30 per cent increase mean in numbers? Is that possible to gauge?

Ms ARCHER - I might have to throw that one to Mr Carney, or we'll see if we can break that down in some way.

PUBLIC

CHAIR - We would have to have a number, in order to give a percentage. I am interested in 28.2 per cent of what number is that, so I have some understanding.

Mr CARNEY - We would have to take that on notice. We would have the number, otherwise we wouldn't be able to provide -

CHAIR - You wouldn't be able to give a percentage if you didn't have a number.

Ms ARCHER - Thank you, that's true.

CHAIR - My other question relates to the completion rate of community supervision orders - always of interest to me. In my retirement I'm hoping to take up this role. I'm not sure if I'll qualify. I'm driving the community bus one day and doing this another day.

The actual is 81.8 per cent of those community supervision orders. That's a slight increase on the previous actual number, which was 78.9 per cent. Do we have more people in the community undertaking that work? Is that why we've been able to achieve a better completion rate? That is something that has been a struggle in the past, finding the appropriate person for supervision.

Ms ARCHER - I'm just looking at the footnote. It says this indicator includes both supervision and Community Correction orders with the relevant condition, parole and court-mandated diversion and community service and home detention.

CHAIR - It's the whole box of dice.

Ms ARCHER - Yes, the whole box of dice.

CHAIR - I'm interested in that community service work order that has often been allocated in the past, but we've struggled to get the appropriate supervision,

Ms ARCHER - I might get Mr Carney to approach that one -

CHAIR - Is the question too hard and you need me now, not in the future?

Ms ARCHER - I think it has actually improved.

Mr CARNEY - Yes, I think the supervision orders are different to the reparation orders, which is the community service. The supervision orders were slightly better last year, but it doesn't have anything to do with the numbers, as the numbers actually dropped slightly, by just a couple of percentage points. Somewhere around that 78-82 per cent is where we've been for quite some time, which I think is the highest nationally. We generally do really well supporting people to transition effectively on a supervision order.

The community service order numbers have dropped slightly, and our number of successful completions has also dropped slightly.

Ms ARCHER - Was that anything to do with COVID still?

Mr CARNEY - It has to do with a number of issues. One of the major things we had was the Government's move to implement the community correction orders, which was a great move from a community corrections perspective, in that it time-limited our community service orders. A lot of what happened prior to community correction orders was that we had no time limits on these orders, so we didn't really have many who didn't successfully complete them because we didn't have the opportunity to get them back to court and for the court to make a determination on them. They've just been sitting in the background, and we still have a number in the background waiting to be completed.

With the community correction orders, what has happened is that now that they're time-limited, we have an opportunity to bring them back to court, to either complete them if people successfully complete their hours or to bring them back to court and tell the court, 'They haven't successfully completed their hours. What would you like us to do with them?'.

What they have to do if the time has ended is cancel an order. But they may cancel an order and then create a new order to give them extra opportunity to complete the extra couple of hours. I think part of that drop in successful completions is actually just around this time limitation and not just Community Corrections and court working together to figure out what is the most appropriate time period that we need to complete x number of hours. That has been a little bit thrown up in the air because of COVID-19. We had a number of sites that closed and we had a number of limitations around how many people we could move around at one time. So, we are still trying to transition a little bit from COVID-19, but most of it just has to do with this trying to figure out and get right that pitch around hours and completion of the orders. Does that answer your question?

CHAIR - It did, thank you. My final question in that area is, recently there's been some changes to the interstate transfer of community-based sentences. I'm just wondering, where we have this formalising of the interstate transfer of community-based sentences so we can take them from interstate and we can send them out of the state. Has that had any impact on the workload for the department?

Mr CARNEY - This is an exciting move. Community Corrections has been working to informally transfer orders between jurisdictions for years, it just has been on the cards. What this regulation does is allow us to register orders from another state in court so that we can breach them or vary them if they are not fit for purpose for an offender.

In answer to your question, it has had a slight increase - weird, in a lot of ways - in that we've been able to accept community service orders, which we were never able to do under informal transfer program because it is about repaying the community. Because we've got this formal transfer process at the moment, we actually can accept and sent community service orders and they can be registered in court here. So, we have actually had someone move with a community service order that they have been able to complete here in Tasmania since that happened.

CHAIR - Have we been able to send any north?

Mr CARNEY - We continue to send them north and we actually have more people leaving the state than coming in, which is great. The numbers are relatively small.

CHAIR - No significant impact on the budget? The Attorney-General is laughing.

Ms ARCHER - I am laughing because of the way you put it.

CHAIR - I am pleased that I asked a question that caused so much excitement.

Ms WEBB - I am interested in understanding when someone is going to serve some form of community corrections order, therefore they are going to serve a sentence of some sort in the community context.

There would be situations like a court-mandated diversion, where there are supports and quite a lot of intensive work put around a person being dealt with in that therapeutic jurisprudence approach. Are there other forms of community correction orders where we also provide additional support? The reason I am thinking about that is, we just heard about prison, if there is a thorough assessment done when somebody enters prison about needs and about how we might meet their needs while they are in prison. I am just wondering if there is something similar in place for community-based corrections.

Ms ARCHER - I will let Mr Carney address that because Community Corrections is an area where there are strong supports in place, depending on the type of order that there is and also parole and probation.

Mr CARNEY - Yes. Every single order that we have has a supportive framework of one description or another. It really depends on the kind of order as to the level of intervention that we would deliver for somebody, and the kind of structured support that we have.

Mr Thomas did talk about the fact that whenever someone comes into prison, they get an assessment undertaken. Whenever somebody, even most of the time before they come into contact with Community Corrections on an order, there's a thorough and comprehensive assessment that we undertake to understand their risks, needs and responsivity issues as they relate to their criminogenics.

Ms ARCHER - Often there's a report done for a particular type of order as well.

Mr CARNEY - Yes. For most of the people we get on orders we would have completed a report at the request of the court. At that point, we would undertake a comprehensive criminogenic assessment; again, to understand what kind of recommendation we could make to the court would outline an order type that would be suitable for them to come to us. We are trying to find the right fit of order and make sure that it's going to be effective at supporting us to support them, and manage their needs in some ways.

With an order like community service, for instance, the level of assessment that we undertake is very minimal, because we're only looking to get them to complete some hours. Unless there is some specific different ability that they present with that requires us to take some form of different assessment around how we are going to get them to complete those hours, it is relatively minimal.

Every other type of order that is with us will get a comprehensive criminogenic assessment. That includes community correction orders with supervision. It includes parole. It includes home detention. It includes the court-mandated diversion. It includes high-risk offender orders. All of them will have a comprehensive assessment and through each of them

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we take an individualised case management approach to how we refer them to interventions that are appropriate for their support needs.

That may include programs that we undertake internally, like the Family Violence Offender Intervention Program, or an EQUIPS suite of programs. It may include whether we refer them to a GP to get a mental health care plan and then on to a psychologist or counsellor. It may include whether we engage them with an employment service provider to try to get them into some form of employment or housing or literacy program.

All of that brain work of case management is undertaken in line with the findings from our initial assessment.

Ms WEBB - Is there data available on those referrals that are made either to the programs delivered within the service, like the EQUIPS and whatnot, or external referrals made, or for employment or whatever it might be?

Ms ARCHER - We do have those figures currently, don't we?

Mr CARNEY - We do keep figures around the ones that attend the internal programs. For external services, we don't generally.

Ms ARCHER - For EQUIPS, Save [inaudible], those sorts of things, we do.

Ms WEBB - If we could have some data on those for the last couple of years, that would be useful.

Mr CARNEY - Would you like the numbers of attendance, completions?

Ms WEBB - Referrals, attendance, completion. You can table it as a table at a later date rather than read through something exhaustive, if you'd like to. That way we can contemplate the numbers a bit more easily.

In terms of not necessarily collecting data about external referrals made to health or employment or other services, how would we understand how well we're doing in assisting people with particular services they might require? How do we assess how well we're doing in this area of Community Corrections?

Ms ARCHER - In terms of re-offending or other -

Ms WEBB - In terms of meeting the needs of people who have come into this system. They have been sentenced to some form of community corrections order. Assessments have been made and then -

Ms ARCHER - I think the purview of the service is to deal with the order and once they've successfully completed the order, then they're out of our jurisdiction.

CHAIR - You've got the percentage on page 1.

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Ms ARCHER - I know what you're getting at, but it's very difficult beyond that point because that's not to continue past that point. A figure that would be kept is those that present back, that might tell you something.

Ms WEBB - I do not want to know about past the point where they are finishing the program, rather how well we do refer them to assistance in the first instance. Whether they then attend assistance or continue with assistance is, as you say, outside of the control of the state. How well do we, having assessed their need, make referrals appropriately for them and how we would know we are doing that to a degree that is acceptable and we can feel confident about?

It's totally fine if the answer is we don't do that at this time, I am just trying to understand what we do know about how we do this.

Ms ARCHER - The only thing we might would be the Court Mandated Diversion.

Ms WEBB - There is more structure around the Court Mandated Diversion program and I would imagine there is more information available there.

Ms WEBSTER - One of the things we do have is that very crude percentage of offenders returning. However, it is also important particularly, with, say the Court Mandated Diversion program for example, to consider the severity of the offence or whether we are actually making inroads. If we equate it to smoking, it takes a while if someone's giving up smoking. With some of these offenders it is about small interventions to actually allow them to make choices, that the next choice they make is a better choice. Now, that is something very difficult to measure, other than anecdotally.

Ms ARCHER - Some make that complete recovery; some partial is what you are saying?

Ms WEBSTER - Correct. Some of the referrals we make, they would go beyond the realm of the order. We might make a referral to Anglicare or to NDIS for example, that would continue beyond the order. The really difficult thing for us is we will only really see a success or otherwise if they come back to us and how long it is before they come back to us. It is very difficult.

Ms WEBB - I am not asking about success if we are defining that as not coming back, I am asking about how well we do to connect them and refer them to assistance they might need. I am thinking about what you just described there in terms of health, disability, employment, family capacity support, those sorts of things. Which will, probably be identified if there is an assessment done. And while it is not directly rehabilitating, we know assisting people across all those areas, if they need assistance is going to help towards a positive goal. Do we know how well we do with that referral process, with that first connection given when they are in custody? Do we pass them on?

Ms WEBSTER - I think the answer is no, I don't think so.

Mr CARNEY - Again, that's our entire job is really to try to provide someone with a network of support so they do not need to come back. We don't want people coming back, we want them to find a network of support in their local community that they are going to be able to access.

Ms ARCHER - Hopefully, they come back to say how well they are doing but that's informal, I've heard from the staff.

Mr CARNEY - We are trying to work with them throughout the period of an order build-up that network of support within their local community. But, what we measure is really that criminogenic risk, those two may not necessarily be the exact same thing. When we talk about responsivity needs and their criminogenic needs we can reduce their risk by meeting their needs in ways that would not typically be something we would keep records of statistical data about. We would need more qualitative information and anecdotal data.

Mr VALENTINE - I was going to ask a question on stress levels of staff that work in this area. Is there any issue at all with stress? Is there any stress at all that warrants services for staff to be available like the health and wellbeing program?

Mr CARNEY - The Department of Justice has established that health and wellbeing program and we encourage the use of that. We encourage the use of the (indistinct) with all of our staff. We are also very engaged in ensuring our staff take advantage of the opportunities offered by the flexible work practices that come from the department. We have a large number of staff who work reduced hours, who work around children and family, and health issues.

We try to be as flexible as we can be because it is really important that we recognise our staff do an amazing job. They are amazing people to want to do this kind of job. We are trying very actively to make sure that they know we, as an organisation, on behalf of the department, really value everything they do and we offer them a lot of support.

That said, it is a challenging role. We all need to acknowledge that it's difficult.

Mr VALENTINE - I am sure it must be and that is why I asked the question, to get some feel as to whether or not there is a lot of stress involved or some stress for some.

Mr CARNEY - We have small teams that have experienced team leaders. We offer a lot of that structural support and professional development. We are increasingly offering broad training and support for our staff, trying to upskill them and make sure they have the right skills and capabilities to continue to do their jobs in a way that they do not have to take home. In a lot of ways again, we have been working closely with the wellbeing unit and offering things like mental health first aid training to all of our staff.

We acknowledge the impact of things like vicarious trauma, particularly on my staffing cohort. We actively seek to make sure they know that there are supports there that they can access and they know the pathways to access them when people identify their needs.

Mr VALENTINE - I am imagining that they do not just simply switch off as soon as five o'clock comes around, do they?

Mr CARNEY - Again, we try to encourage people into those good work-life balance practices because there is some stuff that we read, that we hear and that we assess that you can take with you. We work to make sure there are opportunities for people to debrief, to divest that information, to leave it at work and to enjoy themselves while they are at work as much as possible.

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Mr VALENTINE - Do they work weekends and things like that? In terms of connecting with certain you know clients, or however we say it.

Mr CARNEY - We have the monitoring and compliance unit. They are a 24-hour, seven-day a week unit. They are constantly monitoring and we have six shifts of people around that but probation officers do not.

Mr VALENTINE - They do not?

Mr CARNEY - No.

CHAIR - Could we have the staffing numbers before we leave this amazing department.

Ms WEBSTER - As at 31 March we had 121.2 FTEs, 90.4 females and 30.8 males.

CHAIR - Thank you so much. That was very useful information and we do appreciate it. It is time to head to the capital investment program.

Capital Investment Program

Ms ARCHER - I invite Mr Shepherd to the table.

CHAIR - Thank you Colin. I mentioned at lunch time, don't go home. Welcome back, Colin Shepherd. Mr Willie, the question you were holding from this morning?

Mr WILLIE - Before the lunch break we were hearing about our three-stage development, if I heard correctly -

Ms ARCHER - Two.

Mr WILLIE - Two stage development for the northern prison complex. I am interested in the first stage, what that would deliver and the model that you are looking at. We have heard that one of the options is potentially to repurpose Ashley as a minimum-security facility. From talking to some of the staff, it is almost like it will be a smaller facility of what is already in the south. There will be a women's prison element and those sorts of things. Can we get some more information on what stage 1 capacity is and the sorts of services in stage 2?

