



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 22 November 2022

REVISED EDITION

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Tuesday 22 November 2022

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

STATEMENT BY MINISTER FOR SPORT AND RECREATION

Apology for Unknowingly Misleading Parliament

Mr STREET (Franklin - Minister for Sport and Recreation) - Mr Speaker, before question time starts, I want to update the House on previous answers that I provided. I would never knowingly mislead parliament. However, I acknowledge that I provided incorrect answers to questions from the member for Franklin, Dr Woodruff, during Budget Estimates Committee A on 8 June this year, based on the advice I had at the time concerning the Local Communities Facilities Fund.

I incorrectly answered questions and made related statements asserting that all Local Communities Facilities Fund projects were funded and listed in the 2021-22 Budget, when they were not. To correct the record, 111 LCFF projects were funded prior to the 2021-22 Budget, as outlined by the then Finance minister to the parliament during the supply bills debate on 24 June 2021. This is a matter of public record. The remaining 109 LCFF projects were funded in the 2021-22 Budget in August later that year. On 14 June this year I tabled the full list of commitments made under the Local Communities Facilities Fund and it is available on the parliamentary website.

As I have stated, I would never knowingly mislead parliament. I apologise to the House for inadvertently providing any misinformation and for the consequences of doing so.

LEAVE OF ABSENCE

Hon Madeleine Ogilvie MP

[10.03 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I inform the House that minister Ogilvie will be absent from question time today and tomorrow as she is on a trade mission in Indonesia. For both days, the Deputy Premier, who is acting for Ms Ogilvie, will be taking questions in her absence for the ministerial portfolios of Small Business, Advanced Manufacturing and Defence Industries, Science and Technology, Racing, and Heritage.

MOTION

Leave to Suspend Standing Orders - Motion Negatived

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I seek leave to move a motion without notice for the purpose of suspending Standing Orders to bring on the following motion:

That this House censures the Premier, Jeremy Rockliff, for misleading the House and failing to correct the record at the earliest opportunity.

We have just had the Minister for Sport and Recreation correct the record. I repeat that on 14 June the Premier, in response to a question from Ms O'Connor, said that the provision of funding depended on one, being elected by the Tasmanian public, and two - and I quote -

... the election promise being funded, included in the Budget and the Budget being agreed to by the parliament.

The Premier clearly misled this parliament on 14 June. Unlike his minister, who has taken the earliest opportunity available to him to correct the record, the Premier has not. He just got to his feet and provided an update to the parliament.

We need the parliament to be able to grant the seeking of leave to debate this motion immediately. There can be no more urgent issue than the parliament being misled and particularly by the Premier.

Mr SPEAKER - Do you have copies of the motion for the House?

Ms WHITE - Yes. Mr Speaker, this Premier has said he wants to lead a government with integrity and yet, we have here a stark example of a premier failing to lead with integrity. He has obviously misled this House given that his minister has corrected the record, and the Premier would be aware of what was said because he was asked about it in an interview by the media on Friday where he stated that what he said to this parliament was factual. That is not true.

The Minister for Sport and Recreation has corrected the record because he knows that what was said to this parliament was not factual. The Premier has not taken the earliest opportunity to do the same. By doing so he continues to mislead this House, to act without integrity, and to undermine his own rhetoric about what his Government's values are and what he stands for.

Mr Speaker, we have seen some terrible things exposed about this Government through right to information laws. It is not because they have been transparent; quite the opposite. They have been very secretive.

Misleading the parliament is a serious offence. This matter must be dealt with urgently, right now. The Premier did not take the earliest opportunity to correct the record. The unfortunate fact is that we know that half of the Tasmanian Liberal Party's 2021 election grants were handed out through a secretive process which avoided the normal parliamentary scrutiny. We were not able to look at those grants through the normal Budget Estimates process. It was not part of the Budget, which is what this Government has tried to claim until they were exposed through right to information laws that these were grants that were signed off directly by the Governor.

I refer members to the Integrity Commission report that looked into the way the Liberal Party handled both the 2018 and 2021 Elections, where their integrity has been seriously called into question, so much so that the Integrity Commission launched an investigation into the handling of 2018 election and the distribution of grants by the Liberal Party in that time.

Decisions about recipients did not meet the following principles: accountability, openness, fairness, or value for money. Fail, fail, fail, fail, by this Government and another fail by the Premier right now, who has continued to mislead Tasmanians about the way money was distributed by this Government when it came to fulfilling their election promises. There was no parliamentary scrutiny through the Budget process, which is what the Premier continues to claim. There was no scrutiny through the Budget Estimates process, which is what the Premier had continued to claim.

Mr Speaker, this matter must be dealt with urgently because it fundamentally goes to the question of integrity in this Government and to the rhetoric of the Premier.

We know, because the Integrity Commission revealed, that in 2018 there was no process, competitive or otherwise, to determine whether the pledged funds were really needed or were good use of public money. We have similar issues and concerns about the way money was spent in the 2021 election.

We know, through what has been revealed through right to information, that a grant was announced by Liberal candidate Madeleine Ogilvie during the 2021 election campaign which funnelled \$150 000 into the rowing club where her daughter was a member.

Another was announced by Mr Street for the Lindisfarne Country Women's Association branch during the last election campaign, the same branch of which his family member was the treasurer.

A \$165 000 grant was awarded to St Vincent de Paul, the workplace of then Liberal candidate Lara Alexander, for new vans. Mrs Alexander also signed off on the receipt of a \$75 000 grant as president of the Rotary Club of South Launceston, which was delivered before she was elected on a recount. She literally signed the cheque for a grant that she had asked for as a candidate. It gets dodgier and dodgier.

Mr Speaker, you have been implicated in this where the Bracknell Hall received \$400 000 as a grant because, as a member for Lyons, Mr Shelton, you and your family members have been intimately involved with that particular hall.

This is absolutely scandalous and the tutting from members on the other side just continues to demonstrate their lack of integrity.

There has been no transparency, complete secrecy and a failure to be honest about how money was allocated for these projects by the Government. It did not go through the Budget process, as the minister has now admitted when he corrected the record, but the Premier has not corrected his misleading statements. He repeated the same spin on Friday in response to queries from the media. He has not taken the earliest opportunity to correct the record today. He would have well known what was going on, because minister Street got up and corrected the record at the earliest opportunity. He would have had this conversation. Otherwise he has his head in the sand.

If you think Tasmanians are not fed up to the back teeth with the scandalous way this Government has been distributing money, then you are completely out of touch with how Tasmanians feel about this. The lack of integrity, the increasing secrecy, the spin and cover-up by this Government, perpetuated under the leadership of this Premier, is scandalous.

Tasmanians deserve better. At the very least they deserve an apology from the Premier, who should correct the record.

Mr SPEAKER - Premier, we have a member from the Legislative Council who is here for question time until 10.50 a.m. If the House is happy -

Ms White - I think misleading the House is more important than anything else that might be before it right now, Mr Speaker.

Mr SPEAKER - If the minister for Primary Industries could step outside the Chamber until the end of this debate, it would be appreciated. We may go back into question time depending on the timing of this debate. Thank you.

[10.11 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I thank the member who raised this matter. If I thought I had misled parliament, I would have corrected the record, as Mr Street has. The fact is that the funding of some commitments prior to 30 June 2021 was transparent in the Budget papers for the 2020-21 financial year, on page 42. That is why Mr Street has corrected the record to be absolutely accurate.

What is indisputable is a list of community projects funded, named up and tabled in June this year with the dollar amounts. What is indisputable is that the 111 LCFF projects were lawfully funded prior to the 2021-22 Budget, as outlined by the then Finance minister to the parliament during the supply bills debate on 24 June 2021, which was supported by both Labor and the Greens. In that the debate the minister said:

All election commitments will be funded through the budget appropriation bills but also the Financial Management Act provides flexibility to enable the Government to fund election commitments prior to the Appropriation Act being passed. Under section 21(3) of the Financial Management Act, the Treasurer is able to issue and apply funding from the Treasurer's Reserve in the absence of an appropriation where the Governor has, in writing, approved that expenditure.

The Government has already commenced fulfilling a number of its election commitments and members will be thrilled to know that \$4.7 million has already been funded this year, which includes funding to 111 organisations through local communities facilities funds.

This is a stunt. We will have absolutely nothing of it. If I ever thought I had misled this place, I would correct the record immediately. I have not been advised that I have.

[10.13 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, what a woeful response. Premier, you have been accused of misleading parliament and you have been asked to correct the record. Your words speak for themselves. Now you are cowering behind a statement made by your Finance minister - a few words dropped into this place a year ago - when it is here in black and white that you gave false information to the parliament. You did, clearly.

We had the honourable sight of Mr Street getting up this morning immediately correcting the record at the first available opportunity.

In case you have forgotten what you said, even though Ms White stated it in here a short time ago, let me remind you of how you did, in fact, mislead the House. When we asked you about conflicts of interest where Liberal candidates were swanning around the electorate and facilitating grants to, for example, their daughter's rowing club or their association's volleyball club, and on the list goes, you said:

Mr Speaker, I thank the member for her question. I am advised that the election promise made to the Sandy Bay Rowing Club during the 2021 election was part of a range of small, one-off election promises made by local communities around the state. This is not unlike a raft of other promises others make. Just like any other election promise, the promises come to fruition dependent on two things: one, the party being elected to form government and enabled to enact that commitment; and two, the election promise being funded, included in the budget, and the budget being agreed to by the parliament.

That is not true, as Mr Street confirmed a short time ago. More than half, a total of 111 of those projects, were funded through the Treasurer's Reserve, which we argue is a misuse or misapplication of the Financial Management Act. It is supposed to be there in times of real need and crisis, not to fund political parties' election promises. We know there was an attempt made to fund those promises through the COVID-19 funds. That fell flat when Treasury told you it would not wash, so you tapped the Treasurer's Reserve.

We strongly support the seeking of leave. This is about probity, integrity and transparency. It goes to this Government's reflex for secrecy. It never saw a pot of public funds into which did not want to stick its snout. We are talking vast sums of public money here in a secretly established local communities facilities fund during the last state election - a minimum of \$15 million but closer, by our calculation, to around \$28 million. Huge pots of public money.

This is the same issue raised by the Integrity Commission and investigated by the Integrity Commission after 2018. While they did not actually accuse the Liberal Government of electoral bribery, the words were enough in the Integrity Commission's findings to point to an electoral bribery scheme on the part of Government.

It is one thing to do that. It is another to be misleading about how those promises were funded. That is what we have here. We have two directly conflicting statements. We have the Premier saying it was all funded through the Budget and now coming in using weasel words and cowering behind a statement of his previous finance minister. We have Mr Street telling the truth.

What we just saw from the Premier is nowhere near good enough. If you have done the wrong thing, the best approach - and this is not just in parliament, this is everywhere - is to fess up straight away and take responsibility at the first opportunity. If the Premier thinks this issue is going to go away, he is sorely mistaken. Every day, as we examine this local communities facilities fund, it gets smellier and smellier, and the secrecy continues.

I do not know who has advised the Premier not to fess up and admit he misled parliament, or if he has made that decision himself. It is the wrong decision because the evidence is in black and white that the Premier gave false and misleading information to this parliament. He

clearly did. He gave the same information to the parliament as Mr Street, who has come in here and corrected the record, and sincerely apologised. It is the same information based on an untruth about how those election promises were funded.

First of all, they tried to tap into the COVID-19 recovery funds, and then tapped the Treasurer's Reserve for more than half of the projects. Then we had repeated false information provided to Budget Estimates by Mr Street, who I truly believe was badly advised. Now we have had an honourable response to the evidence by Mr Street but not the Premier, who clearly gave false and misleading information in this place. It is not just about false and misleading information - and it is not just about false and misleading information for members, is it Mr Speaker? It is about being honest with the people of Tasmania, because, after all, this is their money. We are their elected representatives, this is their parliament, and the people of Tasmania have a right to expect that if a minister or a premier says something in this place that is untrue, that when the evidence is presented to them, they correct the record. That is the honourable thing to do. The *Hansard* record now contains a misleading statement.

[10.20 a.m.]

Mr FERGUSON (Bass - Treasurer) - Mr Speaker, the Leader of the Opposition has had a shocking year and has been sacked by her own party as leader.

Opposition members interjecting.

Mr FERGUSON - They have been taken over by the Nic and Douggie show because they cannot count, they cannot manage money, and they cannot run their own party. The Premier absolutely nailed it this morning by pointing out that this is a stunt motion -

Opposition members interjecting.

Mr SPEAKER - Order.

Ms O'BYRNE - Point of order, Mr Speaker. The matter before the House is seeking leave. The minister should draw his attention to that, rather than political game-playing. This is a serious matter and he should not treat it the way he is.

Mr SPEAKER - It is a very serious issue, but there was a considerable amount of commentary through both contributions so far, so I have to allow that flexibility.

Mr FERGUSON - Thank you, Mr Speaker. While Ms O'Byrne would try to break my stride, the Premier has absolutely nailed this as an attempt at a stunt by the failed Leader of the Opposition who cannot count, cannot manage money, and cannot run her own party. I have a copy here of the attempt to run the motion, which is a single sentence, and which makes in her contribution no case.

Listening carefully to Ms O'Connor's contribution just now, it made absolutely no case to support this motion. At least what Ms O'Connor's case did do correctly was to highlight that Mr Street has quite honourably corrected the record of a well-intentioned honest mistake. I will say every member of this House has done so; it is just that not many of us actually take the time to correct the record. It is not a rule that applies to ministers only. It is a rule that applies to every member of this House of Assembly. We listen to the rubbish that is brought in here by members of the Opposition - stories dressed up as fact. They bring them in and dress them

up as questions, and they ask us to confirm something that they have just made up. It happens every other day but there is never an attempt by the Opposition to correct the record.

Mr Street has corrected the record. I have corrected the record - and, no doubt, in the future, we will have to do so again because, like every other member of this House, I am a human being and we make mistakes. What is not forgivable is when people like the former minister, Mr Kons, deliberately bring misinformation into a debate, knowing it is a lie, and then they are correctly accused of misleading the House.

Opposition members interjecting.

Mr SPEAKER - Order. Member for Bass, order.

Mr FERGUSON - That is a matter of this House's history.

Mr Speaker, when a member - and occasionally it has happened - has said something that they believe to be correct, but was not correct, the parliamentary convention is quite routine. You are expected to correct the information - not for it to be dressed up as the world's worst crime, as members are trying to make out. In trying to paint a virtue of Mr Street, they are trying to make a villain of the Premier, and that is a false claim. I believe the Premier has very clearly made the case that members of this House, including those two people who have already spoken, were in this House when I, as Finance minister, explained to them well over one year ago - I think on 24 June last year - when I was taking a supply bill through this House that those 111 grants were funded through the Treasurer's Reserve.

Members interjecting.

Mr SPEAKER - Order. It is a serious debate. I am not going to have people yelling across the Chamber. Contributions so far have been listened to in relative silence and I expect the same for the Treasurer while he is making his contribution.

Mr FERGUSON - Mr Speaker, I told this House on 24 June last year - if the date is correct - that those grants were funded through the Treasurer's Reserve. They were told but they forgot, or they are pretending that they have forgotten, or they are pretending that it was not part of this House's record.

Let us go to the fact on that. First of all, in the time I have, the RTI shows that a correct process for funding projects out of the Treasurer's Reserve - including through Executive Council - is a valid and lawful process.

Dr Broad - It does not matter what you said; it is what the Premier said. We are not going after you. We are going after the Premier. He was the one who misled.

Mr SPEAKER - Order, member for Braddon.

Mr FERGUSON - These are inconvenient facts and they do not want to hear it.

Opposition members interjecting.

Mr FERGUSON - If I could be heard.

Mr SPEAKER - Order, silence.

Mr FERGUSON - That process is a valid and lawful process under the Financial Management Act. In my role at that time as minister for finance, when debating the supply bill in 2021, I said the Financial Management Act provides flexibility to enable the Government to fund election commitments prior to the Appropriation Act being passed. Under section 21(3) of the act, the Treasurer is able to issue and apply funding from the Treasurer's Reserve in the absence of an appropriation where the Governor has, in writing, approved that expenditure.

I will say that it has happened many times in the past during this Government and the previous government. There is nothing unusual about it, particularly when communities expect and oppositions expect governments to keep their promises - which is exactly what we did at the soonest possible time.

I will go back. The date was in fact 24 June. I was asked during the conduct of that bill if I would discuss election commitments, which I did - although not the content of the appropriation, rather the supply bills. I then answered that question. I took advice from the Treasury advisers and in that debate, I said as follows:

All election commitments will be funded through the Budget appropriation bills, but also the Financial Management Act provides that flexibility.

I go on. The key statement I made:

The Government has already commenced fulfilling a number of its election commitments and members will be thrilled to know that \$4.7 million has already been funded this year, which included funding to 111 organisations through the Local Communities Facilities Fund.

Mr Speaker, let us agree on one thing. This is a stunt from the Leader of the Opposition who has been sacked by Nick and Dougie, who cannot run her party, cannot count legislation, cannot manage money, cannot look after the economy and does not care about the everyday needs of Tasmanians - including holding the federal government to account for its promises. We will not be supporting this motion.

[10.27 a.m.]

Mr WINTER (Franklin) - That was a flat audition, Mr Speaker. If that was the defence of the Premier, the Premier is in a bit of trouble here. This is a Premier who, every question time, seems to take five, six, seven minutes to answer a single question. How long did he take today to explain himself? Was it two minutes he took to update the House - less than two minutes - about a very serious allegation that has been made about him misleading the House?

The best that Deputy Premier and Treasurer could provide for us today was that he advised the House of the accurate information. I do not know why he did not tell the Premier or the Minister for Sport and Recreation what happened. Here he is attacking the Opposition and the crossbench for not knowing the answer. It appears very much that the minister did not know the answer, but I am not sure if the Premier did not know the answer. I am not sure if the Premier did not know whether or not this grant had really been dealt with within the Budget and had really been approved by parliament.

The best excuse, the best argument, that this Government could put up was a two-minute speech from the Premier, who is usually not short of a word or two, and the Treasurer trying to tell us that actually he had already advised us but he had not told his Premier or his Minister for Sport and Recreation.

To go to the Premier's contribution, I make the point that the Minister for Sport and Recreation set a standard here today. He made a mistake, he stood up in the parliament and said, 'I have made a mistake and I would like to correct the record'. We were expecting that after he did that, given the Premier had made the same mistake - it is in *Hansard* that he had also misled the House - that he would act with courage and integrity. That is what he told Tasmanians he would be: a premier of courage and integrity. That was the headline after he became Premier: a premier and a government of courage and integrity.

His minister had the courage and integrity to stand up today and say that he had misled the House, but the Premier of Tasmania, the man who says he is a premier of integrity and wants to lead a government with heart, could not stomach the idea of standing up here and telling the truth and explaining that he had misled the House also. That is a simple fact.

The RTI that has been released is telling because there are some other questions we have. Some of it is redacted. However, the mention of Cabinet throughout the RTI indicates that potentially the Premier was aware that this funding had not gone through the standard process but had gone through the Governor and through an alternative process. If the then Deputy Premier was a part of those discussions, he must have known the way these 111 grants were treated and yet he stood up in this place and gave false information.

The point of this motion is the seeking of leave - and that is what this is; someone should mention that - and once again we have the Government refusing to allow leave to debate the most serious of parliamentary issues, the misleading of parliament. They are refusing to allow the debate. Why is it that this Government refuses to allow debate on such a serious allegation, and one that is not without foundation? It is in *Hansard*.

Members interjecting.

Mr SPEAKER - Order. The member for Franklin has the call; no-one else should be commenting across the Chamber.

Mr WINTER - This is very clear, Mr Speaker. On 14 June the Premier said, 'one, being elected by the Tasmanian public, and two, the election promise being funded, included in the Budget and the Budget being agreed to by parliament'. That is not what happened. It is not true. He has misled the parliament.

He stood his minister up today to make an apology. I do not know whether he approved of the minister showing some integrity - perhaps he did not - but the minister stood up and did the right thing. He has upheld the standard of the Ministerial Code of Conduct but the leader of this Government refuses to do so. How can the standard that the Minister for Sport and Recreation obviously takes seriously be one that the Premier will not go anywhere near, when it is so clear and obvious? I do not understand why the Premier will not be honest and stand up and correct the record. It feels like another 'groan' case. Is this going to go on where we continue to wait for the Premier to make the right call, the right decision, and do the right thing by the House and the Tasmanian people?

This goes to a history that this Government has with grants, particularly around election funding. We have seen this repeatedly. Through the Estimates process Dr Woodruff and I sat through, we continued to ask questions about the treatment of not just the 111 grants but other grants which the Government provided. For example, there was the \$250 000 that went to the JackJumpers, where we have minutes showing that former minister Jane Howlett signed off on the grant deed and we have the former premier Peter Gutwein saying she had nothing to do with it. This is the standard of this Government. It has not changed since Peter Gutwein left. On this example it has actually got worse. It is in black and white, written down in *Hansard*. He misled the House. This is the most egregious, wasteful period of time this morning where we should simply be able to move on but the Premier refuses to admit he did something wrong.

We are only asking the Premier to uphold the same standard that his Minister for Sport and Recreation did this morning. It is very important and the Government should grant leave for this debate. Once again, the standard of not providing leave for debate is disappointing. It is not in keeping with parliamentary tradition. We continue to have the situation where we need to have this debate on the seeking of leave as that is the only way this Government will allow these matters to be properly dealt with. If the Premier has not done anything wrong he should stand up and defend himself, or at least have someone defend him other than the Treasurer who appeared to make things worse.