Ms ARCHER - We've had discussions about that and what might best deliver a model that we require in the short term. My view is that replacing the Launceston Reception Prison capability is a must.

Mr WILLIE - I think we'd all agree with that.

Ms ARCHER - A remand centre is required. We are very interested in the rehabilitation component delivery. That is why that repurposing model works very well. I don't know what else we were discussing in stage 1. They were the two main components that at this stage we think stage 1 needs to deliver. You might like to say or add anything to that. We certainly had discussions as to what capability of the site might be in that stage 1 build so that we can be up and running as soon as possible and meeting the more immediate needs in the system itself. At the same time, we build the 52-bed unit down south to deal with that unfortunate growing

cohort of the maximum-rated. Like with all new infrastructure, if that need ever decreases, you can repurpose those types of facilities.

Mr WILLIE - Just on that, Minister, you will need some sort of maximum facility in the north to have place-based justice where inmates can have access to their families at the end of the -

Ms ARCHER - The focus will remain predominantly minimum to medium. There is always the top-security perimeter around any type of facility, whether it's minimum security or otherwise. Having said that, what that Northern Correctional Facility needs to deliver is more rehabilitation, more education and training, and at the same time, like I said, more maximum security in the south. In the immediate short term, that's what we will deliver.

I haven't determined, and we haven't determined, in the discussion as to whether or not we need some set of full up-and-running maximum area of that. We have very much changed course on that on that site because, to reduce our recidivism rate and to deal with the issues that we've got in our system, we need to be putting -

Mr WILLIE - Rehabilitating.

Ms ARCHER - We need to be rehabilitating, and therefore the purpose of that facility needs to be more of that type of focus, which, again, is easy to deliver with minimum- to medium-rated inmates than maximum. But the new facility on the Risdon site will deliver the capability to deliver more education and training to that particular classification.

Mr SHEPHARD - That's \$50 million.

I don't have a lot more to add up than that we have an information analysis team within the Department of Justice, and they use a forecasting model. That analysis has informed what we think might be best to fulfil the accommodation profile in the Northern Correctional Facility.

As it was always envisaged, it was always a staged construction and the original idea was that as first stage, you'd build a, if you like, northern remands centre. I think in the discussions that we've had with the community through the consultation we've undertaken, there's always been a little bit of confusion around this. The remand centre will be built to a maximum-rated standard, similar to what you saw at SRC. That is to accommodate remandees, who still have a presumption of innocence, and they are different from the sentenced offenders.

Ms ARCHER - I think you will agree the facility itself certainly doesn't feel like your usual prison environment. There're some really great facilities within that. I think people, when they think of a prison, it is quite different to what we can actually deliver with the types of features that we've delivered on the Southern Remand Centre site.

Mr WILLIE - My understanding of the Northern Remand Centre's is a little bit different and more transitional. You might have people going to court dates in the north west and it is a more transitional population.

Mr SHEPHERD - A remand centre, that is correct, but it is slightly different from a reception prison. When we talk about the Launceston Reception Prison and we are looking

definitely as part of stage one as the Attorney- General has alluded to replace that. A reception prison is normally used for people who are being introduced into our correctional facilities. They normally go there and would only spend a short period of time in an ideal situation. Obviously, they can also be used for longer term people if we need to separate people out for particular reasons.

If we do a replacement for the Launceston Reception Prison or the Correctional Facility, that will be around about the same size as what we currently have, which is about 25-26 beds. You can start to do the maths backwards from there, because the ultimate vision is for a 270-bed facility. That then leaves us with the remaining 240 odd beds. We are thinking that part of it would be a remand centre, similar to the Southern Remand Centre. Some of it would be to take women up north, because one of the objectives is to provide a facility that can accommodate all genders. At the moment we have only 50 female offenders in the state, so it would probably be around a 30-bed facility.

Ms ARCHER - A lot have children, and so they are far away from their own kids.

Mr WILLIE - Some are in the facility with them. We met some children in the facility when we visited.

Mr SHEPHERD - If we were to take half of the women north, that would be around 25-30. Again, the maths starts to come down. We are then, as the Attorney-General has indicated looking primarily for northern to accommodate offenders at those lower rated classifications. If you split between minimum and medium men and the remand centre, you are probably looking at numbers somewhere around the 60-70 per group.

Mr WILLIE - It is good to get an understanding.

Mr SHEPHERD - What we think we could do through stage 1, would be we could either do a remand facility and the support infrastructure, because you still need to have your gate house, your offender processing facility, visit centre and those sorts of things.

Ms ARCHER - Your outdoor area.

Mr SHEPHERD - Yeah, and then a replacement for the Launceston Reception Prison or we could do the remand facility and the supporting infrastructure and the replacement LRP, or it would be the sentenced accommodation and the supporting infrastructure and the replacement LRP. That is what we are still working through.

Ms ARCHER - Although I am favoring the first option because that would sort through some of our more immediate issues in the north.

Mr WILLIE - You might not have got this far, but what will happen to the existing remand centre and reception.

Ms ARCHER - You mean reception?

Mr WILLIE - Yes, reception prison.

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Ms ARCHER - I don't think we have thought that far ahead. It is actually part of the police station, so whether or not that could be refurbished. Have you had any discussions on that?

Mr WISE - We have Attorney-General. It will still need to remain as a watch house for the police because the police from Launceston won't want to take people they were driving that far to Deloraine. We are just trying to work through with the police, what that might look like.

Ms ARCHER - For *Hansard* could you explain briefly what a watch house is?

Mr WISE - A watch house facility is a place where people can be placed ahead of court appearance. Some of those people will have been arrested overnight and have been placed there before they attend court. Or, they might have been put there because they are inebriated and need to sober up and those sorts of things. They don't transfer into prison custody until such time they have gone before a court.

Mr VALENTINE - Do you have the numbers of maximum security currently in the south. What percentage of those would be from the north and north west?

Ms ARCHER - It has risen from a few years ago. 2019-20 - 46 per cent. Now we are at 50-51 per cent, it is fair to say. So it is a fairly even split. What happens when you might have family coming down to visit? Not only is it a significant impost in time but also cost for a lot of the families, and that is why we have kept Zoom visits as well. Of course it does not replace personal visits, but that is why we have kept that technology going because it is so useful in maintaining those connections. Having something on site that's more modern and fit for purpose is going to mean a lot for the family connection component of rehabilitation.

Mr VALENTINE - On the capital investment program and that \$50 million, it is interesting that it does not appear in the previous estimates I do not think.

Ms ARCHER - No, it was in the SIIRP process, if you are familiar with SIIRP.

Mr VALENTINE - Yes, I think I am, I have heard it. For the record, just explain that.

Mr SHEPHERD - It is just a process to the normal budget submissions where we put a submission in to Treasury and they consider that and then they make a determination as to whether or not they agree that it should be funded. We put in a SIIRP bid late last year for this and it was successful and it has now been announced in the latest Budget.

Mr VALENTINE - I guess what I am getting to is, is there a good strategic infrastructure investment plan that you look over a 10-year period or do you just do this as the need arises?

Mr SHEPHERD - There has been a number of strategic plans in place. These are evolving through time and they will change as circumstances change. We are, at the moment, developing another strategic plan. The delivery of the Northern Correctional Facility, the SRC program to deliver the SRC itself and the kitchen and those sorts of things were all part of the previous strategic plan, which has been rolled out. One of the things I would say that potentially has changed is the result of community feedback through the consultation we have done on the Northern Correctional Facility in that the community were fairly clear in their view that they did not necessarily support maximum-security-sentenced prisoners going north. This

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Government has made a strong commitment there to acknowledge that and hence the funding for a new max-rated unit in the south.

We are strategically trying to plan and part of that will be what we do with the current Ron Barwick Prison into the future, but yes, we are constantly looking at all of our assets and trying to work out what is the best way to use it.

Ms ARCHER - Another thing that I wanted to add is that you may well say, 'What about maximum-rated inmates? They won't be able to go north'. They will; it is going to be a strong incentive for them to get to minimum or medium. I would like to think of it that way, that it is an incentive for them to get there.

Mr VALENTINE - With respect to that Southern Remand Centre and its budgeting, over the five budget cycles since 2018-19, the estimated total cost of that centre has increased from \$70 million when announced in the 2019-20 budget to \$85 million in the 2022-23 budget. It appears that the completion date was increased in 2021 to 2022-23; now completion has been extended to 2024-25 but the cost remains \$85 million. Given the above, and we all know how costs elevate, are you able to indicate what the expected total final cost of that facility will be?

Ms ARCHER - We will explain that because it is a little bit confusing, how it has been framed that the project hasn't finished - it is the kitchen component that hasn't.

Mr VALENTINE - That is the third stage of the development.

CHAIR - There is a \$2.2 million kitchen.

Ms ARCHER - No. Perhaps Mr Shepherd can explain.

Mr SHEPHERD - Through you, Attorney-General, it is what we call the Southern Remand program. Part of that was building the Southern Remand Centre, which was a \$70 million budget, and opened last year. To your question about budgets, it came under budget, so we're very proud of that achievement.

We have an additional \$15 million that the Government has committed to build a new kitchen, and an additional \$7.93 million to do upgrades in the RPC as a result of the SRC being built and being incorporated into the RPC complex.

Mr VALENTINE - How much under budget did the centre come in at?

Mr SHEPHERD - It came in about \$1.7 million under budget.

CHAIR - We might put you in charge of a few other projects around this place.

Mr SHEPHERD - I said last year, and I'll just repeat it, there is a team that delivers these, and a lot of the work was done before I joined the team.

CHAIR - Back to serious questions from me. The social impact assessment that has been undertaken - there is significant criticism about this. Is there a firm commitment about what is going to be put on the Ashley Detention Centre site, because how can you do a social impact assessment and engage with the community, particularly the adjoining neighbours, if

we don't exactly know what is being proposed? You have given a couple of options now, but do you understand how confusing this is for those neighbours who don't exactly know what is going to be there?

Ms ARCHER - Look, I appreciate the concerns, I really do. We've tried to be as open and transparent as possible. Certainly today, we've indicated what we're leaning towards. I've mentioned for quite some time now what we're looking at, about it not being maximum rated. We're looking at more of a rehabilitation focus. That's been on the table for quite some time.

Strongly in response to community feedback, as Mr Shepherd has indicated, that is something we have changed course on. I've changed the language around that, because I realise - I mean, I don't like referring to a prison as a prison anymore. It's a correctional facility for me, and although we've got ours in the south named as prisons - just in their actual names - the future is correctional facilities, because the design and operational structures and everything we actually build are with the outcome and focus being rehabilitation.

I'm hoping the community can at least appreciate that, and we can work with them to alleviate any remaining fears they may have. I don't want them to fear this being there, just as they don't fear youth detainees who actually can commit some quite serious crimes themselves.

Mr VALENTINE - Just a little information flow back the other way. A SIIRP is a Structured Infrastructure Investment Review Process.

Ms ARCHER - Thank you, Mr Valentine.

CHAIR - Thank you, honourable member, for that clarification.

Ms ARCHER - Did you want anything further on the social impact assessment?

CHAIR - Well, where are we with that? Is that done and dusted? Is there more to go? That will be one of the questions I'll have when I leave this seat this evening.

Mr SHEPHERD - Through you, Attorney-General, it is not done and dusted. The social impact assessment report is still being compiled by our consultant. We expect to get a report from them in the next few weeks. One of the commitments we've made is that as part of that social impact assessment report there will be a draft social impact assessment implementation plan, which will list the type of things the consultant has obviously heard through the consultation that has been undertaken, and potential ways we can try to mitigate some of those concerns. For example, one of the things we've heard from a lot of the near neighbours is that they're very concerned about, say, the visual impact of the facility. We will look at mitigations for that, which may be as simple as potentially planting a tree buffer around the outside.

Ms ARCHER - Which is very common on the mainland.

Mr SHEPHERD - If you go to the Risdon site and drive past on the East Derwent Highway, it does work quite effectively to screen the facility. So, that will go out as a draft implementation which the community will then be able to comment on.

CHAIR - My question, then, is why wasn't the significant buffer put forward or pushed harder on the original site? That was some distance, away and I know there was a pushback from the community -

Ms ARCHER - We tried. The community at Westbury clearly did not want it, come hell or high water. There's nothing I could do to convince them.

Mr VALENTINE - It was an environmental thing, wasn't it?

CHAIR - No, not at the first site.

Ms ARCHER - There was nothing we could do to convince the community, and it was quite some distance. I don't want to offend anyone, but it was kilometres away from the town centre. Anyone not from the area would have thought it was right within a couple of metres or something. As you know, we lost that battle. We listened to the community.

CHAIR - Yet this community is also espousing exactly the same concerns around an adult correctional facility, so why is their voice now considered?

Ms ARCHER - I remain committed to working with them. We will work with them. I am not moving for a fourth time. This is a suitable site, in our opinion, and we are really strongly dedicated to working with that community of neighbours, as Mr Shepherd has put. I wish I could keep everyone happy all of the time. It's probably an impossible achievement, but I will do my darndest.

CHAIR - On the strength of that, please do appreciate that we have to ask these questions and you have to provide the answers.

Ms ARCHER - Absolutely, I understand.

CHAIR - We do thank those who have provided information to us in this afternoon's session. We will break for afternoon tea and come back at 4.30 p.m.

The Committee suspended from 4.18 p.m. to 4.30 p.m.

CHAIR - We have the areas of scrutiny under your Ministry for Workplace Safety and Consumer Affairs.

Output group 4 Regulatory and other services

4.1 WorkSafe Tasmania

Ms ARCHER - I can introduce my department secretary Ms Ginna Webster and to her left Narelle Butt, who is Acting Executive Director of Consumer, Building and Occupational Services, as members will know. CBOS is a key focus in responding to pressures in our building industry. This includes the development of increased protections for building consumers, administering the financial assistance package that we have delivered for some consumers affected by building company collapses so that there's no disadvantage whilst we develop the consultation of our reintroduction of home warranty insurance in Tasmania.

CBOS continues -

CHAIR - We are dealing with WorkSafe first.

Ms ARCHER - Sorry.

CHAIR - This is your overview opportunity. We'll finish that one.

Ms ARCHER - Worksafe Tasmania has had a strong program of inspections throughout the COVID-19 period and coming out of that, continues to work both proactively and reactively to ensure improved safety outcomes are being achieved by targeting harm reduction programs towards areas of critical need. Psychosocial risks and silica have been heightened areas that we've had to deal with in WorkSafe Tasmania. It remains having a strong educative focus, working to promote a broader understanding of work, health and safety across the Tasmanian community.

CBOS has been continuing with the implementation and enhancement of the registration of Working With Vulnerable People scheme, including work to expand the scheme to include additional cohorts. That work is currently underway. To support this, a further \$300 000 will be provided in this budget year from the Digital Transformation Priority Expenditure Program to the Registration to Work with Vulnerable People Information Management System.

The Budget also provides \$2.4 million this year from the Digital Transformation Priority Expenditure Program to complete the final stages of development and implementation of the PlanBuild Tasmania project to deliver an essential access point for industry, property owners, developers and planning and permit authorities to manage planning, building, plumbing and other development-related inquiries and applications across the state. A lot of members as past local government representatives will remain interested in that area, I'm sure.

CHAIR - Thank you very much, Attorney-General. I'll now go to Mr Willie to commence the questioning on WorkSafe Tasmania.

Mr WILLIE - My first question is on industrial manslaughter. Tasmania has double the national average of workplace deaths occurring each year. At the national meeting of Work, Health and Safety ministers earlier this year, ministers, by majority, agreed to adopt industrial manslaughter into their work health and safety laws, reflecting in-principle recommendation 23b of the Boland review of the model of work, health and safety laws.

Did you support the industrial manslaughter inclusion in the national model work, health and safety laws, as part of the work, health and safety ministers meeting in February?

You've previously expressed a commitment to compliance within the model laws and adopted changes made to them. When the industrial manslaughter offence is adopted, as expected, by a majority later this year, will you commit to legislating it here in Tasmania?

Ms ARCHER - There are number of questions there. No, I wasn't part of that original decision, which I have been very open about in being questioned by Ms O'Byrne, that I didn't agree at that meeting. As you've highlighted, in recognition of this decision, minsters agreed by majority to amend the model Work, Health and Safety Act to include jurisdictional notes and a model penalty for dealing with industrial manslaughter.

The model penalty will be \$18 million for a body corporate and 20 years' imprisonment for an individual. So, it is significant. Currently, our criminal code does - and it is an existing law that's been in place since 1924 indeed - deal with manslaughter charges and can be dealt with in cases of industrial death. That is not precluded from being dealt with under that act.

Having said that, the Commonwealth minister, Tony Burke, indicated that it is the Commonwealth government's intention to scope and consult on an industrial manslaughter offence under the Commonwealth WHS laws. This is the agreed process for amending the model WHS laws. The Tasmanian government remains committed to that process. As part of ministers in this area, I am part of those meetings discussing that. I look forward to continuing to work to develop the significant increase to penalties for category 1 offences under the model laws as well.

I note that many jurisdictions have already introduced industrial manslaughter offences or have committed to doing so. I will be very interested to see how they will operate and that there are no perverse outcomes or unintended consequences. In the meantime, it is not like this state is without an ability for someone to be charged in circumstances where there has been manslaughter in the case of an industrial death.

Mr WILLIE - To clarify, are you committed to legislating here in Tasmania or you want to wait and see?

Ms ARCHER - I am part of the process to wait and see. There is a long way to go in that process. We may be convinced, Mr Willie. I am certainly not at that commitment stage and nor is the rest of our government.

Mr WILLIE - Have you sought the views of workers and their unions on the issue?

Ms ARCHER - I remain open to having discussions with all sides of any debate. I am very happy to hear from unions.

Mr WILLIE - I am sure they would like to engage with you.

I have another issue here which is an asbestos issue. On two occasions in October 2022 and there was one previous to that in December 2021, friable asbestos containing insulation was removed from the crumb plant at Mondelez.

Ms ARCHER - You mean Cadbury?

Mr WILLIE - Yes, Cadbury. In your electorate, not far from mine. The register confirmed this asbestos contained material to be friable which requires a class A licence to remove. However, Mondelez engaged a class B licenced asbestos removalist to conduct the friable asbestos removal. Friable asbestos removal requires a higher level of safety control than non-friable removal. However, both Mondelez and the asbestos removalists classified the friable ACM as non-friable ACM.

Can workers be assured that proper processes were followed and their health and safety was not at risk? If the company had removed the asbestos, and it did not have the appropriate licence, what action is being taken?

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Ms ARCHER - I will get Ms Pearce to see if she can answer that as best as possible, or we can take part of it on notice. We are not aware of the specific case.

Ms PEARCE - Managing the risks of asbestos is the responsibility of the person conducting a business or undertaking to assess the risk, to assess what they're actually seeing on the site and to consult with workers in relation to those risks and look at managing the risk appropriately.

Worksafe has been dealing with Mondelez and health and safety representatives in relation of a number of asbestos related matters at Mondelez over a significant period of time. I do not have specific details in relation to those particular issues you are raising at this point in time. As a general matter the Work Health and Safety Act actually precludes me from providing information which has been obtained using the powers under the act. I can tell you we are working with Mondelez, we are working with the health and safety representative and will continue to do that. Whilst I certainly look at what else is available, there is limited information I can share because Section 271 of the act is actually quite strict in terms of what information I am able to release.

Mr WILLIE - As part of that process you might be able to tell me are the workers that may have been exposed been identified and that been recorded?

Ms PEARCE - Again, I am not able to.

Mr WILLIE - Okay. I'm happy for some other members to have a go and then maybe come back to me.

Ms WEBB - How many people are employed by Worksafe Tas who are occupational hygienists?

Ms ARCHER - I am very happy for you to interject because I don't know.

Ms PEARCE - We have two of our staff members are qualified occupational hygienists.

Ms WEBB - And are they employed in that role with WorkSafe Tas or in different roles that are not related to being occupational hygienists?

Ms PEARCE - Both of them use their knowledge and skills gained through their occupational hygiene in the work they undertake.

Ms WEBB - And what roles do they hold at WorkSafe Tas?

Ms PEARCE - One of them is involved in our clinical safety area and the other works in our major projects area and particularly dealing with things such as exposures to hazardous atmospheres, dust disease, that sort of area.

Ms WEBB - Are they members of the Australian Institute of Occupational Hygienists?

Ms PEARCE - I know that one is, I am pretty sure the other used to be and may still be, but I know he was at one stage, yes.

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Ms WEBB - How many enforcement actions has WorkSafe Tas has taken in the last three years in relation to COVID-19 risks?

Ms PEARCE - As at the 31 March we have issued 93 notices throughout the pandemic.

Ms WEBB - From what dates?

Ms PEARCE - From the start of the pandemic, 1 April 2020 until the 31 March there have been 93 notices issued. All of those are improvement notices, bar two. There was one infringement notice and one prohibition notice issued in 2020.

CHAIR - Can I have the staff numbers for WorkSafe Tasmania and also some understanding on the education WorkSafe Tasmania undertakes for those businesses and the like around the state, given we are living in a world with COVID-19 now, so people can move about again.

Mr WILLIE - Can we have the staff and vacancy numbers too?

Ms WEBSTER - WorkSafe currently have 120.39 FTEs. As at 31 March 2023, there were 94 FTE and a headcount of 99 staff. There were 24 vacant position in WorkSafe at 31 March, and 22 of those were permanent positions vacant as a result of promotions, transfers, resignations and retirements. Two were short-term vacancies due to staff acting in higher positions or extended approved leave.

Ms Pearce might have more up-to-date information, but as at 30 March, selection processes were underway for 17 of those permanent positions.

CHAIR - Thank you. Are those positions spread across the state? Is there predominantly a lack of staffing in the south?

Ms PEARCE - The vacancies are spread across the state - predominantly in the north and the south at this time, and spanning across all areas of WorkSafe.

CHAIR - What about education and particular programs that are being rolled out to educate the public? I am sure education in-house happens as a matter of course. I think it's called personal development.

Ms PEARCE - Worksafe Tasmania run a number of education programs. We deliver an ongoing education program, including the Worksafe Tasmania conference, as well as WorkSafe Month. The conference is a one-day conference in July each year. WorkSafe Month is a whole month of activities that run right around the state, including on the west coast. We have our Better Work Tasmania. Only a couple of weeks ago we ran a really successful forum around the west coast in the mining industry looking at voids, and the risks around voids. We run an advisory service as well, which is funded by the WorkCover board, so I should say that all of these -

CHAIR - Pick up the phone advisory service?

Ms PEARCE - No. All of our education and advisory activities are funded from the WorkCover Tasmania board. With the advisory service, we employ advisers who deliver

services to small to medium businesses. They'll go out to those businesses, after being in contact with them, and provide advice in relation to setting up safety management systems, or in relation to specific risks. They also do presentations to new and young workers relating to the risks in that space, trying to educate workers before they get into the workplace, to have them better equipped.

Our awards program is another way of recognising high performance within the sector. That is run every two years by the board. We have our Safe Farming Program as well, where two advisers provide advice dedicated to the farming community, very much focused on having a chat around the farm table and helping set up systems on-farm to support them.

We attend shows and different events. Agfest is one. We also go to the more significant agricultural shows. We certainly go to Flinders. We go to King Island. I can't tell you right now that we do Scottsdale, but we'll look at hitting those. We certainly go to the key agricultural shows as well.

CHAIR - Scottsdale is key to that.

Ms PEARCE - I'll make sure we take a note of that. So, we run those programs as well.

We also have a help line where people can ring and ask for information and advice over the phone. We get a lot of queries in through the helpline.

We're also running an education program to support health and safety representatives at the moment, and doing some work around trying to build the support to health safety representatives.

CHAIR - You can sup on mine and then I've got one more question, thank you.

Mr VALENTINE - You talked about on farms and quad bikes are a real concern. You addressed that; can you tell us a bit more detail on how that's addressed? Is it training programs? What do you actually do to -

Ms ARCHER - That was my baby when I took on this portfolio, but go right ahead and explain it.

Ms PEARCE - There has been a significant amount of work done in relation to quad bikes. There have been regulatory changes in relation to the requirements for safety, both in assessing the risk and providing equipment and training in relation to quad bikes. Changing the age - it's been coordinated across different portfolios; the safety standard, the manufacturer and importation of quad bikes have changed as well. The requirement for rollover bars to the shift to the height-to-weight ratio.

Mr VALENTINE - The number of people who sit on seatbelts rather than put them on.

Ms PEARCE - Correct, that's still a challenge, or that's more in side-by-sides than quad bikes because quads don't normally have a seatbelt. Helmets are compulsory as well. Our advisers in the Safe Farming program don't provide the training, but they will certainly provide advice to the farm on where to get it and how to set up an ongoing safe system of managing

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that risk because just putting the training in isn't going to help unless you're actually making sure that you've got good procedures and processes in place to ensure -

Ms ARCHER - It's a real issue.

Mr VALENTINE - Inherently, it's a bad centre of gravity.

Ms PEARCE - Yes, there are significant risks. The Safe Farming team are very strong on recommending the operator protection devices to stop the rollover, it's a really strong -

Mr VALENTINE - With the pole up the back.

Ms PEARCE - Yes, the pole or the round one.

CHAIR - Can't buy one without roll bars now.

Mr VALENTINE - No, you wouldn't be able to.

Ms PEARCE - I should also say in terms of education, I can't forget our social media and website, which we are continually updating, as well as our *Workplace Issues* magazine, which goes out quarterly as well and helps to spread the safety message.

Mr VALENTINE - Is there any move to make people add safety features to present vehicles?

Ms PEARCE - We had the Primary Producer Safety Rebate Scheme, and we also had a Quad Bike Safety Rebate Scheme as part of the initial regulatory changes, so there have been two rounds of support provided to farmers to improve the safety on their quad bikes.

Mr VALENTINE - Okay, thank you.

Ms ARCHER - It's around \$2 million worth of -

Ms PEARCE - It ended up being over \$3 million.

Ms ARCHER - Oh it was, was it? Right, okay, so a significant amount of funding.

CHAIR - I am interested in what sort of relationship you have with local governments. If a new business is starting up, they would possibly receive some notification on that, so I'm interested in whether you've got a relationship with LGAT or particular councils.

Ms PEARCE - We certainly have a relationship with LGAT and are working quite closely with them, particularly in relation to asbestos and asbestos coordination, and looking at how we can coordinate activity to achieve the actions under the National Asbestos Awareness program. We are also starting to have some conversations about how we can work more closely, not only with local government, but also with other government agencies to assist businesses through their life cycle - startups and particularly some of the coordination has been identified as [inaudible], particularly around distilleries so that we can make sure we are helping businesses as they're starting up, go to consider all of the regulatory issues that they

need to think about through the different phases of their life cycle, so very early work and thoughts in that space.

CHAIR - We had that terrible incident at Perth.

Ms PEARCE - Yes, that's right, just awful.

Ms ARMITAGE - I have a question regarding memorial parks; I know there is one in Launceston, but I'm not sure whether they are anywhere else in the state. The \$150 000 last year to do some more work on the Elizabeth Gardens at Invermay for workers who lost their lives in the workplace - has that all been completed or is it still on track?

Ms ARCHER - Just about. There has been quite a bit of work. It has been done in conjunction with the federal government. The Australian Government committed \$290 000 to create a permanent and lasting memorial to Tasmanians who have passed away at work. We had already provided \$150 000, as you've identified in the 2022-23 Budget. My department is working closely with Unions Tasmania, the Launceston City Council and also other stakeholders to finalise the grant arrangements and the design for the park.

Ms ARMITAGE - There is a park there and it has a certain amount and I go every year, but I hadn't really noticed any changes.

Ms ARCHER - No, and you won't have yet unfortunately, it is still to go through the design and further consultation phase. Hopefully, now we are nearing the end of the finalisation of the grant arrangements, things can move a lot faster. If that's a good summation.

Ms ARMITAGE - Hopefully by next year?

Ms ARCHER - Hopefully.

Ms ARMITAGE - When I go next year to the memorial service in the morning, that it will be completed.

Ms ARCHER - I would like to get it off our books as well, it would be good.