[10.34 a.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, this debate today has been a long time coming. It is fundamentally about lies and secrecy. It is about the choice that this Premier has decided to make to not take the right path, as minister Street did, to correct the fact that he gave inaccurate information to the Estimates committee, and to me, regarding the questions we had about the fair and open distribution of Tasmanian taxpayers' money.

Minister Street took the right approach and we thank him for correcting the record. I would have liked him to have given me an apology for the fact that for the best part of the Estimates questions that I had, he gaslit me the whole time about the reasonable questions I asked about tens of millions of dollars of Tasmanians' money that was used by the Liberal Party to further their own election ends in the 2021 election.

It started with a letter provided by the then Premier to all Liberal candidates who received money who were given a promise of taxpayers' money to go towards communities. It started with the initial lie that the funding would be provided through the Local Communities Facilities Fund designed to help regional communities rebuild after the impacts of the COVID-19 pandemic. That was the initial attempt to get money out of the COVID-19 recovery grant but Treasury knocked that back. The Premier said:

I would be grateful if you could provide a copy of this letter to the Buchan Community House. Should a Liberal Government be re-elected, funding will be allocated as part of this year's State Budget process.

Well, that was a lie and, clearly, the point of the exercise was about using taxpayers' money to get Liberal members elected.

Mr SPEAKER - We are not in the substantive debate, so you cannot accuse somebody of lying.

Mr FERGUSON - Point of order, Mr Speaker. You have correctly called out the member, but I think you are inviting her to withdraw that and I ask you to enforce it.

Dr WOODRUFF - Sit down and do not take up my time. This is about confidence in the Premier. You have made your contribution and now I am making mine.

Members interjecting.

Mr SPEAKER - Member for Franklin, will you withdraw that word?

Dr WOODRUFF - What word? It was a lie that it would be funded that year because it was not in the Budget.

Mr SPEAKER - Members know that when you are asked to withdraw something, it is without qualification. You know that we should not be accusing anybody of lying, unless we get to the substantive debate.

Dr WOODRUFF - It was a falsehood on behalf of them, Premier.

Ms O'CONNOR - Point of order, Mr Speaker. It is not unparliamentary to use the word 'lie'.

Mr Ferguson - It is. It was used in reference to an individual member.

Ms O'CONNOR - I know you do not like the word because it is something you do so often. It is unparliamentary to call someone a liar; that is the convention of this place. We should not be censoring plain English words like 'lie'.

Dr Woodruff - We are talking about your lies and secrecy. That is what this is about.

Mr SPEAKER - Member for Franklin, as I have said many times, I am sure it is within the capabilities of every member in this Chamber, rather than to accuse somebody of lying or to use the word 'lie', to use another word that reflects the same thing. That is what I expect from all members in the Chamber.

Dr WOODRUFF - Your Government and its media unit continue to peddle mistruths to the ABC, when you said in April this year:

All of our commitments were clearly documented in the 2021-22 budget papers and approved by parliament.

They were not, and that is why we are here.

Mr SPEAKER - Member for Franklin, I am asking you to withdraw the word 'lie' without qualification.

Dr WOODRUFF - I withdraw the word 'lie' without qualification. We are still talking about the lies and secrecy of this Government. I am not accusing anyone of lying. We are talking about lies and secrecy.

Time expired.

Mr SPEAKER - The question is that leave be granted.

The House divided -

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Street
Mr Tucker
Mr Wood (Teller)
Mr Young

PAIRS

Mr Winter

Ms Ogilvie

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

Motion negatived.

QUESTIONS

Proposed Stadium Development - Comments by Senator Duniam

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.44 a.m.]

On Friday Tasmania's most senior federal Liberal senator, Jonathon Duniam, went out of his way to undermine you over your plan to spend \$750 million on a new stadium in Hobart. He told the *Mercury* newspaper that taxpayers should not be footing the bill for a stadium when taxpayers are facing higher electricity prices, more in mortgage repayments, and increasing fuel and food costs. It is unfair to ask them to pay for this stadium. The AFL should give us a team and find another way to pay for the stadium.

He then called in to WIN News to repeat his comments and posted that footage to his Facebook page. In other words, the Liberal Party's biggest powerbroker has gone to a lot of effort to undermine your \$750 million stadium, your case for federal funding and you specifically. It is clear that you do not have the support of the community on this one. Are you also losing the support of the Liberal Party?

ANSWER

Mr Speaker, I thank the member for her question. I am sure Senator Duniam would be flattered to know that he is one of the biggest Liberal Party powerbrokers. Senator Duniam is entitled to his opinion on a range of matters. I have a great deal of respect for Senator Duniam. I have known him for a long time and we are good friends but we do not agree on everything.

I am very pleased that we have reached an in-principle agreement on commercial terms with the AFL for a nineteenth licence. That is exciting news and a step forward. For 30 years this state has been trying to get its own AFL team, our own colours, our own song, our own team that we can wrap around and support. I accept the various opinions when it comes to the stadium and I recognise the level of community discussion -

Dr Woodruff - You do not accept the opinions. You belittle them.

Mr SPEAKER - Order, member for Franklin.

Dr Woodruff and Ms O'Connor - It is a disgrace.

Dr Woodruff - Snap.

Mr ROCKLIFF - You have been rehearsing that.

Dr Woodruff - It just came out.

Mr ROCKLIFF - Thanks for looking at my Facebook page, incidentally. I did not know it was -

Dr Woodruff - Have you seen your Facebook page?

Mr ROCKLIFF - Absolutely, I have.

Dr Woodruff - Do you read the comments?

Mr SPEAKER - Member for Franklin, order.

Mr ROCKLIFF - In your defence, at least you have the courage of your convictions. I will give you that and that is what I have: I believe in this project. I believe in the vision of the project, the broader vision of the stadium, the arts, culture and entertainment precinct and the 4000 construction jobs that - Darren Clark, do you know him?

Ms White - Do you know Jonno Duniam?

Mr ROCKLIFF - Do you know Darren Clark? He is sticking up for his members because he understands the value of jobs: 4000 jobs in construction and 900 jobs upon completion. An exciting opportunity.

If you are interested in social media, have a look at some of the discussion before the Adelaide Oval redevelopment, and Perth and Townsville. There was very strong community opposition to those projects but governments at the time had the fortitude to see it through.

That is what I have. I have the fortitude to see this through despite the fact that I know there is a lot of community discussion and people are concerned about the proposal.

Dr Woodruff - You are saying that anyone who has a concern is anti-development, anti-everything.

Mr ROCKLIFF - I believe many Tasmanians support that investment. It is an investment in jobs and our economy. It is broader than the AFL.

At least we have the courage of our convictions. I was looking around the room at the 300 people who attended the public meeting. I could not see a single Labor member there. I might be wrong. If you were serious about your position - I said you would be crabwalking away.

Dr Broad - You were not defending yourself there, were you?

Mr ROCKLIFF - I defended every single day in every single forum. At least the Greens, who we often disagree with in this place, were there and had the courage of their convictions. You have stood up, day in, day out, criticising this project against your better judgment. It is all about politics for you but you could not even bother to turn up and state your case at a public meeting.

Opposition members interjecting.

Mr SPEAKER - Order, order. It was a serious enough question to put for your first question. I expect the Opposition to be listening to the answer. You may not like it but I expect you to listen to it. I am not going to put up with all this yelling. I am struggling to hear the Premier. I am sure Hansard is having trouble as well. Please listen to the Premier in silence.

Mr ROCKLIFF - Mr Speaker, as Premier, I strongly support this proposal. We recognise that not everyone is supportive of this and there is vigorous community debate. At least we stand by our convictions and have the fortitude to believe in something - which those opposite, sadly, are devoid of.

Proposed Stadium Development - Comments by Senator Duniam

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.50 a.m.]

Today in *The Examiner* and *The Advocate*, Senator Duniam has doubled down on his extraordinary intervention from Friday. He says:

Tasmania is being asked to choose - between health and footy. Between roads and footy. Between many of the things that we need to keep Tasmania's economy growing, and a stadium. That is not fair ...

You have your priorities so wrong even your most senior federal Liberal colleagues have turned on you. Are you going to ditch your reckless plan to spend \$750 million on a stadium, or is the Liberal Party going to ditch you?

ANSWER

Mr Speaker, I thank the member for her question. This side of the parliament is all about growing our economy, presenting a vision, building infrastructure - whether it be roads, hospitals, schools or the Macquarie Point precinct, to ensure that we maintain our nation-leading economy, jobs and opportunities so that we are in the best position to invest in essential services.

I have said many times: we can walk and chew gum at the same time. We can invest in enabling infrastructure and indeed our health services as well. That is why we are investing in job-creating investment, attracting infrastructure, harnessing our natural advantages in renewable energy, agriculture, aquaculture, advanced manufacturing, technology and tourism, to strengthen and diversify our economy. We can do all this and support our essential services, and we are delivering on our plan.

Ms White - Really. How are you going with that?

Mr ROCKLIFF - Strong economy, we are investing where it matters - record funding into health and health infrastructure -

Ms White - Worst health outcomes in the nation.

Mr ROCKLIFF - one and a half billion dollars into health infrastructure over the next 10 years. Record funding into education, skills and training. Record funding into housing initiatives. Record funding into police and community safety. Record funding into initiatives that address the cost-of-living pressures.

Ms White - What about child safety?

Mr SPEAKER - Opposition leader, order.

Mr ROCKLIFF - When I believe in something, I will stick with it. You keep going, you can score your political points if you like, but I have applied hard for this project, and the nineteenth AFL licence because I believe in it, like many Tasmanians do.

I believe in the opportunity this will create. The stadium, the arts, entertainment, cultural precincts, the 4000 jobs, the \$85 million a year that it will generate in the economy, the enabling transport infrastructures - the ferries, which your side of politics are investing some \$25 million in - the enabling infrastructure for the transport corridor for the northern suburbs.

This is an exciting opportunity and I will withstand the opposition - whether that be from the Labor opposition who stand for nothing, or indeed federal colleagues - because I believe in this project.

Ms Finlay - Your federal colleagues do not.

Mr SPEAKER - Order.

Mr ROCKLIFF - Well, too bad. I do. I believe in this project. We are in government, we are here to make decisions, we are here to get stuff done, and that is exactly what we are doing.

Premier - Refusal to Correct Misleading Statement to Parliament

Ms O'CONNOR question to PREMIER, Mr ROCKLIFF

[10.54 a.m.]

We certainly heard a lot of the word 'I' from the Premier in his answer to the question just then. I remind him 'we' live in a community.

Today you have refused to correct a false and misleading statement you made to this place, despite the evidence being there in black and white. This untruth about how all your election commitments were funded in last year's Budget has been repeatedly stated by minister Street, who has corrected the record, and by you, who will not correct the record. Also, there has been an attempt to mislead the media - by your own media unit in April this year. How do you explain when they told the ABC:

All of our commitments were clearly documented in the 2021-22 Budget papers and approved by parliament.