Ms ARMITAGE - Is it the only one in the state or do you have others in the state?

Ms ARCHER - It is the only one. It came out of the families in the north.

Mr WILLIE - What is the average length of service for an inspector at WorkSafe?

Ms ARCHER - On notice.

Mr WILLIE - What is WorkSafe Tasmania's recruitment strategy to ensure that recruits come from a range of backgrounds, not just the enforcement side, but potentially representing workers so you have a good mix of people within the organisation?

Ms ARCHER - You mean across the organisation.

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Ms PEARCE - Like most state service agencies, we recruit, design our jobs, have a statement of duties which sets out what the duties are and the selection criteria. We widely advertise, particularly with our inspector roles, we've taken to doing very clear advertising and image-based advertising to attract a broad pool of applicants. Based upon those applicants we will do a merit-based selection in accordance with the requirements under the State Service Act.

We like having a wide range of people. That is certainly what we find to be beneficial in delivering our services. Obviously, the merit principle comes first and so we are applying merit in our selection processes.

Mr WILLIE - What is the average length of time to complete an investigation and what is the average length of time between notifications being made and investigations commencing?

Ms PEARCE - I cannot give you an average length of time, but I can tell you investigations can take up to two years. They are particularly complex. We look to try to complete investigations within the 12-18 month period, is what we would usually find, given the complexity of the work that is involved in an investigation and that our inspectors are also undertaking inspections and responding to incidence and complaints whilst also undertaking their investigations.

The average length of time between a notification and when an investigation commences, really depends upon the nature of the incident. I could not give you a time frame on that.

For example, if we responded to a fatality that was work-related, that is pretty well immediately going to be an investigation because come what may, regardless of the degree of non-compliance that might be involved will be preparing a report on the workplace safety systems that were in place for the coroner. That is automatically an investigation.

It is a question of what does the inspector observe and at what time does the inspector start to inform the belief this is a matter which is potentially going to involve breaches of serious enough nature to warrant a full and formal investigation to take place. It just depends upon what the inspector sees.

Mr WILLIE - You don't keep average times, obviously, for either of those two?

Ms PEARCE - We are able to produce average times for an investigation but not for the space between an incident and when a decision is made for an investigation.

Mr WILLIE - Will you take that on notice?

Ms ARCHER - Yes.

Mr WILLIE - What is the breakdown in unannounced visits verses announced inspections when visiting workplaces, do you keep that data?

Ms PEARCE - No we do not keep that data.

CHAIR - Thank you, any further questions members? If not, we will very much thank Robyn for her time and let you get back to serious business. Thank you for putting that folder together, I am sure it will be useful information and you will receive a question from the member for Elwick through the committee process. Thank you.

Ms ARCHER - With the indulgence of the committee you recall the MPES issue with the publishing of the names, the secretary is in a position to explain that glitch if the committee was minded to hear that. If not, that is fine.

CHAIR - The committee appreciates it.

Ms WEBSTER - All content related to the published list of enforcement was taken down on the 19 of January at the Attorney-General's request. That included the web page of the spread sheet and the pdf, unfortunately Google had cached or taken a copy of the pdf version. Even though the list is not available from the website, Google and Bing were able to produce a cache version in the search result. What we have done this afternoon is upload and publish a completely blank pdf with the same web address as the published list so search for published names MPES or enforcement debt is produced as the blank pdf in search results. I have checked the link that the department has given me and that is correct.

We have also submitted a reindex page request to Google and Bing and Bing has already reindexed and Google may reindex any time in the next few weeks. Search engines apparently routinely cache content in order to provide quicker search results. We were not aware that had occurred.

CHAIR - There you are so the committee has hit the jackpot again.

4.4 Consumer, Building and Occupational Services

CHAIR - I have taken myself to the performance information in output group 4 and there are some significant percentages there, but they mean absolutely nothing to me Attorney-General because I do not know what it is a percentage of. I do not need it right now, but if I can have those percentages converted into numbers so I can work out what the actual numbers were. There is a number; complaints- the rental bond paid within 30 days; a number of matters resolved before final compliance action and the number of occupation license assessments made within 21 days. Then there are the new Vulnerable Peoples Card applications to receive a decision within six weeks and I have a couple of other questions. Not sure if you want to take those on notice, the numbers have to be somewhere to get a percentage so thank you.

Ms ARCHER - Looks like we need a numbers column.

CHAIR - Yes. I mean either one or the other but, somewhere I need to know where the numbers are. In regard to the rental bond, the perennial question is what is the quantum of rental bonds sitting with CBOS.

Ms WEBSTER - As at the 1 of June 2023 there were 46,452 bonds held at a value of \$63.7 million

Mr VALENTINE - What was that last year to refresh our memory? At the 30 of June perhaps?

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Ms WEBSTER - To the 30 of June 2022, it was 45 597 active bonds at \$59 million.

Mr VALENTINE - What happens with the income generated from bond holdings and how is it spent?

Ms BUTT - The income generated we use to operate the Rental Deposit Authority and the office for the Rental Tenancy Commissioner.

Ms ARCHER - Which is one of the roles that Ms Butt holds as Director.

Mr VALENTINE - That previous figure you gave us was about funds held, wasn't it?

Ms ARCHER - Yes.

Mr VALENTINE - So how many bonds in total?

Ms WEBSTER - That was 46 452 bonds held.

Mr VALENTINE - And you gave the quantum?

Ms WEBSTER - Yes, \$63.7 million.

Mr VALENTINE - You gave us both.

Ms WEBSTER - Yes.

Ms ARCHER - You've got a more up-to-date figure than me.

Ms BUTT - Yes, I've got it for 1 June.

Mr VALENTINE - How much interest is being earned on these funds and is being used to fund additional services?

Ms BUTT - For the period 1 July 2022 to 31 March 2023 - this would be interest on the quantum at that time of 31 March 2023 - the interest accrued was \$1.078 million.

CHAIR - And are all those funds used to cover the cost that was indicated earlier or is there some leftover funds?

Ms BUTT - For the Rental Deposit Authority?

CHAIR - Yes. Or does it need a top-up as well?

Ms BUTT - Certainly the operation of those areas wouldn't be in excess of that, I would be very comfortable to say.

CHAIR - So there's no top-up from elsewhere?

Ms BUTT - No, the units self-funded, and that's very much appropriate funding for that area.

CHAIR - And so the additional funds are carried over into the next financial year? Is that what happens to any excess funds?

Ms WEBSTER - We did need top-ups in the last couple of years when interest rates were very low. I think we mentioned that last year.

CHAIR - Well, I was thinking, there's not much interest on any money, and they're probably going to improve a bit more when the interest rate goes up - I think it might have gone up today.

Mr VALENTINE - For Tasmania's housing crisis, good policy will depend on timely and accurate information on the size of Tasmania's rental market. How is CBOS investing in making this information available to the public and to decision-makers?

Ms ARCHER - What information is that, sorry?

Mr VALENTINE - In terms of the size of Tasmania's rental market.

Ms ARCHER - I see.

Mr VALENTINE - Vacancy rates and the like.

Ms BUTT - Generally, we can access that information should we require it, but the actual role of the Rental Deposit Authority and the Rental Tenancy Commissioner is all about management of those bonds and the complaints and the legislation that we currently have. But we certainly could access and we're involved in a number of national groups through all of our roles within CBOS. We can access that information through that should we require to access it.

Mr VALENTINE - I'm just wondering how person on the street -

Ms ARCHER - Do you mean how we could push it out? That's something that we could give consideration to.

Mr VALENTINE - Take it on notice as something that might be addressed? It could be helpful for people who are wanting to know. I've got stuff on the Residential Tenancy Commissioner after you.

CHAIR -Yes, that's okay. We've just seen being passed by the parliament some significant changes to the CBOS process around building and the like, so can you see any resourcing that will be required to meet some of those obligations that came with the passing of that legislation?

Ms ARCHER - I think I sort of touched on it earlier in other outputs in transferring building dispute jurisdiction to TASCAT, it's probably about seeing what we've got within existing resources in terms of the ordinary sessional members. I think we indicated there are very good numbers at TASCAT, but if further -

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CHAIR - But the prior process - the mediation process that would be recommended before the TASCAT process - will possibly take some additional resources, so I am interested if that has been considered.

Ms ARCHER - You mean the mediation within TASCAT?

CHAIR - No, the mediation within CBOS itself.

Ms ARCHER - CBOS itself? I am just making sure I understand the question.

CHAIR - Within CBOS itself, prior to a building dispute arriving at TASCAT. That was one of the issues previously - that it was difficult to undertake or have a dispute mediated.

Ms ARCHER - I totally appreciate that, and it's the reason for the changes, so I accept all of that. If further resourcing is required, then it will undertake the usual budgetary process.

We've had preliminary discussions about this, and certainly think CBOS can operate these new procedures. If not, if additional resources are required, we will look at it through the usual budget process next year. I am confident what is required is a change of process, and early intervention in terms of mediation and the ability to adjudicate in matters where we can - and where we cannot, to transfer to TASCAT, instead of the more expensive option that we previously had, before passing the legislation, of going through the courts.

CHAIR - Can we have a quantum of how much is being paid to those who have been caught up in the collapse of a building company?

Ms BUTT - As at 31 March 2023, the total value that we paid out in claims in relation to building company insolvencies was \$3.85 million.

CHAIR - Do we have the number attached to that?

Ms BUTT - There were 84 claims paid on that.

CHAIR - Any outstanding claims at this point in time?

Ms BUTT - We are still working through a couple of claims that are pending. Because it is an ongoing process, we will have claims come in and will consider whether they meet the criteria requirements. We will then have claims we are undertaking assessment of, and claims pending payment, and then claims that are then paid. We will have a small number that may not meet the criteria as well.

CHAIR - Is there anywhere else those unfortunate people can go if they are unsuccessful through this particular process?

Ms BUTT - Generally, the areas where people are not meeting the criteria are where the builder is still operating, so they're outside the financial assistance package - which is in relation to insolvencies where a builder might have been deemed to have disappeared or has died. Occasionally we get applications that do not fit within that remit. We would work with those consumers to look at what might be other opportunities for them, but it is outside of the intent of the act.

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Ms ARCHER - The financial assistance package was set up so that people were not disadvantaged while we were developing the home warranty insurance. The home warranty insurance has a specific area that it deals with. It doesn't deal outside those three situations, nor should it, in accordance with that particular package.

CHAIR - It is a difficult circumstance.

Ms ARCHER - It is a difficult circumstance when you are far better off if the building company declares insolvency or disappears, but it's hard to prove the disappearing act, as much as insolvency.

CHAIR - It is pretty hard to disappear in Tasmania. Somebody will know somebody.

Ms ARCHER - There are some really sad cases, that's for sure. That's why we want people to be able to adjudicate in the fastest, cheapest possible manner to get enforcement of building defects – or, resolution, and it's fixed.

CHAIR - Hence the mediation. Get them to the table and you never know, you might get a resolution.

Ms ARCHER - The vast majority already do, trying to negotiate. It is the ones that are the bad outcomes, that we hear about, unfortunately.

CHAIR - We listen to many of them as you would have done.

Ms ARMITAGE - A couple of questions with regard to the Residential Tenancy Act and their minimum standards. Can you advise how many complaints have been received? What is the number of cases investigated in the financial year at 2021-22 and to date in the current financial year?

CHAIR - I am surprised she had enough time to put all this information together, given that she spent a lot of time in this room and the Chamber recently. Good team I expect. Same team as Mr Shepherd.

Ms BUTT - I do have some of those figures that you have raised. In relation to minimum standard complaints for the period 1 July 2022 to 31 March 2023, there were 33 minimum standard complaints. I will find the ones we had last year and come back to that.

Ms ARMITAGE - And the outcomes from the investigations, fines, convictions, other enforcement actions in 2021-22 period?

Ms BUTT - I do not have the 2021-22 data but I do have the 2022-23. In relation to the minimum standard complaints, just noting these are one component of the broader complaints that we consider. Of the 33, four related to cleanliness, good order repair; three related to electrical; three to heating; eight to plumbing, hot water, sewerage; one to ventilation and 14 to waterproofing structural.

Ms ARMITAGE - I am happy to take the other one on notice, the 2021-22.

Ms ARCHER - Thank you.

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Mr WILLIE - The Multi-Res collapse, I am interested in that. A few of our constituents were caught up in it, one you and I know. I spoke to them some months ago and they had someone acting for them. When did you become aware there were challenges facing Multi-Res and also when CBOS became aware of it? What did CBOS do to protect consumers who may have still been providing deposits?

Ms ARCHER - I am not sure of the exact date that I became aware but I certainly know that it became insolvent and a liquidator was appointed on 14 May. I am not sure of the date that I became aware, it is not something that I keep a record of.

Mr WILLIE - I know there was correspondence to government, not necessarily to yourself, but other ministers prior to that.

Ms ARCHER - I don't have that date as to when I became from any other correspondence. As to when CBOS became aware, I may have to take that on notice.

Ms BUTT - I don't have the date but I am aware of the correspondence that you are referring to, yes.

CHAIR - Is that something the member was requesting that the date be made available?

Mr WILLIE - Yes, I would like to know and what actions were taken from that point to help protect consumers who may have been putting deposits down?

Ms ARCHER - That is the first I have heard of people still putting deposits down. Are you talking about post-liquidator?

Mr WILLIE - Yes, not post the collapse but just when CBOS realised there was an issue and what actions were taken to help protect consumers?

CHAIR - Take the entire question on notice?

Ms BUTT - I could respond to part of that. One of the considerations for us at CBOS is what action we can take in those situations. We do not have a regulatory function in relation to insolvency. From time to time we may become aware of some building companies that perhaps are rumoured to be operating with some challenges, and we have to be very considered in what it is that we do because ultimately we can make the situation far more difficult for a building company as well.

Our only real opportunity would be to look at occupational licensing conditions and those situations, and we can actually make it more difficult for a building company if they are experiencing a challenging time but may be able to come out of that, we can actually push them earlier into insolvency, which might not have been the outcome.

Hence, we are very mindful of that from an occupational licensing perspective and also very mindful of what role we have as a regulator in that space. As Director, Building Control, my legislative functions are very clearly articulated in those relevant acts and that does not include areas around building company insolvency.