Is this not a clear attempt by your own media unit to perpetuate an untruth about how your election commitments were funded?

ANSWER

Mr Speaker, this has been discussed many times. We stand for election, we make commitments, we get elected, and we deliver on those commitments. That is what Tasmanians expect us to do.

Ms O'Connor - But your media unit is telling journalists untruths.

Mr ROCKLIFF - You can name any project that you do not think should be supported but we work with our communities, as local members, to identify the projects that will help our communities -

Ms O'Connor - That is not the question. Explain the media unit.

Mr SPEAKER - Order.

Mr ROCKLIFF - particularly during the last few years, through COVID-19, particularly through that period of great disruption. We are all about growing our economy and also supporting our communities with valuable infrastructure. No apologies.

Ms O'CONNOR - Point of order, Mr Speaker. The Premier should apologise to the people of Tasmania for not answering this question and allowing his media unit to mislead journalists. The point of order is relevance: could he please answer the question? His own media unit is telling untruths to journalists.

Mr SPEAKER - As far as relevance goes, I consider the Premier did answer it. However, Premier, if you could - relevance to the question.

Ms O'Connor - Thank you, Mr Speaker.

Mr ROCKLIFF - I thank the honourable member. It has been well canvassed. We make commitments at election, and we get elected or not. When we are elected, we deliver on those commitments. I am very proud that we are a Government that does deliver on our promises particularly around rural and regional communities that value working closely with all members of parliament of all colours to try to make their communities better.

Commission of Inquiry into Child Sexual Abuse in Government Institutions - Update on Actions

Mr WOOD question to PREMIER, Mr ROCKLIFF

[10.57 a.m.]

Can you update the House on the progress being made against the 30 actions the Government committed to following the commission of inquiry hearings into child sexual abuse in government institutions?

ANSWER

Mr Speaker, I thank the member for his question and interest in this important matter. There is nothing more important than the health, safety and wellbeing of our children and young people. The parliament recently acknowledged our failures to protect children in government institutions who should have been safe but found themselves violated. We said sorry for failing our children. We acknowledged their pain and the enduring impact of trauma, and we made a commitment to make the changes required to ensure Tasmania is a safer place for all children and young people.

I said at the time that our actions must give meaning to that apology, and I meant it. Today I am providing an update on the now 30 actions the Government announced following the evidence we heard from victims/survivors at the commission of inquiry hearings.

These include expanding the scope of regulated activities under the registration to work with vulnerable people legislation. Consultation is already underway and an implementation schedule under development.

Rolling out trauma-informed training across the state service, starting with those in leadership positions, we have partnered with Lifeline to pilot trauma-informed practice sessions for TSS leaders, with an evaluation of these sessions currently underway to inform a broader roll-out.

Encouraging and supporting staff to raise child safety concerns, the Keeping Children Safe Working Group is well advanced in mapping agency child safety educational resources so they can be shared and tailored to departmental needs to support wider cultural change and staff training.

Drafting legislation to create a new crime of failing to protect a child or a young person, for people in authority within an organisation, who fail to safeguard a child from substantial risk of sexual abuse by an adult associated with that organisation: that is not only underway, it will be tabled this week.

We are appointing a safeguarding officer in every government school and appointments of safeguarding leads have now been made. We are undertaking a child-safe governance review of the LGH and its HR department, informed by a panel consisting of independent experts in child trauma. Governance in hospital administration and human resources are underway, with the Government's panel final report due to be submitted in coming weeks and we have also announced a process to rename ward 4K. We are establishing two multidisciplinary centres, one in the north and one in the south, to offer a best-practice model of support and safety services to victims/survivors of sexual and family violence and this work is well underway. We are also establishing a central complaints office to handle future complaints about misconduct, including child sexual abuse. A project manager has been engaged and a preliminary assessment has just been completed.

These are just a handful of the 30 actions we are progressing. The Government will continue to report on these actions, with an online dashboard established in January. This list will of course expand further when we receive the recommendations from the commission of inquiry next year. We must do everything we can to never allow a repeat of the failures of the past and allow such abuse to occur. We must do everything we can to keep our children safe.

TASCAT - Actions of Minister in Appointing Candidates

Mr O'BYRNE question to MINISTER for JUSTICE, Ms ARCHER

[11.02 a.m.]

Documents released under right to information reveal that the president of TASCAT took the unusual step of writing to you and formally expressing deep concern about your role in the process used to appoint candidates to the tribunal. You removed several suitable and qualified candidates from the list who had been recommended by the independent selection panel, instead replacing them with your own political appointments. I refer you again to the letter of the president of TASCAT dated 21 June this year and media comments by you on 12 November this year in which you said that you did not follow the recommendation of the independent selection process to appoint four individuals because they are, and I quote, 'active public advocates'. Can you advise where in the selection criteria for appointment to TASCAT it is stated that public advocacy disqualifies an individual for appointment?

ANSWER

Mr Speaker, I thank the member for Franklin, Mr O'Byrne, for his question. It gives me a chance to explain the process to the House and that I have done absolutely nothing wrong. They clearly do not understand the process of appointment, which I am surprised about, because Mr O'Byrne is a former minister.

Members interjecting.

Ms ARCHER - I encourage the House to listen to the response because there has been a lot of commentary on this which is incorrect.

Ordinary members of the Tasmanian Civil and Administrative Tribunal, or TASCAT, are appointed by the Governor, not me, under section 44 of the TASCAT Act - as I will refer to it.

Members interjecting.

Mr SPEAKER - Order.

Ms ARCHER - Can members please just listen? This is the process that must be followed here.

By convention, the Governor exercises her powers of appointment on the advice of the responsible minister. Pursuant to section 44(2) of the act, a person may only be appointed as an ordinary member of TASCAT if the person is an Australian lawyer of not less than five years standing as an Australian legal practitioner, or has, in the Governor's opinion, extensive knowledge, expertise or experience related to the type of matter in relation to which functions or powers may be performed or exercised by the tribunal and where the Governor thinks, if required, holds a particular qualification or an authority to engage in a profession that relates to that type of matter.

Section 43 of the act provides that the minister may, from time to time, appoint a panel of persons who, at the request of the minister, relates to recommending the selection criteria and they are to assess a candidate.

Section 44(3) of the act provides that members are to be appointed having regard to any selection criteria applying under section 43A and any advice provided by the selection panel under section 43B and the range of knowledge, expertise and experience required within the membership of the tribunal.

Members know that an expression-of-interest process for appointment as an ordinary sessional member of TASCAT was advertised on 16 April 2022 and closed on 29 April. There were 31 applications, 25 applicants were deemed suitable for interview by a selection panel and the interviews were conducted by the panel.

This is the important part. In determining the suitability of applicants for appointment, the selection panel used the selection criteria as set out in the information package that was publicly available at the time the positions were advertised. Following interviews, those applicants deemed suitable by the panel were suggested for appointment in a selection report drafted by the panel.

The Department of Justice, as is usual practice, updated me as to the progress of the appointment of sessional members of TASCAT. However, a meeting to consult with the president was not arranged with me prior to the selection panel finalising its selection report, as per usual practice. When I reviewed the selection report, I did not consider that the panel had adequately considered whether four of the recommended applicants held other positions that could affect the perception of their impartiality. The issue was directly relevant to selection criterion 6, which was:

Preparedness to adhere to the TASCAT Member Code of Conduct and to maintain the tribunal's independence and reputation, as well as personal independence and integrity, and to promote the highest standard of behaviour.

The TASCAT Members Code of Conduct is publicly available on the TASCAT website and a link to the code of conduct was contained in the information package. The code of conduct states further at point 10:

Fairness requires a Tribunal Member to make unbiased, impartial decisions and to give all parties the opportunity to put forward their positions.

Members interjecting.

Mr SPEAKER - Order. The Attorney-General has the Floor. No-one else in the Chamber should be making a comment.

Ms ARCHER - At point 11, it states:

More specifically, Members are to:

- apply the law equally, and act in an impartial manner in the performance of their decision-making functions; so that their actions do not give rise to a legitimate apprehension of bias or amount to actual bias;

At 12 it says:

In addition, Members:

- should, if engaged in another profession, occupation or business, take care to ensure that those activities do not conflict with or undermine the discharge of their responsibilities as members, and otherwise comply with section 52(2) of the TASCAT Act;
- refrain from partisan political activities which is directly related to the work of the tribunal or may impinge upon the perception of impartiality of the member or the tribunal.

Ms O'Byrne interjecting.

Mr SPEAKER - Member for Bass, order.

Ms ARCHER - This is in direct response to the member's question - the specific issue of whether an applicant's public advocacy gives rise to a perception, but the applicant does not demonstrate the required degree of independence is directly relevant to criterion 6. Further, matters that impact on an applicant's impartiality or perceived impartiality are relevant to the applicant's ability to adhere to the Code of Conduct, which is incorporated in the selection criteria by virtue of criterion 6, as I have quoted, particularly activity which may impinge upon

the perception of impartiality of the member or the tribunal, such as public statements, including through social media.

Mr Speaker, I also considered that there were six applicants interviewed by the panel who were suitable for appointment but who were not recommended by the selection panel in this round. They were all applicants who were assessed by the panel as suitable for interview. While they were not recommended for appointment by the panel following interview this round, each of the six applicants that I recommended for appointment were people who were either existing members of TASCAT whose terms of appointment were expiring -

Mr SPEAKER - If you could wind up please, Attorney-General.

Ms ARCHER - Yes, Mr Speaker, I will - or had been found suitable for previous relevant appointment processes and all had been interviewed in the most recent process. All of them had the relevant knowledge and expertise.

Members interjecting.

Mr SPEAKER - Order.

Ms ARCHER - I met with the president and we discussed that the need for TASCAT members to be impartial and independent was taken into account in my consideration of the suitability of applicants. This included whether applicants held other positions where they were active public advocates that could affect the perception of their impartiality. We discussed my views regarding the suitability for appointment of six applicants. That is the process that needs to be followed. It is advice only. I explained and discussed with the president the suitability of these other applicants, which was agreed, and made that advice to the Government for appointment.

The correct process was followed. I considered that selection criterion 6 had not been adequately taken into account. I encourage the member to go on Twitter and see some of the comments and I will be justified.

Proposed Stadium Development - Comments by Senator Duniam

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.10 a.m.]

Not only did Senator Duniam attack you over your warped priorities, he effectively endorsed everything the Labor Party has been saying for the past six months. He said:

That money being asked of Canberra and indeed of the state Government could go a long way to resolving Tasmania's elective surgery wait list issues ... Perhaps the money could go to assisting Tasmanians with some of their cost-of-living pressures ... or maybe a rebate could be put in place to cover the increase in power prices.

This comes after the Liberal member for Bass, Bridget Archer, said she did not believe the taxpayers of Tasmania should be paying for a stadium, given that we have a dual health

and housing crisis and after the Liberal member for Braddon, Gavin Pearce, has been telling anyone who will listen that he thinks that the stadium is absolutely the wrong priority.

You said before that you do not care what other people think, which is disrespectful to the Tasmanian community. It is clear that you are reckless enough to sink \$750 million of public money into this stadium proposal. Are you reckless enough to sink your entire leadership into this stadium?

ANSWER

Mr Speaker, I thank the member for her question. In my book, tough decisions are about leadership and having the courage of your convictions, even though there are other points of view, even in our own party federally. That is what I read into Senator Duniam's op-ed. I am not sure whether you are not sure about it but I recognise what others might say about this project.

Tasmanians also know that we are investing in elective surgery. They know that we are putting \$196 million into elective surgery and they know, with respect to the waiting lists, that they are coming down because of a clinician-led, patient-focused elective surgery plan. Our waiting lists have decreased from some 12 200 in January 2021 to around 8700 now. Why is that? Because we are investing in those key areas. We are investing and supporting Tasmanians with the cost-of-living challenges, particularly when it comes to energy prices. Our \$180 bill buster investment to support Tasmanians is an example of that.

Across a range of areas, when it comes to child safety services, when it comes to the investment in building an education system based on equity, as Mr Jaensch would know, we have growth funding in education, public school funding at a higher growth rate than private school funding, which was not the case under you. We are investing in police resources as well. There were 108 police officers gone under your government. We are continually rebuilding our police service through to 2026. We can and should prioritise the key areas of health, housing, education, public safety and child safety services but we can also build an economy around the stadium - an arts, cultural and entertainment precinct and an AFL team. We can do that: we can walk and chew gum at the same time.

I know there are many naysayers out there. I do not have a tin ear. I know what they are saying. I believe in what we are doing as a government and in the investments we are making. The difference between the Liberal Government and the Labor Opposition is that we are standing for something. You pretend to stand for something but when the Greens call you out in parliament, you run away as fast as you can. When you get the opportunity to speak against the stadium in a public forum, you do not even bother to turn up.

Police Approach to Drug Possession at Summer Events

Ms JOHNSTON question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr ELLIS

[11.16 a.m.]

Summer is approaching and, with it, a season for concerts and festivals. Research by leading academics suggest that many festival-goers exhibit dangerous behaviours in response

to drug detector dogs, including pre-loading, panicked ingestion, body pushing or stuffing, and purchasing potentially low-grade, sometimes fatal drugs inside the venue from dealers.

Do you agree with research indicating that amnesty bins can be useful in mitigating some of these very dangerous behaviours? Will you discuss with Tasmania Police how amnesty bins can be paired with drug detector dogs at musical festivals and similar events this coming festive season to encourage patrons to be safe and make good choices?

ANSWER

Mr Speaker, I thank the member for her question. Drugs are a scourge in our community and this Government makes no secret that we want to make sure that people young and old are not exposed to the dangers that drug use can bring. There is no safe amount, particularly of drugs that people can consume in these kinds of circumstances. It is a dangerous thing to be doing.

There are currently 32 Tasmania Police officers dedicated to drug investigation. As a result of the investment in additional police officers by this Government, the Crime and Intelligence Command was established in June 2020. That was a first for Tasmania. We want to make sure that drugs are off our streets; that people are not undertaking high-risk behaviours at our festivals. It is important that we continue to undertake that strong measure.

With regard to detector bins and other methods, I will say again, there is no safe use of any illicit drug. This is why the Tasmanian Government does not support pill testing, for example. Testing services indicating an illegal drug is free of certain contaminants sends a confusing and risky message, especially to young people in our community.

The Government's focus is on keeping Tasmanians safe, which is why we are doing what we can to minimise the use of drugs through the right mix of justice and preventative measures so that we can reduce the harm across our community. The Government provides resourcing for a range of programs and organisations in this space, organisations who work to improve community understanding of the dangers of illicit drugs and support Tasmanians living with drug dependency issues. These include the Drug and Alcohol Foundation, who do fantastic work, the Drug Education Network, the Salvation Army and City Mission. The department continues to work across government on reducing the impacts and harms associated with drug use.

There is currently limited evidence regarding the application of pill testing in an Australian context: the potential risks of that kind of approach. Pill testing in festival settings typically involves testing a small portion of a drug. However, the pills may not be homogenous. There is no way to know how an individual's body may process the contents of these substances, meaning that what may not affect one person could have serious health consequences for another. Drug tolerance is specific to each individual and cannot be estimated.

Tasmania Police work closely with music festival organisers to ensure the safety and security of attending patrons. Extensive policing resources are provided to complement event management operations. This includes high-visibility policing, the use of drug detection dogs, emergency response and traffic management operations. The primary role of Tasmania Police is law enforcement with a potential focus on preventing serious offenders who traffic drugs

into these settings. The preferred approach for possession of small amounts of drugs for personal use is diversion. Offenders found in possession of small amounts of drugs for personal use may be eligible to receive a formal caution or a diversion to a health-based intervention under the Tasmania Police Illicit Drug Diversion Initiative.

As I say, Mr Speaker, our Government makes no apologies for taking a strong stance on drugs, and nor do our law enforcement people, because we do not want people undertaking risky behaviour, particularly in these settings.

Royal Commission into Institutional Responses to Child Sexual Abuse - Implementation of Recommendations

Mrs ALEXANDER question to MINISTER for JUSTICE, Ms ARCHER

[11.20 a.m.]

Can you provide the House with an update on the Government's implementation of the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse?

ANSWER

Mr Speaker, I thank the member for her question and her particular interest in this very important work our Government is doing to better protect our children and young people and to support victims and survivors participating in the criminal justice system.

Today is a big day. I will be tabling two bills that continue our Government's commitment to advance the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Child and Youth Safe Organisations Bill 2022 implements key recommendations of the royal commission by creating a legislative framework for complying with the child and youth safe standards and the establishment of a reportable conduct scheme.

Child and youth safe organisations create cultures, adopt strategies, and take action to prevent harm to children, including child sexual abuse. These principles form the foundation of how our children's and young people's rights are respected and protected in organisational settings. The bill would embed these rights in Tasmanian law. The child and youth safe organisations framework requires organisations that work with children and young people to take specific steps to keep them safe and respond effectively if incidents of harm occur.

The framework will be made up of two specific elements, the child and youth safe standards and the reportable conduct scheme. Compliance with the framework will be monitored and regulated by a dedicated and independent oversight and regulation body. This work is incredibly important and will require a lot of work, as it is estimated that approximately 8000 organisations that work with children and young people will have to comply with the framework in Tasmania.

The Justice (Miscellaneous Royal Commission Amendments) Bill 2022 amends several acts related to the prosecution of child sexual offences, and I will also be tabling that bill today. These amendments will make tangible improvements to people affected by sexual violence to

access criminal justice, and will hold people to account for failing to protect our children, as well as better reflecting the nature of offending perpetrated by those in positions of authority. The bill creates new crimes for people in positions of authority, including specific crimes where a person in a position of authority sexually abuses a child and where a person in authority fails to protect a child from substantial risk of sexual abuse, two new crimes.

Other significant reforms proposed by the bill include removing all remaining limitation periods that apply to child sexual abuse offences in Tasmania; facilitating greater admissibility of tendency and coincidence evidence in child sexual abuse trials, consistent with model provisions agreed by state and territory governments; and extending the class of vulnerable witnesses who are eligible for special measures to support them to give evidence.

In conclusion, in the vital work involved in the creation of these bills, we are indebted to the victims and survivors who shared their stories with the royal commission and the recent commission of inquiry, including family members and the loved ones of those who are no longer with us.

As Attorney-General and on behalf of the Government, I will continue to take strong action to keep Tasmanian children and young people safe. I will not be deterred in these efforts, as every child has a right to feel and be safe. While there is still much work to do, I want to see our children and young people grow, learn, play, and work in child-safe environments where they are listened to, taken seriously, valued and empowered, and I am absolutely committed to doing whatever it takes to achieve this.

Ministerial Standards

Mr WINTER question to PREMIER, Mr ROCKLIFF

[11.24 a.m.]

Your Minister for Sport and Recreation has acknowledged that he misled parliament over the dodgy Liberal grants scandal and has corrected the record. He did the right thing. You, on the other hand, attempted to explain yourself earlier but did not, digging an even bigger hole for yourself. So-called attempts by your Deputy Premier to defend you fell very flat and now you have continued your contempt to cover this up by not allowing the parliament to debate a censure motion against you. Why will you not uphold your own ministerial standards, or are you willing to lead a dishonest government?

ANSWER

Mr Speaker, I thank the member for his question. I have spoken about this matter earlier this morning. What you have demonstrated is a complete stunt. You have completely run out of ideas. We are focused on continuing to invest in essential services. I have spoken about health, education, housing, public safety, and child safety services. That is where our focus is, but also on building infrastructure of which this state can be proud. That is our focus, as is growing our economy and keeping people employed, and it always will be. We will not have any of the stunts of the Labor Party, which is a party that is completely devoid of any heart, any ideas, and has no plans.

TASCAT - Actions of Minister in Appointing Candidates

Dr WOODRUFF question to MINISTER for JUSTICE, Ms ARCHER

[11.26 a.m.]

Independence of the judiciary from the executive is at the heart of the Westminster canon. I listened closely to your response to the earlier question. You misrepresented the detail of the Tasmanian Civil and Administrative Tribunal Act 2020. You left out the complete reading of section 44(4), which says the minister must consult with the president before a person is appointed under subsection (1), which is the TASCAT selection process. The letter from TASCAT's president in June shows that you did not consult with him first, as the law requires, before you substantially rewrote the panel's recommendations. You broke the law, it appears. How do you explain that?

ANSWER

Mr Speaker, I thank the member for her question but clearly she was not listening. I followed the act to the letter and explained the process of receiving its advice. I do not have to take that advice. It is my advice to the Governor. I did speak with the president. I will give you the dates. The appointments were not made by the Governor until 22 August 2022, long after I had consulted with the president.

Importantly, when I met with the president, we discussed that the need for TASCAT members to be impartially independent was taken into account in my consideration of the suitability of applicants.

Dr Woodruff - What date was it that you met with the president?

Mr SPEAKER - Order.

Ms ARCHER - I met with the president on 1 July, prior to the appointments been made, as per the act. If you want me to read that section out - I was summarising for brevity; let me continue with what I want to say. The requirements of the TASCAT Act in respect of these appointments were absolutely followed. In making recommendations to the Governor, I had regard to the selection criteria, including the TASCAT code of conduct, which I have referred members to, that applied as per selection criterion 6.