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Mr WILLIE - I am not an expert in the act by all means; so you cannot effectively warn potential customers about a builder who may find themselves in trouble?

Ms BUTT - I think the thing that we would need to be mindful of -

Ms ARCHER - You have covered that. You need to be very confident -

Mr WILLIE - That they are insolvent.

Ms ARCHER - Yes, so you are not, as Ms Butt just said, not making the situation unintentionally worse by contacting when you have not been able to either verify or otherwise.

CHAIR - You would not even know who to contact.

Ms ARCHER - No, I can think of one case that I know of at the moment where you would be reluctant to do that because of being unsure of the exact circumstances and whether or not the claim that they are insolvent is actually the case, when it has not yet been formalised.

Mr WILLIE - No doubt it is a difficult space; it is just that there is a lot of injustice that happens where customers unknowingly do their dough.

Ms ARCHER - From a regulatory perspective, it's really difficult. The financial assistance package does cover the situation once they have become insolvent. I would encourage people who are caught up in that collapse to contact CBOS because it is highly likely that they will be able to access a financial assistance package which may reimburse all their funds - yes, because it covers deposits.

Ms WEBB - It is a supplementary to the member for Launceston's questions a moment ago about the complaints received relating to minimum standards. The numbers you gave us were for the year to date in this 2022-23 financial year, but the first time I thought you said 31 and the second time, 33; I just wanted to clarify that. The core of my question is: I think you listed for us the areas that those 33 matters related to, but the question I am interested to have answered is: what came about as a result of investigations of those matters in terms of fines or convictions or other enforcement actions?

CHAIR - Hopefully better heating, waterproofing, plumbing fixed.

Ms ARMITAGE - I've put that on notice. I've already sent the letter off to Julian, too.

Ms WEBB - Sorry, I did not understand that part had been taken on notice. I thought we had just covered the areas - my mistake. I did not realise that it had been put on notice. So thank you. That same will be provided for the last, the 2021-22 financial year? I'm quite interested in those figures from the time that - actually, no, that's okay; two years will be fine. Moving on from that, can I ask another question then about the minimum standards? What resources and funds have been spent on enforcement measures and oversight of the minimum standards across those two years, and is that an area that you spoke about being funded through the bond authority?

Ms BUTT - The first part I will need to take on notice, but I can respond to the second component, Attorney-General. In relation to the minimum standards component, that is part

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of the work of the Rental Deposit Authority and also, the work of the Rental Tenancy Commissioner. The previous information I provided on the funding in relation to the accrued interest that would be the work funded through that component.

Mr VALENTINE - Can you list the number and type of penalties that have been issued for infringements of the RTA minimum standards, since the act came into force?

Ms ARCHER - We will take it on notice.

Ms ARMITAGE - I ask this question quite regularly. With regard to the mutual recognition between states, there has always been a problem with building surveyors in Victoria. I wondered if that had been sorted that our building surveyors from Tasmania can now work in Victoria or not? There was an issue in the past it was felt they were not up to the same standard.

CHAIR - We know that is not true.

Ms ARMITAGE - We know it is not true, but Victoria obviously didn't agree.

Ms ARCHER - It is listed as one of the key occupation types. Two have registered in the period 1 July 2022 to 31 March.

Ms ARMITAGE - Two Tasmanians working in Victoria not the other way. In the past one of my constituents relocated when there were problems with building surveyors here and relocated to Victoria, but Victoria didn't feel that our qualifications were adequate to allow them to work in Victoria. Just wondered if that's being rectified?

Ms ARCHER - That issue I am aware of. I'm sorry we haven't got it.

CHAIR - Are you happy to take that on notice?

Ms ARCHER - Yes, absolutely.

Ms WEBB - Back to the Residential Tenancy Act. In relation to there is always a lot of areas with that act discussed in the public domain in different ways and other jurisdictions in recent years have done updating of their similar acts. Is there a projected timeline you would expect we would be looking to do substantial review and update our act?

Ms ARCHER - We are looking at that. At least, we have a work program.

CHAIR - You will know the answer.

Ms ARCHER - This one is a little bit up in the air, in terms of programming because we are so busy with a lot of things, as we always are and OPC demands.

CHAIR - Bruce is Bruce Paterson, Acting Director, Strategic Legislation and Policy. When are you going to get appointed, Bruce? Proper?

Mr WILLIE - Here and now.

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Ms ARCHER - We have a very busy work program.

Mr PATERSON - We have a very busy program for the remainder of year, but this residential tenancy work is part of that. I do not think it will necessary progress to a bill this year. But I would expect at the current rate, the timing next year on projects that are priorities of the Attorney-General.

Ms WEBB - Can I ask a question about process? Given I was in the community sector when the last time there was a big look at this act and there was a lot of engagement with stakeholders in a whole range of areas that enter this area. In terms of something substantial being done on a review of the act, at what point do you begin to engage in a purposeful way with external stakeholders to feed into that?

Ms ARCHER - We would either release something we call an exposure draft that people might be able to comment on, or you straight to a draft bill, which again, we would release for consultation. There would be in some form to put out for consultation.

Ms WEBB - But not a discussion process leading into that before there is something actually drafted?

Ms ARCHER - Loosely speaking, that's what the exposure draft is really, isn't it?

Ms WEBB - I am very familiar with exposure drafts. I engage with them quite regularly. I am just interested in the process because obviously, once something's already drafted, a lot of work has gone into drafting it, even as an exposure draft. Sometimes, an earlier consultation could have provided good input at the pre-exposure draft stage. I was just interested to understand if the intention was to have that.

Ms ARCHER - I am surprised by that because I felt that people in the community and all of the sector stakeholders would have that had already been done to death in terms of the parliamentary inquiry that was done and something else that was done, that would have formed the basis of an exposure draft. But if it came to us that we needed to do something even more base-level, then we are happy to look at that.

You're right, there are a number of issues in this area that fall under residential tenancy.

Ms WEBB - The parliamentary inquiry isn't incredibly recent, is it? What year was that? The parliamentary inquiry was a while back.

Ms ARCHER - Previous term.

Ms WEBB - It is not a particularly recent piece of engagement.

Ms ARCHER - No. Yes.

Ms WEBB - I will take that as an encouragement that perhaps more engagement ahead going to the trouble of drafting, because there would be valuable input to be provided from stakeholders who would appreciate doing it before being presented with a bill, which always begins to feel like a *fait accompli*.

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Ms ARCHER - That is useful to know, because I thought it would give you the opposite. There you go.

CHAIR - If the member is satisfied with the response. I think you have a positive from the Attorney-General in regard to that.

Mr VALENTINE - You may have been presented with this question yesterday. You may have heard something on the news in relation to pet bonds. For those who may not have been listening yesterday, beaming in...

CHAIR - It made the ABC news this morning.

Mr VALENTINE - New laws have been introduced in most states, which basically say that tenants are allowed pets in rental properties. Some of the provisions that exist there may be for additional small bonds being charged in the case of damage, as well as many apartments are relaxing their by-laws for suitable pets, like dogs, small dogs, cats, and birds.

It is considered we are playing a bit of catch-up in Tasmania. You seemed to express last year you were willing to review the laws pretty well immediately. You said it was about balance a lot of the time and you are very open to looking at this because you knew how important it is for people to have their pets for various reasons. Companionship was one of them.

Ms ARCHER - I have not done it straightaway for the very reason that it falls within the Residential Tenancy Act and if that was just the one thing that was going to change and we could put something through quite quickly to deal with the issue, that would be terrific.

However, I am not confident that it would not open up a whole other raft of things the member for Nelson has just identified that need to be consulted on more broadly. I would be very happy to put something through as part of a miscellaneous, but as I said yesterday, I do not even think I was asked a specific question it was more just about the residential tenancy. I used that as an example because you are correct, I do favour pet bonds because I see that we need to have balance.

I am very sympathetic to landlords who have been left in horrific situations, where the bond itself has not covered the clean-up costs that they have faced, some of the things people do and the living conditions with pets. The vast majority of people love their pets and look after them and that is not going to be an issue but there are some really bad cases where it is not. That is why I would favour that balance situation of pet bonds. Having said that, I would not want it to be outside the reach of people because it's too expensive. Some work would need to be done on that as to affordability because of the current situation that we have been talking about today with the rising interest rates and all of the other issues. Is it the time to be doing that? So, yes, it is about balance.

CHAIR - Would it have an adverse effect on those who might be willing to rent a property with no pets attached and then take their home out of the rental market? There is always that side as well.

Ms ARCHER - That is the perverse outcome that I talk about when I talk about rent capping as well. People can take their property off the rental market because of that.

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CHAIR - And that would be even worse.

Ms WEBB - You can certainly look to other jurisdictions that have gone down this path of the pet issue before us, where the presumption is you can have a pet rather than the opposite. We can look to evidence there about the degree to which it has impacted on people on putting their properties forward or even the degree to which a pet bond is required because potentially regular bonds can do the same job.

Ms ARCHER - I urge members to be really quite realistic about the horrific stories out there of what some landlords are faced with. I heard of a situation today where I cannot even repeat what it was because I would not even want to say.

Mr VALENTINE - Is it something you might put in progress in terms of consultation, in the immediate-

Ms ARCHER - As I said, I am giving thought to how we go about any residential tenancy reform whether you do it in a large batch or deal with some of those smaller issues.

Mr VALENTINE - I am hearing it might not happen tomorrow.

CHAIR - I think we got that message from the acting director, I think that was right.

Ms ARCHER - Yes, although I have said just then, if it was an easy matter of dealing with one issue then you could do it quite easily and quickly.

Mr VALENTINE - Watch this space.

Ms ARCHER - It depends on what members are minded to do - whether they would butcher a bill or not.

CHAIR - One thing about the Legislative Council, you will never know what they are going to do until they do it.

Mr WILLIE - Sometimes we don't know until we do it.

CHAIR - That's the beauty of a number of Independents. Any other questions in this are? If not, we thank Narelle very much for her work on this effort today but also more recently. It was quite a large piece of legislation and took some time, but important.

Ms ARCHER - While we are bringing Arts to the table -

CHAIR - We might need some changes because you have a new hat.

Ms ARCHER - We will.

CHAIR - We will have a five-minute break.

Ms ARCHER - Before you do, I thank my Department of Justice officials who have been here all day, some of them, and some of them who have appeared throughout. Thank you very much. I know that a lot of work goes into preparing for budget Estimates. I thank each

and every one of them in the department, whether they've been assisting today or back in the department.

CHAIR - We endorse that, Attorney-General, because we do our best to go through every line item so that those people who have prepared those briefing notes at least understand that we are appreciative of that.

Ms ARCHER - I do read them.

The Committee suspended from 5.40 p.m. to 5.46 p.m.

DIVISION 11

(Department of State Growth)

Output group 5

Cultural and tourism development

CHAIR - This is for your responsibility as minister for the Arts. I am sure you will have an opening statement.

Ms ARCHER - Yes and to my left I have Kate Kent, Deputy Secretary, Cultural Arts and Sport. I have a brief opening statement for the Arts, it's a portfolio that I enjoy immensely, as with all my portfolios but, particularly because Tasmania now has a well-deserved reputation as a cultural and creative powerhouse that is recognised interstate and overseas. That is based on a number of factors. I'm immensely proud of our cultural and creative industries as they showcase who we are, and of a shared Tasmanian experience, bringing thousands of visitors to our state as well. Importantly, these industries are significant contributors to our economy, attracting visitors and employers as well.

As a government, we remain committed to providing ongoing support and the Budget continues that commitment, building on the very strong investments that we've made to date, particularly throughout the COVID-19 period, on a per capita basis, some in excess of \$13 million.

This Budget includes ongoing funding to support and secure the future of our wonderful TMAG which holds our state collection, but also the screen production industry, our video games industry and Tasmania's literary and storytelling capabilities.

Notably through our Government's Arts Tasmania's grant programs and the Art Site Scheme, there's a thriving arts community as a result. These initiatives support Tasmanians, fostering and funding opportunities for artists, arts businesses and arts organisations. All of these generate economic activity and create jobs but also attract new ways for audiences to engage with the creative work of talented locals.

The Budget provides an additional \$2 million to TMAG over three years to support continuing building maintenance for the iconic buildings, ensuring the protection and security of our state collection, as I've mentioned. Funding is also allocated to Screen Tasmania with a further \$1 million to enable the support of production activity through our screen innovation fund, which was an election commitment of mine some two or three elections ago. The success

of that fund has been that it has nurtured an undeniable burgeoning screen industry and supported Tasmania as a real filming location of choice.

Mr VALENTINE - Alex is beaming back there.

Ms ARCHER - Yes. He is, I know because I'm saying all these wonderful things and it's all because of Alex Sangston.

Mr VALENTINE - As long as he didn't write it.

Ms ARCHER - I am also immensely proud of - and we've done this through the revamping of what we now call the Tasmanian Literary Awards - is ensuring that Tasmania's captivating history of storytelling and our storytellers benefit from our long and rich heritage and that we tell those stories. We can do that through things like our awards and we recognise that.

It is reflected in our arts with artistic works, with a visual performance produced or written, incorporating and being inspired by our ancient Aboriginal traditions, some tens of thousands of years old and to the vibrant tales of a modern and diverse state.

Just in a nutshell, our cultural and creative industries are important to the state for several reasons. As I have noted earlier, they are an economic stimulator, a job creator, but importantly they feed into the fact we have this incredible reputation that is a combination of uniqueness, of mystery, a little bit of darkness as well as probably evidenced by Dark Mofo out there at the moment. There's no better to show the world what it means to be Tasmanian than through the arts.

5.1 Tasmanian Museum and Art Gallery

CHAIR - I will now invite the member for Launceston to commence the question for TMAG first.

Ms ARCHER - We might Mary Mulcahy, who is the Director of TMAG up to the table.

CHAIR - Who would be smiling with \$2 million over three years.