The advice provided by the selection panel and the range of knowledge, expertise and experience required within the membership of the tribunal was considered. Further, I consulted with the president of TASCAT prior to any appointments being made by the Governor. I repeat, I met with the president on 1 July 2022 and the Governor made the appointments on 22 August 2022.

I do not know what the member thinks she has here. The president and I did meet. He express the views in that letter, but we had since met.

Dr Woodruff - Yes, that is right. After you had approved it.

Ms ARCHER - No.

Dr Woodruff - Yes. You did not meet with him to discuss your changes. I am just reading it.

Mr SPEAKER - Order.

Ms ARCHER - Mr Speaker, it is important to understand that in accordance with section 44 of the TASCAT act, these appointments were made by the Governor. While the appointments were made based on my advice as the minister responsible, I did not personally make the appointments.

Any views I expressed, I expressed to the Department of Justice prior to meeting with the president about who I considered - this is important - should be appointed, did not, and could not, amount to an appointment.

Mr O'Byrne - The Governor is not going to strike out your recommendations.

Mr SPEAKER - Member for Franklin, order.

Ms ARCHER - I did not make an appointment. I met with the president -

Mr O'Byrne - What is the constitutional convention on appointments?

Mr SPEAKER - Order. Member for Franklin, any more comments and you will be asked to leave the Chamber. The Attorney-General is answering the question. She should not be continually interjected on.

Ms ARCHER - Anything you think about messages to the Department of Justice, that is not me making an appointment. That is not the appointment. The Governor makes the appointment. At all times, I complied with the act.

Dr Woodruff - Your approval was given in a minute.

Opposition members interjecting.

Ms ARCHER - I have read out selection criterion 6, which is what I based my difference of opinion on, which I discussed with the president and those matters were agreed.

Mr Speaker, I will say it again: I have followed the sections that I have read out to members, including section 44. Section 44 (3) of the act provides that members are to be appointed having regard to any selection criteria applying under section 43(a) and (b).

What I did was refer to the selection criteria through the information package criterion 6.

Mr Speaker, I will say it again, I do not know what the member for Franklin thinks she has here, but I have given the dates, and at all times followed the process.

TASCAT - Actions of Minister in Appointing Candidates

Ms HADDAD question to ATTORNEY-GENERAL, Ms ARCHER

[11.32 a.m.]

The fact that the president of TASCAT did write to you is unprecedented. He expressed genuine concern that your recommendations for appointment were a significant departure from the panel's recommendations. Your answers in this place today clearly demonstrate that you did remove some names from the list of recommendations because they have disagreed publicly with you or this Government. Is it clear that if someone speaks up publicly in this state, they will not get a job?

ANSWER

Mr Speaker, there is an example where members opposite come into this place and put words into our mouths. I did not say that because they disagreed with this Government I am not going to appoint them. It could not be further from the truth.

Opposition members interjecting.

Mr SPEAKER - Order.

Ms ARCHER - This was not a political appointment. This is me actually protecting the impartiality and independence of TASCAT by not having political commentators appointed to those independent and impartial positions. It is absolutely consistent with the need to have the impartiality that is required under selection criterion 6, which I met with the president about -

Opposition members interjecting.

Mr SPEAKER - Order. Members on the left, order.

Ms ARCHER - I am not going to go into the conversation I had with the president, but following that meeting -

Dr Broad - And we know why.

Ms ARCHER - No. Following that meeting, criterion 6 should have been applied. It was my view that it was relevant to these appointments. Also, appointing the other six members who I appointed and considered suitable for appointment was necessary as well, as I have outlined for the reasons there, and their suitability.

Mr Speaker, I did not make these appointments at all because of comments against the Government -

Opposition members interjecting.

Mr SPEAKER - Order. Attorney-General, if you could just give everybody a chance to calm down. There is too much interjecting coming from my left. I will allow the Chamber to have a think about what you are doing. The Attorney-General is answering the question. Labor

has further questions if you wish to go down the path. I will ask the Attorney-General to wind up.

Ms ARCHER - Mr Speaker, the other side are really good at making assumptions. When I mentioned social media, there is one in particular which - for the language that was used, I am not going to read out in the House - in my view, serves as an example where criterion 6 is highly relevant. As I am entitled to do, I take those things into account to determine people's suitability and ability to be impartial and independent, and not impact on the reputation of the tribunal as well. That is entirely within my rights to do, as the Attorney-General and Minister for Justice.

I will not have members opposite making assumptions that I have done it on the basis that someone criticises the Government.

The person to whom you are referring: I have provided funding to an organisation that this person heads. I do not play favourites or otherwise.

This is about protecting impartiality. It would be a political appointment if someone the other side thought was more suitable for me to appoint in a biased way. Mr Speaker, members need to be really careful and not make assumptions.

Ashley Youth Detention Centre - Alternatives

Mr TUCKER question to MINISTER for EDUCATION, CHILDREN and YOUTH, Mr JAENSCH

[11.37 a.m.]

Can you update the House on progress to comprehensively reform our youth justice system and develop alternatives to the Ashley Youth Detention Centre?

ANSWER

Mr Speaker, I thank my colleague for his question and his belief and support for these important reforms.

Young people who enter our youth justice system need therapeutic responses that address their developmental needs, their past trauma, and restore them as positive members of our community. In the past, we have failed to meet the challenge of youth justice, particularly when it comes to young people in detention. The commission of inquiry has brought these failures into vivid focus, reinforcing the need for urgent change.

While we acknowledge this urgency, the Government must not let the desire for change lead to poorly considered outcomes that miss the opportunity to reach for best practice and nation-leading outcomes.

Since the Government first announced the closure of the Ashley Youth Detention Centre and a comprehensive reform of the youth justice system, three key priorities have been underway.

The first has been a range of actions taken to ensure the safety and wellbeing of young people in custody at the Ashley Youth Detention Centre. Today I am releasing *Keeping Kids Safe: A plan for Ashley Youth Detention Centre Until its Intended Closure*, which details the actions completed so far and currently underway to ensure that the young people at Ashley are safe until there are more appropriate facilities for them.

The plan focuses on four areas:

- (1) Increasing safety and security for children and young people.
- (2) Maintaining appropriate staffing levels with the right expertise and competencies.
- (3) Delivering a therapeutic service model.
- (4) Implementing practice improvements.

The second key priority has been the development of our overarching blueprint for the entire youth justice system, which will set the strategic direction for the next 10 years. Today I am pleased to release the final draft of our Youth Justice Blueprint 2022-2032, which has been developed in consultation with key stakeholders over the last 12 months.

The Youth Justice Blueprint is aimed at improving the wellbeing of children, young people and their families, while addressing the underlying drivers of offending behaviour, reducing offending and improving community safety.

To achieve this, the blueprint focuses on five key strategies to deliver a connected and responsive youth justice system. It will prioritise prevention and early intervention to reduce engagement with the youth justice system. It will ensure that diversion from the youth justice system is early and lasting. It will establish a therapeutically based justice response. It will integrate and connect whole-of-government and community service systems and it will provide an appropriately trained and supported therapeutic workforce. The department is currently finalising our first two-year action plan to implement the blueprint, focusing on the immediate, short- and medium-term priorities.

The third key priority has been the development of our new approach to youth justice facilities that will replace the Ashley Youth Detention Centre. Today, I am releasing our proposed youth justice facilities model, which offers a completely new approach to youth justice facilities, responding to the needs of young people at highest risk.

Simply changing the postcode for a detention facility, or moving from Ashley to two similar smaller facilities, will not improve the outcomes for young people. Our analysis of best-practice approaches from around the world has led us to differentiated facilities. These will work together to ensure that the fewest young people end up in secure custody and that those who do are supported to never return, either to detention or to the adult prison system.

The Government is proposing a youth justice facilities model comprised of one detention and remand centre located in the south; two assisted bail facilities, one in the north or north-west and one in the south; and two supported residential facilities, one in the north or north-west and one in the south.

The southern detention and remand centre will provide a statewide facility for young people sentenced to detention or on remand, providing the opportunity for intensive intervention and rehabilitation through a therapeutic model of care. The facility will be limited to those young people over the age of 14, with exceptions for the most serious crimes.

Our detention centre will be only one element of an integrated youth justice system and will be most successful if it is part of a planned program of supports in the community upon a young person's release. Assisted bail facilities aim to reduce the number of young people remanded to a detention centre by providing safe, stable accommodation, together with assistance in managing their bail conditions and support to address their underlying needs. Location of the assisted bail facilities in both the north and the south of the state will enable children and young people to remain close to their community and be supported to participate in their communities' activities, including education and training.

Finally, the two supported residential centres will provide young people with skills and support for a successful transition from detention to independence in the community, with the aim of reducing the number of young people reoffending. This is an innovative approach which continues the intensive support commenced in detention and works with young people to re-engage them in education, the workforce, suitable long-term accommodation and other services. The location of the support centres in the north or north-west and south of the state provides greater proximity to the child or young person's community at the critical time when they are transitioning back to their community.

This new youth justice facilities model, coupled with our strategies under the blueprint, will ensure that fewer young people in Tasmania end up in detention and those who do are supported to never return to criminality and its consequences. Our blueprint and proposed youth justice facilities model will be released today for public feedback and further targeted consultation, with both due finalised and released earlier next year, along with our first two-year action plan.

This Tasmanian Government is determined to build a nation-leading approach that engages young people in risk early, directs them away from the youth justice system and restores young people who do come into conflict with the law as valued and productive members of our community.

Child Safety Staffing Levels

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.44 a.m.]

On 7 September 2022, a delegation of CPSU child safety service members met with you to present you with an emergency workforce package. Due to serious long-running staff shortages in child safety, staffing levels have reached the point where there were too few staff to meet their statutory obligations. Those workers tell me you welcomed the package, indicated your support for several elements and committed to responding in writing to each one, which you did not do.

Subsequent to this broken commitment, the secretary of the Department of Education, Children and Young People indicated to workers that much of the package would be

implemented: yet now, three months since you met with child safety workers in crisis, nothing has been done.

Earlier, you said that when you believe in something, you will stick to it. Does that only apply to your obsession with the stadium? Have you walked away from the commitment you made to these workers or will you follow through on what you promised and intervene to ensure the solutions to this crisis are implemented before Christmas?

ANSWER

Mr Speaker, I thank the member for the question. I have previously mentioned in this place the meeting I had in September where I was able to talk with and learn from people working within the child safety sector and services. I gained a very good understanding from speaking with a number of people about how difficult it is and the challenges of working in that environment. A number of areas were put up for discussion and I am committed to being proactive in seeing a number of those matters through. Alongside me was the secretary of the department of Education and Children, Tim Bullard, who is working through a number of these matters.

It is important that when we meet with people on the ground, as I often do across our health systems and education, that we get an understanding of how we can support them more to deliver such vital services. I will seek an update on where those matters have reached today. I thought at the time that while I could not perhaps deliver on every single point 100 per cent, there were a number of good ideas presented and we are following those up.

Child Safety Staffing - Resignations

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.48 a.m.]

I would like to acknowledge the workers who are in the public gallery today, listening to your answers and expecting you to follow through on your commitments. These overworked child safety workers are at crisis point. They are unable to provide the most vulnerable children in Tasmania with care and support because staff are resigning en masse and vacant positions cannot be filled.

It has now been nearly three months since union members presented you with an emergency package and still nothing has been done to give our child safety workforce a reason to stay or to make it more attractive for people to apply for jobs in child safety. Every week that goes by with you failing to do something, more experienced staff resign because they cannot face coming to work each day to work in a system that is failing children. You need to provide a commitment that you will implement these changes before Christmas.

How many child safety staff have resigned or moved to other jobs since you were presented with this emergency workforce package three months ago?

ANSWER

Mr Speaker, I thank the member for her question and acknowledge a number of people in the room. Thank you very much for the service you provide to Tasmanian children and our community. It is appreciated. We recognise the critical role of our child safety staff in meeting the needs of some of the most vulnerable members of our community.

We do not underestimate the challenges involved in responding to families who need help, and children and young people who are at risk. To meet these challenges as a government, we will work to ensure the Child Safety Service is appropriately resourced and supported. Since 2014, we have increased Child Safety staffing by around 40 per cent, and as part of our last Budget 2022-23, we committed a further \$5.4 million for an additional 10 full-time equivalents to be added to the Child Safety workforce around the state.

While we have an establishment in Child Safety that is better resourced than ever before, we know that recruitment and retention remains a challenge. Vacancies are impacted by a range of factors, including the significant market demand across sectors for allied health professionals, both in Tasmania and nationally.

Intensive recruitment activity in recent months has resulted in the appointment of new staff members to all regions, I am advised, and we are also progressing a number of initiatives to continue support and investment. We are approving the recruitment of additional relief positions above the current full staff complement to act as backfill when there are vacancies or when staff need to take leave.

New unit coordinator positions will be recruited to ease the administrative workload for Child Safety officers, allowing them to focus on their core responsibilities to children and families. A total of 13 new unit coordinator positions were advertised recently, on 4 November, and once recruited, every Child Safety team in Tasmania will have a dedicated unit coordinator.

As part of the transition to the new Department for Education, Children and Young People, we are also investing \$2 million in new tablets and associated equipment for Child Safety officers, as well as upgrades to video conference facilities across the state. An enhanced student pathway is being developed with the University of Tasmania to enable streamlined employment of social work students into the service. Of course we know that there is always more to do and we will continue to consult with the staff and unions about what they need to do.

Ms White - They want you to do something, not just talk to them.

Mr ROCKLIFF - We have and we are. It is very important work keeping Tasmanian children and young people safe, so we are very well aware of the challenges of recruitment and retention.

Ms WHITE - Point of order, Mr Speaker, going to standing order 45, relevance. Part of the question asked the Premier to outline how many Child Safety officers had quit or left the service in the past three months. Since he has failed to implement any of the recommendations in that time, can he provide an update?

Mr SPEAKER - Again, I take the point of order on relevance. I believe the Premier was answering the question. I can always remind ministers and/or the Premier to stay relevant to the question.

Mr ROCKLIFF - I am sure if the question was put to the minister in the appropriate forum, we could seek that information for you. I do not have it.

Ms White - Why can't you? You're the Premier. You employ these good people.

Mr SPEAKER - Order.

Mr ROCKLIFF - Mr Speaker, can I say that I valued the meeting I had with Child Safety Service personnel; I learned a lot from that meeting. We are implementing a range of initiatives. We are investing some \$5.4 million in 2022-23 Budget and we will continue to find ways to support our Child Safety Service personnel, as we have always done, by listening to them.

Victims/Survivors of Family and Sexual Violence - Multidisciplinary Centres

Mr YOUNG question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr ELLIS.

[11.54 a.m.]

Can you provide an update on the establishment of multidisciplinary centres for victims/survivors of family and sexual violence in Tasmania?

ANSWER

Mr Speaker, I thank my friend, Mr Young, for his interest in this important matter.

Violence against anyone in any form is unacceptable, but it is particularly the harm caused by family and sexual violence that is devastating in our communities. During the Commission of Inquiry into the Tasmanian Government's Responses into Child Sexual Abuse in Institutional Settings, we heard stories of victims/survivors needing to navigate multiple systems and services to get the help they need.

The Tasmanian Government is committed to eliminating family and sexual violence and doing as much as we can to provide the best support to victims/survivors and to prosecute the offenders. As part of this commitment, we are providing \$15.1 million over two years to pilot two multidisciplinary centres: one in the north and one in the south of the state. An evaluation of the pilot will assist in the rollout of the third north-west service. These centres are bringing together support services, Child Safety staff and specialist police investigators under the one roof. This significant reform is part of our whole-of-government agenda to improve responses to sexual and family violence.

I acknowledge my colleague, Jo Palmer, Minister for the Prevention of Family Violence, for her work in setting the agenda in the Government's third Family and Sexual Violence Action Plan which will be released soon. I would also like to particularly acknowledge my predecessor in this role, Jacquie Petrusma, who was instrumental in establishing this service. Her passion

to better protect victims/survivors and her own lived experience has been the catalyst for our centres.

Co-location of services at the centres mean that victims/survivors only have to attend one location to receive the help they need and they will have choices for the pathways they would like to take. Individuals may choose to first seek therapeutic support and not engage with police; however, this pathway enables evidence to be preserved, meaning that they have options available in the future if they want to pursue a justice outcome. Alternatively, victims/survivors may choose to immediately see police and seek a prosecution pathway and may have no or minimal contact with therapeutic services. This is their choice to make.

All centre staff, including police investigators, will be available and equipped to support these choices and will respond in trauma-informed ways. This will include police not wearing uniforms and not having police cars out the front, and the centres will be warm and welcoming, with a therapeutic space and dedicated interview rooms.

The project team has been working hard to progress this project as a priority so that we have these centres available in 2023. Organisations and individuals that represent diverse community groups, government agencies, victims/survivors and support services are engaged. There are formal working groups, consultation forums and a regular e-newsletter. Many voices are being heard. Recently two premises have been secured for the centres and work to develop these facilities is beginning soon. Public consultation on the name and logo for the centres is currently live and the survey closes tomorrow.

I take this opportunity to thank all victims/survivors who are providing insights and feedback on the development of these important centres. We acknowledge your incredible courage and reiterate the immense value of your voices and your perspective.

Time expired.

RECOGNITION OF VISITORS

Mr SPEAKER - Honourable members, I draw your attention to the presence of year 9 legal studies students from Fahan School. Welcome to parliament.

Members - Hear, hear.

RESPONSES TO PETITIONS

General Practitioner Services in Ouse

Mr Rockliff tabled the response to a petition presented by Ms Butler on 29 September 2022:

- Petition No. 14 - See Appendix 1 on page 115.

Birrilee Road - Freight Curfew

Mr Ferguson tabled the response to a petition presented by Ms Butler on 26 October 2022:

- Petition No. 17 - See Appendix 2 on page 117.

LAND USE PLANNING AND APPROVALS AMENDMENT BILL 2022 (No. 29)

LEGAL PROFESSION AMENDMENT BILL 2022 (No. 45)

ANIMAL WELFARE AMENDMENT BILL 2022 (No. 42)

STADIUMS TASMANIA AMENDMENT (TRANSFERS) BILL 2022 (No. 39)

Bills agreed to by the Legislative Council without amendment.

APPROPRIATION (SUPPLEMENTARY APPROPRIATION FOR 2022-23) BILL 2022 (No. 49)

Bills agreed to by the Legislative Council without request.

CHILD AND YOUTH SAFE ORGANISATIONS BILL 2022 (No. 54)

JUSTICE MISCELLANEOUS (ROYAL COMMISSION AMENDMENTS) BILL 2022 (No. 55)

First Reading

Bills presented by Ms Archer and read the first time.

MOTION

Standing Order 49 - Answers to Questions on Notice

[12.05 p.m.]

Mr STREET (Franklin - Leader of the House) (by leave) - Mr Speaker, I move -

That for the remainder of this Session, Standing Order 49 be amended by inserting "within 15 sitting days", after "laid upon the Table of the House".

Last sitting week I was made aware that the 15 sitting days for the questions on notice was a sessional order that had been missed in the transfer after the proroguing of parliament, and so it did not exist.

Last Wednesday, I emailed the Leader of Opposition Business, Ms O'Connor, and the two Independents to notify them that we would be reinstating that wording to require the questions on notice to be answered, and have tabled and answered within 15 sitting days.

[12.05 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I thank the Leader of the House for that update, and for proposing the amendment, which will bring the sessional orders back in line with what we actually thought they were. In fact, they are printed in our booklets the way it is proposed by the Leader to happen. We also acknowledge that it was the member for Bass - Ms O'Byrne as I understand - who identified the issue through questions in the last week of parliament.

It appears, though, that the Government was aware of this somewhat earlier, in that they have not been answering the questions within 15 sitting days. I am surprised that this 'government of honesty and integrity' was not answering the questions within 15 days anyway. There are questions still on the paper that are overdue, and that is disappointing.

We seek these answers on notice when they are more complex and require some investigation by ministers and we expect to get the answers back within a reasonable time. The amendment as proposed is much more reasonable than without having a time limit at all.

I make the point that this amendment was not required for the Government to respond to questions in a reasonable time frame. They could have done it without the sessional orders being amended, yet they have chosen not to, and that is disappointing.

[12.07 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Briefly, Mr Speaker, we are pleased to see that the provisions that were agreed to in the standing orders before the previous proroguing have been reinstated. I like to think that is because minister Street has identified that it was the wrong thing to do; however it happened - or maybe it was a big mistake that those sessional orders were not reinstated and now it is being fixed.

Having been through the questions on notice, they go back to 16 August this year - well past 15 sitting days, or certainly by the end of this week they will be at 15 sitting days.

It is very easy to lapse into a mindset in this place of thinking there is a plot afoot - and with this Government, when it comes to transparency, quite often there is. There is no way to necessarily find this out, but I feel as if a decision was made to remove that provision from the sessional orders after the proroguing. It is hard to make that sort of mistake unless it is deliberate. Anyway, it has been corrected and that is a positive.

[12.08 p.m.]

Ms O'BYRNE - Mr Speaker, on that, can I clarify that the 15 days motion we are debating now commences again today, or is there an opportunity in good faith to actually have answers to some of those longer-term questions before parliament rises this week?

As the former member who just spoke noted, the departments have had some of them since August.

[12.09 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, that will be up to individual ministers. The motion as set down means that the questions that are on the paper right now will be answered within 15 sitting days from today. I am sure if ministers can do it earlier, they will undertake to do so. I am more than happy to commit to it, because I do not believe any of the questions on notice are mine.