Ms ARMITAGE - I am just looking at some of the figures to do with visitors. Now that we are really emerging from the issues caused by the COVID-19 pandemic to the in-person visitor numbers to TMAG. What is being planned to accelerate the slow return to pre-COVID-19 visitor numbers, and what plans are in place to achieve the ambitious target of 230 000 visitors and 345 000 visitor engagements? I do notice the figures in 2021 we had, was it, 241 439 engagements that weren't physical? Went down to 49 000, which is interesting once COVID-19 started to ease a bit. The target in 2023 was 115 000 and of 155 000 coming up. What are we going to do to achieve those?

Ms ARCHER - As to strategy and the like, I will ask Ms Mulcahy to illustrate. I know the Board of Trustees has also been working on this quite significantly.

Ms MULCAHY - Yes, the numbers have been slowly increasing since COVID-19. It hasn't hit pre-COVID-19 as you can obviously see from those numbers. Again, we have a very

big exhibition program. We have been working really hard on our public programs and learnings and making sure we activate the exhibitions with activities that bring schoolchildren through and other community members. We actually have an active program for reviewing our exhibition and also our engagement schedule. We have a new Deputy Director of Audience Engagement and that is one of her main priorities at the moment. We are really looking at how we engage the community.

We are not just constraining that to the walls of physical buildings. The online engagement with [inaudible] dropped interestingly during COVID-19, possibly, I suspect, because it was everyone else who was going online, so it took a while for our online programs to kind of build -

Ms ARMITAGE - We had a lot in 2021; 241 439. And it dropped to 49 000.

Ms MULCAHY - I am not sure what that was about, but it's definitely increasing. We are still getting a lot of people coming online, so we have not stopped doing that. We have continued with the online programming. We are looking at how we can do that differently and better. It's not just a physical presence thing. We're actually really at how to engage in the electronic medium, websites, but also online programs, so it is a really active part of, particularly our public programs and learning team. They have a strategy on that, looking to really build the online as well as the in-people.

Ms ARMITAGE - Just getting an understanding to do with is it just online and digital? I take it that the total number of visitors are people that go to the museum. But when we look at the target for last year, we said it was 230 000 total visitors and then visitor engagement. Visitor engagement is the online, the website, anything else apart from that?

Ms MULCAHY - There are visitors to the city site, which is majority of where they come, but there are also visitors to things to like the Herbarium and our other sites. That's where the collections are. There are also visits to the two-house museums we have on Hampden Road. That's the physical presence piece. The online component is, as you say, on web, but it is also social media. That sort of combined total, the larger amount, includes every engagement we take.

Ms ARMITAGE - Every time they hit, basically, even if it's the same person that hits at several times, is that counted?

Ms MULCAHY - It's not counted as hits, I think it's impressions so it goes beyond.

Ms ARMITAGE - But each time, it can be person that might go three times and have a look, that's classed as three as opposed to a number.

Ms MULCAHY - My understanding is those numbers are not just direct hits, it's not same person coming in 20 times, so we have 'do they go somewhere else in the site?'; they track that kind of thing so it is a more active engagement as opposed to just coming in and then leaving again. That's the kind of stat you track. I'm happy to check that.

Ms WEBB - A supplementary question on that one. I understand website hits, and it could be the same person coming to the website, but it could be the same person in person as well. You mention social media; how are those numbers incorporated into the number?

Ms MULCAHY - Basically, the engagement in social media is that people are posting or clicking on from a social media post to find out more information, so it's that kind of engagement in the social media.

Ms WEBB - It tracks through to the website or tracks through to one of the other products. Thank you.

Ms ARMITAGE - I'm assuming it's just the one person, not if they have a thread - each time they have a thread it's counted?

Ms MULCAHY - I think it's one of those challenges where, if they love it and they keep coming back - but it is one of those challenges with online programming.

Ms ARMITAGE - To get accurate figures, that's what I was trying to look at. Just with regard to the digital engagement initiatives that were implemented during the pandemic, is there a permanent place for those? Are some of the things that you implemented likely to stay?

Ms MULCAHY - Yes. We still have got all of the interviews with curators for example, curators going into the exhibition and talking about, for example, works of art; they're all still available and we've been building on those as well. As I said, there's a strategy to look at how we can do that more and how we can improve on that.

Ms ARMITAGE - Is there a significant cost to keep that, or because you've got it already, it's just the maintenance cost?

Ms MULCAHY - The website is there as a - we use the Department of State Growth's platform. There are different ways you can engage and different platforms you could use. That has increased expenses, but we're using what we've got.

Ms ARMITAGE - I was wondering about the costs, that's all - the cost of the initiative that you had during COVID-19, whether it was simply a management now of keeping them all, or whether there's an ongoing cost.

Ms MULCAHY - For example, the interviews that were done by our comms people and then uploaded onto the website, so it's a pretty -

Ms ARMITAGE - So they're just there.

Ms ARCHER - Yes. I don't even think it's a maintenance, it's just there.

Ms MULCAHY - Yes, and we just continue to add to those.

Ms ARCHER - Archive it.

Mr VALENTINE - I am interested in the Herbarium. It's a bit of an unsung hero, I don't know whether that's the right term but it's -

Ms ARCHER - It's a massive collection.

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Mr VALENTINE - It's an amazing collection and I'm just interested to know how much of the Budget in this line item is actually associated with the Herbarium.

Ms ARCHER - I think we might have to take it on notice.

Mr VALENTINE - You don't have that split?

Ms ARCHER - No.

CHAIR - But it is available?

Ms ARCHER - We could find out.

Mr VALENTINE - The funding allocation to the Herbarium and probably, if you're going to the trouble of getting that information out, over the last four years. I'm also interested to know whether the university's proposed move to the city has impacted the Herbarium in any way, shape or form financially in what it might have to cope with. Is there an idea that it will be moved or not? Has there been discussion around that?

Ms MULCAHY - We have met with the Vice Chancellor to talk to him about their plans, particularly for where the Herbarium is sited, which is just sort of down on that walk we used to call the 'botany hill'.

Mr VALENTINE - What did you call it?

Ms MULCAHY - The 'botany hill', because the botany department was at the top of it. We have had those conversations with the Vice Chancellor. He understands that the Herbarium is an important institution and you can't just pick it up and move it, so they will include us in their planning from now on - that's what we discussed with him.

Ms ARCHER - It's kind of a unique building in itself.

Mr VALENTINE - Well, it is, and I suppose at what point did they get in touch? Have you known about this for some time or not?

Ms MULCAHY - It predates me being here, but my understanding is that the team has been engaged and the university has engaged with the Herbarium team and with TMAG.

Ms WEBB - Do we have a ballpark timing on when that engagement started?

Ms ARCHER - I need to check. I think it has been a decent amount of time. My memory seems to go back on this.

Mr VALENTINE - Is it possible to get that sent to us?

Ms ARCHER - I think we could - it could possibly be at least a year.

Mr VALENTINE - And the number of staff involved at the Herbarium, both head count and FTEs.

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Ms MULCAHY - I can get that for you. I don't have that off the top of my head. It's partly complicated because we have a lot of volunteers there, but you are looking for paid staff?

Mr VALENTINE - Yes, paid staff - but I'd also be interested in the number of volunteers, and whether they are there part time, full time.

CHAIR - The number of registered volunteers. We don't need their hours, thank you.

Mr VALENTINE - It's generally forgotten, and people don't realise it's actually connected with TMAG, which is interesting.

Ms ARCHER - Correct. It's quite an unusual and different part of the work at TMAG.

Mr VALENTINE - I have another question on TMAG, but it's in the CIP area.

Mr WILLIE - I went to mapiya lumi, the Aboriginal exhibition for kids.

Ms ARCHER - That was our \$1million commitment to the children's gallery.

Mr WILLIE - I was interested in whether you have plans for more of those kinds of things. It was a great school holiday thing and there were stacks of people there. A great way to bring probably new people into the museum.

Ms ARCHER - I know people who have been back numerous times because the kids absolutely loved it. In fact one of my staffers, who I won't name, has recently gone back with their little one and loves it, and their two-year-old absolutely loves it. It's for all ages.

Mr WILLIE - When I attended - we went there twice - I saw a lot of potential to bring new people into the museum and do exhibitions across topics.

Ms ARCHER - Quality, too. That's a real quality one. I think it's fair to say that everything TMAG does they do exceptionally well, and certainly there's some pretty exciting things afoot.

CHAIR - Would you like to announce something now?

Ms ARCHER - I can't just yet, I may get in trouble.

CHAIR - It's about time you announced something that this committee can say we got a first.

Ms MULCAHY - We do have other programs for small children. There's a Lift Off! festival that happens in October.

Ms ARCHER - There's also Beaker Street.

Ms MULCAHY - Yes, although Beaker Street is an older age group. Recently we had a trail through for History Week for small children which was incredibly successful, and which actually took children through the whole of TMAG to find these little cartoon characters that

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had been put all through the museum. They were historical characters and figures, and it was incredibly successful. So yes, we're really looking for those opportunities to engage.

Mr WILLIE - In terms of TMAG's capacity and potential expansion - and I'm sure the member for Launceston will ask about QVMAG - sites like the Hobart jail aren't far away, and I'm sure there's probably a lot of Tasmanians have never experienced it.

Ms ARCHER - The Board of Trustees have done a lot of work in terms of strategy and scoping, all of that, to have upgrades and expansion. Obviously stage one has been done, with that beautiful area that we use for receptions and exhibition launches in the main central gallery - I think that's what we call it. Obviously there would be a lot of work in a second stage.

Mr VALENTINE - That was first mooted with Bill Bleatham wasn't it, years ago?

Ms ARCHER - Yes, long time ago now, so it is one of those -

CHAIR - I think you've been beaten to the ball.

Ms ARCHER - Bigger projects, really bigger projects, one which deserves attention.

CHAIR - The member for Launceston might need to get her question out of the way.

Ms ARMITAGE - The funding for QVMAG, probably for the 2021-22, and 2022-23. Now we have a stadium spill, I was wondering if we would have a museum spill. It would be really great if the state every year, could take over our museums because I know how much it costs to run. I do recall in the 40s, and I mentioned in here, the councils foolishly accepted it for about \$1.

Ms ARCHER - The figure?

Ms ARMITAGE - Yes, what was the funding to date, or current to date as it is, or what we are likely, I think it was in the Budget.

Ms ARCHER - Well the 2022-23 was \$1 677 738.00

Ms ARMITAGE - Is it an increase on the last budget?

Ms ARCHER - Can anyone help me out with figures?

CHAIR - Welcome, David.

Mr SUDMALIS - Last financial year, members, as the minister has noted, was in the order of \$1 677 738, as the state Government contribution to the operations for QVMAG. Now, that number is made up of the base funding amount in that year of \$1 590 600, plus an amount for indexation.

CHAIR - 2 per cent?

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Mr SUDMALIS - No it's actually based on the Hobart CPI, and we speak with our colleagues and QVMAG to determine what that actual figure is. At the beginning of the financial year, it was actually properly appraised as to what the number will be. In the upcoming financial year, the amount to QVMAG will be \$1 625 000 as the base, plus indexation on top of that.

Mr SUDMALIS - Which will bring it to substantially over because the indexation amount will-

Ms ARMITAGE - Basically going up according to CPI?

Mr SUDMALIS - Plus \$35 000. I might also add, if I may, note that in the last financial year, QVMAG -

Ms ARCHER - \$800 000 -

Mr SUDMALIS - That's what I was about to move to, so I might pass back to you.

Ms ARCHER - Do you want me to steal your thunder?

Mr SUDMALIS - Please, minister.

Ms ARCHER - \$800 000 was provided to the city of Launceston in 2022-23 to assist in redeveloping the interactive learning and place-base at QVMAG, sounds very similar to [6.08.47], doesn't it?

CHAIR - Does that please the member?

Ms ARMITAGE - It does but I would've thought that maybe TMAG would have loved to have taken over QVMAG.

Ms ARCHER - No, that is Launceston's. We have our state collection within TMAG and look I know-

Ms ARMITAGE - Well they sound like sisters: TMAG and QVMAG-

Ms ARCHER - They do -

Ms ARMITAGE - And they could go together quite nicely.

Ms ARCHER - And having said that, there is a good relation.

Ms ARMITAGE - Zeehan Museum.

Ms ARCHER - Yes, there is a good relationship between the two.

Ms ARMITAGE - I could see a museum's bill coming up.

Ms ARCHER - You want me to make an announcement that I am not going to make.

Ms ARMITAGE - Look I appreciate it, thank you.

CHAIR - I would like to compliment David on those numbers that just rolled off then, thank you, David.

Ms ARCHER - Exceptionally good, you may as well stay up there David because we will get to the arts.

CHAIR - Anymore questions, member for Hobart?

Mr VALENTINE - I don't have any more on TMAG.

Ms ARCHER - Did we say David's role for *Hansard*?

CHAIR - No we did not.

Ms ARCHER - Official role is Director of Arts Tasmania, David Sudmalis.

CHAIR - Long-time friend of this Committee.

Ms ARCHER - A long-time friend.

CHAIR - Thank you, please hang around.

5.2 Arts industry development

Mr VALENTINE - Minister, can you outline why the appropriation for the output group is increasing over successive budget cycles and what additional outcomes are being achieved as a result of the increased appropriation?

CHAIR - It's taking a dive in 2025-26, though.

Ms ARCHER - I will get Mr Sudmalis to address most of the funding aspect, but I would imagine it's because of the additional injection in arts organisations funding.

Mr SUDMALIS - That is quite correct. The output 5.2 budget shows an increase of \$1.2 million per annum, particularly in the forward Estimates, which will go -

Mr VALENTINE - Except for 2025-25 when it goes down a bit.

Mr SUDMALIS - It goes down a little bit. The 2025-26 year is the end of a current agreement with the West Coast Heritage Centre. It's also a non-Tasmanian Literary Awards year, so funding is not provided in that year for the Tas Literary Awards, because that's -

Ms ARCHER - Always an explanation, yes.

CHAIR - Has the West Coast been informed?

Mr SUDMALIS - Yes, the West Coast knows that we were in a four-year funding cycle. That was as a result of an election commitment. You'll have to forgive me, was it in 2021?

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Yes, 2021 and the four-year agreement was provided to the West Coast Heritage Centre. They will come back to Arts Tasmania to compete alongside other applicants for funding in the cultural heritage space at the termination of that agreement.

Mr VALENTINE - Can you just clarify the West Coast Heritage Centre versus the Zeehan Mining Museum, they're not one and the same?

Mr SUDMALIS - They are one and the same.

Mr VALENTINE - It used to be under TMAG years ago. How long ago did it actually come out? A fair while back?

Mr SUDMALIS - I don't know the answer to that one. It was some time.

Mr VALENTINE - If you don't it offhand, it's okay. It's incidental.

Ms ARCHER - I don't know if there is anyone around who might know the date but if you think you know it, by all means.

Ms MULCAHY - I don't know the date, but the collection is actually TMAG's. The buildings and the enterprise are run through the Heritage Inc. The collection is -

Mr VALENTINE - Okay, so the collection still belongs to TMAG?

CHAIR - You have just loaned it indefinitely.

Ms MULCAHY - It's on loan to the Heritage Centre.

Mr VALENTINE - It's an undiscovered gem I think, to be quite honest, no pun intended, but it is.

Ms ARCHER - Anything in Zeehan is.

Mr VALENTINE - It was about our built heritage tourism inquiry, and now they get 17 000 visitors a year and other places get so much more. But they are really good.

You've given me some information with regard to the Budget, which is good. The allocation of grants, more often than not, occurs as a result of recommendations from the panel of expert peers. I believe that is the case.

With respect to the policy on funding caps that Arts Tasmania currently follows, I believe there is a funding cap of \$250 000 per annum for grants to organisations such as Terrapin, TasDance, Performing Alliance Tas, Contemporary Art Tas -

Ms ARCHER - We did a review recently -

Mr VALENTINE - which we were at or close to this funding level. It's been put to me that these companies are currently in the process of applying for the 2024-27 funding cycle. If successful, they'll see the value of that support reduced across the term of the funding cycle, given there's a new emphasis on paying artists fairly, including the superannuation guarantee

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for contracted artists and creatives. An example has been given to me. A company currently receiving \$240 000, and with inflation estimated at 3 per cent, it would exceed the value of the \$250 000 cap in 2025 and it would be \$254 616. In effect, they're going backwards.

The last year of the cycle would require \$270 000 roughly to maintain their 2023 funding value.

CHAIR - The question is, is the cap going to be lifted?

Mr VALENTINE - When is the cap going to be reviewed, basically? With the understanding that there is this extra pressure for organisations to -

Ms ARCHER - Perhaps if we could explain the process of how we got to that for fairness across the board and because of the number that were applying for arts organisations funding. We wanted to distribute it fairly.

Mr VALENTINE - I appreciate the reason for the cap. Effectively, it is going to go backwards.

Mr SUDMALIS - Yes, provided that the cap remains at \$250 000 for the 2024-27 successful applicants to multi year, the Tasmanian government contribution will decline in real terms because of inflation. The really significant nuance that is sometimes neglected in the conversation is that funding certainty over several years means that an organisation is far better placed to attract other sources of income, through either other departments of the Tasmanian government, through the Australian government, and equally as importantly, by developing a strategy and a renewed ambition towards philanthropy and sponsorship.

Ms ARCHER - The sustainability.

Mr SUDMALIS - Sustainability. There needs to be a cap because we need a cap at some point to allow a reasonable and proper diversity of companies, both in art form and geographic spread, to receive the benefits of multi-year funding over that four-year cycle. The pool of funds is limited, so it requires a cap in order to do that.

The benefits of funding certainty, mean that there is an opportunity, indeed, I would go beyond the work opportunity and say directive -

Ms ARCHER - Imperative.

Mr SUDMALIS - Imperative is a more apt term, to diversify funding sources. One of the things, if I may expand on this point a bit.

Ms ARCHER - Which Terrapin has done.

Mr SUDMALIS - Terrapin has done that very well indeed. Terrapin is a recipient of eight years funding under the National Performing Arts Partnership Framework, which is a three-way agreement between Terrapin and the Australia Council representing the Australian government and Arts Tasmania on behalf of the Tasmanian government. Terrapin has received substantial philanthropic support through the Ian Potter Trust and also, I understand, has some

other bequests that I am not at liberty to share just yet, but I understand they are quite close to execution.

Ms ARCHER - The most recent one was Ian Potter.

Mr SUDMALIS - That's right and I think that was a six-figure sum, a substantial amount of funding.

Ms ARCHER - That is that end of the scale.

Mr VALENTINE - The problem they have is these organisations don't always have the time to be able to work up that level of support that you are talking about from the likes of the Ian Potter Foundation, or whatever other source it might be.

Is there some assistance available to these organisations to be able to do that, if that is the model that you're working on?

Ms ARCHER - In relation to Arts Tasmania funding, if there is a company or business that is unsuccessful, feedback is always given if its requested. I am aware that Arts Tasmania quite regularly works with organisations to help them improve on their applications for the next time they apply to Arts Tasmania, so that they can address some of the areas that were the shortfalls to a successful outcome. Is there anything else you want to add, David?

Mr SUDMALIS - There are two other ways that Arts Tasmania provides support in this area. The grants program is the part of the Arts Tasmania business that is the most visible and at times, the most contentious. Sitting alongside that is the Industry Development Program that we have. In the last 12 months, the Industry Development Program ran capacity and capability development programs in philanthropy, fundraising, securing other revenue sources, particularly for this very reason. We also worked very closely with Creative Partnerships Australia, a body that helps broker philanthropic relationships. It has a very good program called the Plus1 program, which matches dollar for dollar the funds that are raised through -

Ms ARCHER - Similar to what I did with the TMAG Foundation.

Mr SUDMALIS - Indeed. There are those opportunities and we work very closely with those. I know there's at least three or four companies currently in the Plus1 program.

Mr VALENTINE - In short, the cap is not going to move. Is it going to be reviewed?

Ms ARCHER - In outer years, it's always possible to certainly look at it but I think we've explained what the intention was behind that.

Mr VALENTINE - To another question, the performance indicators clearly show, as we look at them, an expected almost trebling of visitation to selected cultural venues, yet the contribution to grow state product only increases marginally in comparison. It seems a bit odd that we've got attendance at selected cultural venues going from 59 291 in 2021-22, to 150 000 in 2022-23 and then up to 172 000 for the financial year 2023-24.

CHAIR - Is that a misprint?

Mr VALENTINE - No, I don't think it's a misprint. After COVID, it's probably expected that things will accelerate.

Mr SUDMALIS - I almost apologise in advance for my response to this.

Ms ARCHER - I'm not an economist, so -

Mr VALENTINE - You're not going to swear at me, are you?

Mr SUDMALIS - Not at all. It's fairly longwinded, but clearly, across the indicators, one can see the impact of COVID on the contribution to gross state product. The figure for the gross state product is derived - you'll have to forgive me because I need to refer to my notes.

CHAIR - But there is a note in the Budget Paper.

Mr SUDMALIS - There is a note and it provides a direct reference to, I think, table 7 by the Australian Bureau of Statistics for Australian national accounts, the state accounts. Now, they're always released a year after, so there's a correction in previous years.

They provide us - and everybody - with a table that talks about the value of arts and recreation services to the Tasmanian economy. The statistics working group - which was formed under the meeting of cultural ministers, but is now a working group of the cultural minister's meeting - provides for a 37.2 per cent factor for arts as part of that total arts and recreation figure, the output of which is a \$111.23 million contribution to the economy.

This accounts for a whole range of things. It's not merely attendances, of course. It also accounts for capital investment. It accounts for a range of employment statistics that are dragged across from other data sets by the Australian Bureau of Statistics. It also accounts for a whole range of industry development activities that might not be public-facing but still have an important role to play in the ecology of the Tasmanian arts sector.

So, the correlation between an attendance figure, and the value of the contribution to gross state product, generally follows a trend, but to peg it quite closely can sometimes be misleading. Sorry about that.

Mr VALENTINE - No, that's an explanation. That's fair enough. A question that I have, given the attendances at various events shows quite clearly that they have a lot of community acceptance and I expect the minister is only too well aware of the benefits of such organisations as theatre groups - and I am talking about professional theatre as well as particularly amateur theatre. The degree of benefit that they provide to the community in wellbeing as a whole is really significant. As you no doubt aware it is really quite integral to supporting and funding professional theatre, because that is where people come - they graduate up to professional theatre. They cut their teeth there, so it really is like the lifeblood of theatre in Tasmania and responsible for the majority of participation at the end of the day, I would suggest. Now, I have to declare an interest because I am a patron -

CHAIR - I was about to say, you probably have more than one interest.

Mr VALENTINE - I am a patron of a community theatre organisation, so we will put that clearly.

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CHAIR - And you have a budding artist.

Mr VALENTINE - My grand-daughter - yes, anyway. Maybe that is a conflict, I do not know -

CHAIR - That is not a conflict, it is an interest.

Mr VALENTINE - Anyway, I do not have to tell you about how tough it has been for those organisations over the past few years with COVID-19 -

CHAIR - I am well aware because they have all written to me and we have worked with them.

Mr VALENTINE - That is right, so the question is: what support is available to see these community organisations regain their feet after COVID? If we want to see the professional sector continue as vibrantly as it is, I think they need to have some attention paid to them.

Ms ARCHER - There was - what was the funding stream that we had following an emerging one following COVID? I can't remember what it is called. Trouble is we give things a long title and it is very difficult to remember. It was aimed at the performing arts.

Mr SUDMALIS - The Live Performance Support Program.

Ms ARCHER - We had that coming out of COVID, but beyond that there are quite a few funding opportunities for community theatre.

Mr VALENTINE - Well, they have tried the Premier's Discretionary Fund, without success.

Ms ARCHER - What is it they want?

Mr VALENTINE - Playhouse Theatre it is, and all sorts of things that they need to be able to continue and it's the only community-owned theatre in Australia in terms of infrastructure.

Ms ARCHER - Yes, that's a difficult one. It's more about the infrastructure because they put on things - and I know that there is an income stream for that, but largely they do things for the love of it, as community theatre generally does, but that is more about infrastructure.

Mr VALENTINE - Well they require upgrades and it's -

Ms ARCHER - So does TMAG. If I had an endless bucket of money, I would give them money tomorrow - it is a hard one.

Mr VALENTINE - But it is really important for the industry per se when it comes to professional actors as much as anything else, and the community benefit that they bring. We wouldn't want to see them shut up shop because they can't afford to run their theatre.

Ms WEBB - Is there any way you can give us a breakdown or an understanding of, in the bucket of funding there for arts industry development, what proportion goes to amateur community-based or non-professional areas that the member for Hobart is sort of referring to here?

Ms ARCHER - You would have to have it in sections, you could not do it across the board. You could do it for community theatre as opposed to professional.

Mr SUDMALIS - That is correct, if I understand the question correctly and please set me right if I have not quite landed the response. There isn't a distinct category of support that might be geared towards community theatre, but what we have done in calibrating the three criteria for assessment is to include a criterion of benefit. This is where organisations that might be more community-focused in their endeavours can make the case around their benefit to community. Quite clearly and regrettably, the notion of arts' funding across the country means that is competitive in nature and as hackneyed as a line that this will sound, it is the genuine truth, more applications are received than one is able to support.

Peers will make a call on the relative merits of benefit. It does not mean a peer group is either privileging a particular sector nor are they directed to privilege a particular sector or are they instructed to privilege a particular dynamic as being professional over community, over amateur. Applications are competitive and it is the very best applications that are supported.

In terms of a percentage, there is no percentage allocation for community projects or community organisations that might be applying, simply because annually these are subject to competitive application and so we cannot make that call.

Ms WEBB - To clarify, I wasn't asking if there a set percentage we allocate. I was asking are you able to provide us with a breakdown of the percentage that does go each year, so we can see what that looks like in reality, acknowledging what you have said about the competitive nature of the application process?

Mr SUDMALIS - Regrettably, I can't with the documents I have in front of me but I am able to provide that.

Ms WEBB - Thank you and I will put it on notice and it will be for the last couple of years to get a sense of how.

Mr SUDMALIS - Fabulous

Mr VALENTINE - Again, understanding apparently that particular theatre is the only community-owned theatre in Australia from what I am told.

CHAIR - I would like to congratulate the member on his advocacy and I will move to Ms Armitage.

Ms ARCHER - I have been contacted.

Ms ARMITAGE - I am wondering if I can get a bit of a breakdown on the \$12 million in funding that was supplied to Tasmania's northern arts and cultural sector? I appreciate that the QVMAG comes out of that but turning the tide, the Launceston-produced production

company was involved, Blur Films. The comment was made there was \$12 million in funding if we can have a breakdown.

Ms ARCHER - Can I take that on notice because I know that I have issued that in recent days and for some reason I don't have it with me?

Ms ARMITAGE - That is fine. I am happy to put that in a letter.

CHAIR - A breakdown of the \$12 million?

Ms ARMITAGE - The \$12 million. I know that \$1.6 million basically is going to QVMAG, some is going to Mudlark, Theatre North, Sawtooth Gallery, Musical Theatre.

Ms ARCHER - I had an inquiry from the north from *The Examiner* so I do have that list, just not on me.

Ms ARMITAGE - That is perfectly fine. I shall send you a letter.

CHAIR - I have a question in regard to the COLLECT Art Purchase Scheme. How many art purchases? It doesn't have to be type, just the number, and also the quantum that has been purchased. I will declare an interest. I am on the list.

Ms ARCHER - In 2022-23: 237 loans have been made under the scheme for the purchase of 284 works with an artwork value of more than \$1.26 million.

CHAIR - It is increasing each year.

Ms ARCHER - It is. I could give you the Arts Site Scheme too, the public scheme, if you are interested in that.

CHAIR - Thank you.

Ms ARCHER - The Tasmanian Government Arts Site Scheme. All of us attend them from time to time when there is an opening, has commissioned 16 new projects this financial year, directly supporting 55 artists. The total value of commissions is approximately \$750 000.

CHAIR - Terrific. It is a great scheme. Thank you very much. We really appreciate your input.

5.3 Screen industry development

Ms ARCHER - Alex Sangston, Executive Manager of Screen Tasmania.

Mr SANGSTON - Good evening everyone.

Ms ARCHER - I have a break down - someone sent it to me - in relation to that \$12 million. No, it's not a break down; let's keep it on notice. It mentions it with other things so I think we leave it.

Ms WEBB - I'm looking at the appropriation across the forward Estimates for Screen Industry Development in 5.3. It looks fairly flat. It doesn't even look like there's particularly indexation applied to it. I am interested in an explanation of the rationale there for the progression of that funding across the forward Estimates and it being relatively flat.

Mr SANGSTON - There's a couple of things to note about that, firstly, there is a slight error in that the \$1 million that the minister referred to before for the screen innovation fund is actually appearing in the Arts Industry Development, not the Screen Industry Development output. So, there is actually another million there.

Secondly, the indexation, as I understand it, is consistently applied across all bits of the Budget and it's actually an increase and because we have a little budget it looks like it doesn't go up very much.

Ms WEBB - So what indexation was that then that's applied there?

CHAIR - Hobart CPI

Mr SANGSTON - It is 2 per cent, I am reliably informed.

Ms WEBB - So 2 per cent of \$1.86 million is \$30 000 is that correct? Does that sound right? I'm looking at the difference between 2024-25 and 2025-26 for example, it looks small to me. Maybe that's correct, I might have to go away and do my math.

Then knowing that the screen innovation fund isn't part of that bucket, as represented here in the numbers, which is the \$1 million over 2023-24, 2024-25. With what is there for 5.3 Screen Industry Development can you describe how that breaks down in terms of utilisation of that funding?

Ms ARCHER - In terms of all of the different development programs?

Ms WEBB - Just in terms of categories, you don't have to give me a three-page list of projects.

Mr SANGSTON - The first thing I'd note is the way that we break down between programs is based slightly on demand. Obviously, everything is assessed based on criteria, but, depending on where the industry is at a given time we might push a little bit more money into somewhere else.

Ms WEBB - Let's just focus on the funding for this coming financial year.

Mr SANGSTON - If it's all right, could I give you the breakdown from the last financial year?

Ms WEBB - The 2022-23 year? Yes. That's fine.

Mr SANGSTON - So out of that, the project development program was 15 projects of \$253 700, the industry development program - and you can't really break that down with number of people supported because it covers a lot of different things - is \$157 194; production and investment program, which is the one to go away and make things is seven projects of

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\$530 000; the traineeships and attachments program was 12 supported for \$77 262 and we had four special initiatives worth a total of \$40 000.

That doesn't cover the entire financial year because we have one more decision meeting at the Screen Tas Advisory Board this coming Friday, so that will go up a little bit in project development and also that's based on financial year of approval rather than cash out the door.

Ms WEBB - Right. In terms of the administrative for Screen Tasmania, is that included in that?

Mr SANGSTON - No. Our overhead would be over and above that.

Ms WEBB - Okay. That is just somewhere in a different part of the Budget, that is just administrative for the department?

Mr SANGSTON - Yes, that is in the budget line. Sorry.

Ms WEBB - That was what I was asking. Thank you.

I am looking at the performance indicators, and I thought you might like to provide some commentary about the performance indicators presented on page 269. The ratio there about developed projects that advance into production looks very good. Is that because we don't have that many put forward, and so the success rate, in terms of resulting in a production, is quite good?

Ms ARCHER - Oh no, we pick and choose. Mr Sangston picks and chooses, and his strike rate is exceptionally good. I think the average is 4.1, isn't it?

Mr SANGSTON - Yes. For the last financial year. It's a really good question. The minister has got it. We work very hard to make sure that things get into production. Part of that involves the way that projects are assessed by this Screen Tas expert advisory group and then funded through us. It's also -

Ms ARCHER - Return on investment.

Mr SANGSTON - It comes down to the return on investment. The fact that a lot of our applicants don't come in for funding until they're looking really strong already. We don't do early-stage development funding. Quite often things are slightly advanced before they get there.

Ms WEBB - More primed and ready to go through.

Mr SANGSTON - We also push very hard to have people doing proof of concept production or to have late-stage development that might shoot sizzle reels or trailers or that sort of thing which would count as a production outcome as well.

Ms WEBB - So part of that ratio is completions of those sorts of small projects towards larger projects, sizzle reels and the like.

Mr SANGSTON - Correct.

Ms WEBB - Given that you've just mentioned that you don't do the early stage work, and I know that Wide Angle Tasmania no longer operates in that space, this ties back to the member for Hobart's questions earlier about theatre production. The early-stage and amateur and more community-based efforts of people learning a craft, networking, developing very basic skills before they get to any stage where they might say 'come to Screen Tasmania', which would be a later stage, what happens in that space? Especially now that Wide Angle Tasmania, it's even pre-incubation in a way; it is just people being able to learn at a very early stage, network together, connect.

Ms ARCHER - It's not as simple as that, what Wide Angle delivered or didn't deliver.

Ms WEBB - I'm not questioning Wide Angle's situation, I'm just interested in that space in our state now in that early stage. What do we have in place, or what plans do we have in place to support that part of the industry, and that early stage?

Ms ARCHER - My comment was still around that. I think there a mistaken belief about what the service delivery is. I will let Mr Sangston address that.

Mr SANGSTON - It's a really good question. That place that Wide Angle provided, a community hub, is not really something Screen Tasmania can do. That's not to say we don't do similar things. For example, we had a decision meeting of the Screen Tas Expert Advisory Group (STEAG) on Friday. Following that, we're having an industry mixer where the industry - and this is free - can come along and meet the expert advisory group, which is the sort of opportunity that people on the mainland get a lot more than people in Tassie, because these are very senior screen producers. They are just there to share their knowledge.

Those events work particularly well because they provide an opportunity for the industry to network with each other and they can share ideas. Quite often, we get pitches at those events and people come up with their own ideas and own projects. I know of projects that pretty much were born from events like that. We would expect that to be well-attended, because in the past those sorts of events would be held at Wide Angle.

The other point I'd make is that we do those events statewide. We try to do one in the north every year, which I think is only fair. It was very difficult for Wide Angle to get out of Tasmania. It's not blaming them, it just was difficult for them.

Ms ARCHER - Do you mean out of Hobart?

Mr SANGSTON - Out of Hobart, sorry. I said out of Tasmania, they weren't trying to get out of Tasmania.

Ms WEBB - Can I just clarify? I'm not here putting a case saying that Wide Angle should have been funded, so let's just put that aside and we don't need to keep necessarily referring to that, in a sense. The space that to some extent Wide Angle was able to occupy - not necessarily fully statewide but that early space is what I'm interested in to understand what our plans are looking ahead. I'm not even making an argument that Screen Tasmania should be in that space or that the funding for Screen Tasmania should cover it; it may have to look different to that.

I'm just interested to know whether there is a plan to support that very early-career, non-professional space where film-makers have to make a lot of short films to get noticed and build connections, build their skills to prove that they can be funded to bring to Screen Tasmania. How are we supporting that space in the state looking ahead?

Mr SANGSTON - We're talking with industry all the time. This might sound a little bit frustrating as an answer, I'm sorry, Ms Webb, but we talk with industry all the time and I know that there are a number of organisations that are planning on trying to fill that gap, the Wide Angle gap. A number of senior members of the industry are trying to do it; they're speaking to us about how we might be able to help them. In some cases, we might be able to and in some cases, we can't. We're already working down a little bit more than we used to when Wide Angle was around - when I say 'down' I just mean to the more emerging sector - and we're providing some industry development programs that we probably wouldn't have done two or three years ago and, funnily enough, we did one yesterday on note-taking in writers' rooms. I don't think that's quite where you're going. You're going for helping people make their first short film.

Ms WEBB - Yes, very early work, where people are literally just making their first films, connecting with others to share skills and whether there's a plan - and it might not be a Screen Tasmania plan but I'm interested to hear from the minister whether there's a plan about how we might best support that so that we've got a pipeline of people coming through into the more professional space, which is largely where Screen Tasmania is operating, and that's fantastic. We know we love this sector

Ms ARCHER - Had I been able to save Wide Angle for that space in this Budget if things hadn't progressed so far, then perhaps I could have, but I think what you're asking to do would require some additional funding which I'd need to look at as part of the next budget cycle. Everything costs in this space. You can't do it for free, I think everybody would acknowledge, and so we would need to consider that, wouldn't we, as part of the next budget process?

Mr SANGSTON - I would think so.

Ms ARCHER - To fill that space.

Mr SANGSTON - I think the other thing to point out, Ms Webb, is that that sort of thing, as far as I'm concerned, still happens. People are still out there making their little web series. There was an article in the paper, in the *Mercury* the other day about a web series that I barely knew anything about that was making shoots -

Ms ARCHER - Yes, that's true.

Mr SANGSTON - off the books. There are a number of those sort of things happening. There's a very active amateur screenwriter group in Launceston that meets monthly. We try to get up there to speak to them and provide them with support and guidance. Those sorts of community groups are still in existence; they don't have a place to go necessarily, like a physical place to go but also, I don't think that's necessary to the same extent that it was.

Mr WILLIE - It might fit here, it might not, but MyState Film Festival was wrapped up last year after great success in schools and it's probably a little bit earlier than the member for

Nelson's talking. It was great at giving kids experience, but I'm just wondering if Screen Tasmania had any involvement in trying to negotiate a new person to take it over or whether there are some discussions about how we can get that sort of education happening in schools again.

Ms ARCHER - Absolutely. Screen Tasmania have been really involved with not only MyState but when it was looking like that wasn't a possibility. There are certainly ongoing discussions. I know from talking to Alex the other day that if something is able to happen, it wouldn't be this year, so there would be a year missed. We are hopeful we can still do something in some shape or form or encourage someone to take it over to do in some shape or form and it might need to build up again.

Mr WILLIE - Time would be of the essence. When I was a teacher I used to do it with the kids and it was a great resource. There would be a lot of teachers that have skilled themselves up and it would be a shame to lose that.

Ms ARCHER - We welcome other partners and obviously, that is what we are interested in doing and speaking to people about, which is exactly what Screen Tas been engaging in. That certainly is the intention to try and get it up and running again.

Mr VALENTINE - How many film companies approach you to ask for support to come into this state and do major films, like Deadloch or those sorts of companies? Do you have any number on that over the last 24 months?

Mr SANGSTON - Do you mean applied for?

Mr VALENTINE - Government Assistance.

Ms ARCHER - Contact is quite different to assistance, because some of them actually come because they want to film in Tasmania. And so, they will come to Screen Tasmania to talk about that and how we go about it etcetera. Screen Tasmania will provide some non-financial assistance and taking that through a process.

Mr VALENTINE - Are there many asking for assistance?

Ms ARCHER - If you just ask for assistance it may not capture everyone, if that's what your intending to receive.

Mr VALENTINE - No, what I am interested in is the opportunity that it might present as companies come to you, you can offer assistance to them with whatever it is they need assistance with. But you could say that it comes with a little bit of a rider for them to be able to assist in local development of industry in some way, shape or form so you have a base from which to work.

Ms ARCHER - We have some exciting developments and some exciting companies that speak to Screen Tasmania and are speaking.

Mr VALENTINE - Sounds like an announcement coming on.

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Ms ARCHER - No, we will have to kill you if we told you. There are some things of that nature that we cannot talk about, some really exciting things.

Mr VALENTINE - Do you know what I am saying?

Ms ARCHER - What is fair to say, and I said in my opening statement, that Tasmania has grown a reputation for being a film destination of choice. The audience that watched *Alone Australia*, for example, the interstate and overseas audience that would have seen that footage of various parts of Tasmania, some not so glorious and some very incredible. What they will see on *Bay of Fires*, which is not *Bay of Fires*, it was shot in Zeehan, which is really exciting in itself. And *Deadloch* and productions like that, it's a back to back production we talk about in terms of jobs and traineeships.

What we had pre COVID-19 was some really exciting things as well, the Kettering Incident, *Lion*, and then COVID-19 hit and felt like all of that had unraveled. All of a sudden now we have these things that have started up again and they are really big things exposing us to the world.

Mr VALENTINE - I cannot help but think there must be an opportunity to provide that base assistance for people to leverage off that.

Ms ARCHER - We did leverage off it in terms of tourism and visitor numbers.

Mr SANGSTON - You are right, Mr Valentine, there is a tremendous opportunity to leverage off that and we do. Whenever a production company gets in touch and says, hey, we are thinking of coming to Tasmania, we are already trying to come up with novel ways to get them to help people out.

The most obvious is our traineeships and attachments program. We had a junior producer attached on *Alone* who worked pretty much the entire production period and subsequently was so impressive the production company hired her and she now lives in Sydney, sadly. We hope she will be back. We do that sort of thing and often there will be key creatives that we will utilise to run workshops or masterclasses or that sort of thing. All of that is geared very much at taking the more emerging film makers and moving them up into a more professional capacity.

Mr VALENTINE - It is good to hear at least that sort of thing is happening. It is good to see the local product promoted.

CHAIR - Any questions in relation to grants and subsidies? We have already touched on the capital investment because that was \$2 million, wasn't it?

Mr VALENTINE - It was \$2 million for the building maintenance.

CHAIR - Building maintenance of TMAG over three years.

Mr VALENTINE - The only question I had there was about the strategic direction of TMAG when it comes to infrastructure and you did mention something about that.

CHAIR - You asked about the 10 years.

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Mr VALENTINE - I have no more questions.

CHAIR - I want to advise you, minister, given that the member for Hobart has been a key contributor to this area of scrutiny this will be his last scrutiny and we will miss his expertise.

Ms ARCHER - I probably had the last question.

CHAIR - We will miss his expertise next year and I wanted to acknowledge that as a key contributor.

Ms ARCHER - We won't sing or anything.

CHAIR - Seeing that this will be the last time that you have.

Mr WILLIE - You can always send members some questions he might like to ask.

CHAIR - He certainly might have some questions.

Mr VALENTINE - I don't know that I am that keen. I said I might watch it.

CHAIR - Again, minister, as always, we do appreciate not only your time for this portfolio area but the entire day. Thank you very much and all those that have supported, sparkly shoes and all. It has been a delight.

Ms ARCHER - Thank you, State Growth, Arts and Culture and then all of my wonderful team in the office and to my Chief of Staff who has probably stood out very well behind me today in her red suit.

CHAIR - I think it is the sparkly shoes that got me.

The committee adjourned at 6.58 p.m.