In relation to Ms O'Connor's comment, can I categorically deny that a decision or an initiative was made to remove that. It was simply a transcribing error in transferring over the sessional orders, and it was missed because of the way it was printed in the standing orders.

I am not going to place blame, but the assumption was made that it was a standing order because of the way it was printed in bold, I believe, rather than the other way around. There was no decision taken by the Government to remove that sessional order when we brought the parliament back from proroguing. As soon as Ms O'Byrne let me know of the issue, in consultation with the Clerk, we got to the bottom of it. I have moved this motion to fix it as quickly as possible with the agreement of my colleagues.

Ms O'Connor - I believe you. I take you totally at face value on that one.

Motion agreed to.

MOTION

Leave to Suspend Standing Orders - Negatived

[12.10 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I seek leave to move a motion without notice for the purpose of moving the suspension of Standing Orders to debate the following motion:

That the House refers the Premier, Jeremy Rockliff, to the Privileges -

Ms Archer - You don't want to get to order of the day No 14 or 15 you have been complaining about?

Mr SPEAKER - Order.

Mr WINTER - I will read the motion again -

That the House refers the Premier, Jeremy Rockliff, to the Privileges and Conduct Committee for the following reasons:

- (1) on 14 June, misleading the House regarding the treatment of grant moneys associated with the 2020-21 Liberal Party election promise through the Local Communities Facilities Fund; and
- (2) refusal to correct the record at the earliest opportunity.

Mr SPEAKER - Do you have copies of that motion?

Mr WINTER - I have already handed it around.

Mr Speaker, we should not need to do this. We should not have needed to ask the Premier to correct the record in a motion earlier today, either. It would have been quite simple for the Premier to follow the lead of his Minister for Sport and Recreation and correct the record. As the Premier has not corrected the record, it leaves the Opposition with no choice, so we are seeking leave today to debate a motion that would refer this matter to the Privileges Committee.

We think this is the most important issue of integrity and honesty for the Premier and for this Government. The Premier says they are words that are important to him and if they are, they should at least allow the debate today. It is the least the Government could do if it is interested in integrity and honesty and actually explaining itself, because they failed to do that earlier today. They should at least allow us to debate this very important matter.

The Standing Orders are very clear, Mr Speaker. Part 2 says:

A Member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.

I could give the Premier the benefit of the doubt and say he did not know at the time that he was misleading the House. Perhaps he could explain that that is the case if he gave us an explanation within the debate, but until he does, I do not know that.

Ms O'BYRNE - Point of order, Mr Speaker; there is a stranger on the Floor.

Ms O'Connor - Out, now.

Mr WINTER - Until we have an explanation, we do not know whether that is the case. It says:

A Member must not mislead Parliament or the public in statements that they may make.

And further:

Whether any misleading was intentional or unintentional a Member is obliged to correct the Parliamentary record or the public record, at the earliest opportunity in a manner that is appropriate to the circumstances.

Mr Speaker, it is very clear what the Premier should have done this morning at the same time as his Minister for Sport and Recreation did. He should have corrected the record. Instead, here we are needing to refer him to the Privileges and Conduct Committee for very good reasons. The Opposition does not do this lightly. In fact, we have not done motions like this -

Mr Ferguson - It is a stunt.

Mr WINTER - It is called a stunt by members of the Government. I have to take members of the Government up on this. It is not a stunt. The integrity and honesty of the Premier and the Government is of utmost importance and so is making accurate statements in this place. If he made a mistake, the Premier should be courageous enough, to use his words, to stand up and admit that he misled the House. He did mislead the House, Mr Speaker. It is unequivocal. This is what he said:

Government members interjecting.

Mr Ferguson - What you are doing is making stuff up yourself; that is what you are doing.

Mr SPEAKER - Order.

Mr WINTER - Mr Speaker, it is like they are doing my job for me. The Deputy Premier has just said I am making this stuff up.

Mr Ferguson - You are.

Mr SPEAKER - Order. The member should be heard in silence.

Mr WINTER - I am about to read from the *Hansard*. If the Deputy Premier thought there was a mistake in the *Hansard* he should have put in a correction note to Hansard at the time. I will read what is in the *Hansard* which I take to be a true and accurate reflection of what the Premier said at the time:

Just like any other election promise, the promises come to fruition dependent on two things: one, the party being elected to form government and enabled to enact the commitment; and two, the election promise being funded included in the Budget and the Budget being agreed to by the parliament.

Neither of those last two things happened.

The Premier did mislead the parliament in the treatment of these grant moneys and he should have corrected the record. If, indeed, the first time he found out about it was late last week, then he should have corrected it today. The defence offered by the Deputy Premier earlier today was that we should have already known that he misled the parliament. The defence offered by the Deputy Premier today was, 'Actually, you're all wrong because I told you the Premier was wrong a long time ago'. Will they put up a proper defence this time?

The right thing to do in this circumstance would be to agree to allow leave to have this debate and deal with the matter. The right thing to do would be to stand up and acknowledge that -

Ms O'Connor - They never have. Not in eight years have they allowed a censure or no confidence motion to run its course.

Mr WINTER - Even better, Ms O'Connor, would be to stand up and correct the record. One way to deal with this would be to be honest and accurate with your statements, as the Standing Orders direct and as the code of conduct for ministers directs, and as the Minister for Sport and Recreation rightly did today. He stood up and said he got it wrong. He owned his mistake, quite rightly, and we give him credit for that. For the Premier, who says he is a premier of integrity and courage, to meekly stand up for a couple of seconds, say almost nothing, then sit back down and refuse to own up to his mistake was a deep disappointment.

We should be allowed leave to debate this motion. A government of integrity and honesty would allow the House to deal with this matter properly. These moneys that continue

to come out of state election commitments from this Government continue to leave more questions. The fact is that in the Estimates process this year we were not able to get answers to very simple questions within that context and then within the House. We have been misled by the Premier. These are very serious matters. The Government says it is a stunt but there could not be a more serious matter than the Premier misleading the House. He should stand up right now and correct the record. If he does not, it is yet another sign that he is leading a government that lacks courage and integrity.

[12.17 p.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, once again, when Tasmanians expect us to debate legislation, to speak about the things that matter to them around health, education, public safety, and child safety services, you come in here with pathetic stunts because you have nothing better to do. No plan for Tasmania and no courage of your convictions either, Mr Winter. I will come to you in just a moment.

What a waste of time by the Labor Opposition. I was clearly asked in parliament about an election promise for the Sandy Bay Rowing Club which was funded in the 2021-22 Budget and I answered it factually. To quote my words out of context while deliberately omitting the fact is itself misleading and deceptive. It is also a complete waste of parliamentary time when we have important legislation to debate.

The facts are that every one of our election commitments directly benefits everyday Tasmanians right across the state. They were lawfully funded through the Financial Management Act and this was outlined by the then Finance minister to parliament during the supply bills debate on 24 June last year. It is a complete and utter stunt. You are being misleading and deceptive by deliberately taking words out of context for your own political gain. You are pathetic, just as you are pathetic for not standing up for your own convictions when it comes to the stadium.

Members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - Where were you at the public meeting? You have been put up here every single day for the last few months complaining about that investment, and when it comes to the crunch, where were you? Nowhere to be seen.

Ms O'BYRNE - Point of order, Mr Speaker. This is about referral to the Privileges Committee under the issue that the Premier has misled the parliament and not corrected the record appropriately. It is a serious matter and the member should be addressing his response to whether or not the Privileges Committee should hear this matter.

Mr SPEAKER - Order. On the point of order, we are seeking leave, but I have allowed earlier today, and with Mr Winter, substantial movement of reasons why and so forth. I need to allow that same quid pro quo to the Premier in his defence.

Ms O'BYRNE - On your ruling, Mr Speaker, can I clarify that making a case as to why a reference should go to the Privileges Committee is somehow the same as the Premier arguing a whole lot of superfluous issues. Mr Speaker, this is the most serious thing we can do here.

Mr SPEAKER - Order. I have suggested that there has been substantial movement this morning in the arguments that are put. I will allow the Premier to continue his answer.

Ms O'Byrne - Mr Speaker, this is a matter of privilege.

Mr ROCKLIFF - Increasingly, we are also seeing Labor make deliberately misleading statements for the sake of a political hit and stunt. Mr Winter falsely claimed again that power prices for Tasmanian families will increase by 75 per cent over the next two years. Wrong.

Mr SPEAKER - On the point of order, again, the Premier, in my view, has made a point that his words were taken out of context. If he wants to back that up by some examples, I am not going to prevent him from doing that.

Dissent from Speaker's Ruling

Mr WINTER - Mr Speaker, I dissent from your ruling. We cannot allow - I am on the debate on dissent from your ruling, although the Clerk may clarify.

Mr SPEAKER - So we enter a 35-minute debate on the ruling.

Mr WINTER - Mr Speaker, with all due respect -

Members interjecting.

Mr SPEAKER - Order.

Mr WINTER - Mr Speaker, on your ruling, in my contribution I continually referred to the seeking of leave, which is in line with your previous rulings. In fact, many times you have pulled up members, including me, in debates like this to ensure that they are talking about the seeking of leave.

The Premier has just stood up and tried to make a contribution about a football stadium. I know he is obsessed with the football stadium but we are actually trying to refer him to the Privileges Committee. It is completely irrelevant and out of order. I expect you to uphold the Standing Orders to ensure that he is being relevant to the question. As the member for Bass said, what more serious thing could we raise than intending to refer a premier to the Privileges Committee? We are only asking you to be consistent with your rulings from earlier this year, throughout your time as Speaker during this term of government, to ask the Premier to be relevant to the seeking of leave. If your ruling is upheld, it would set a very bad precedent for these debates.

We should not be having debates like this. The Government should allow leave to be granted so that we can debate these matters. As the Leader of the Greens said earlier, this Government never allows leave.

Ms O'Connor - Apparently there has been one, which I cannot remember. It might have been Matthew Groom.

Mr WINTER - We continue to have these faux debates, Mr Speaker. You have, quite rightly, in previous debates upheld the Standing Orders and ensured that speakers, on the

seeking of leave, are being relevant to the question. The Premier, in the two points of order raised by the member for Bass, Ms O'Byrne, was clearly not being relevant to the question.

As I said, Mr Speaker, with all due respect, we are only asking you to be consistent with the Standing Orders of this House, which need to be upheld, and with your own rulings, which create precedent in this place. If you create a precedent where members can stand up on a question seeking leave and talk about anything they like, because I fear that is what you are doing, that will be a very bad sign for this House. I urge you to reconsider your view. I ask that the House support this dissent motion because it is clear that the ruling you have made cannot be upheld.

[12.24 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, the Government will not be supporting the dissent motion on your ruling. I have sat in this place for a number of years now and there has been significant leeway given to members on both sides in issues like this. That is the same leeway that was being -

Members interjecting.

Mr STREET - Yes, absolutely like this. We agree with the Speaker's ruling and we will not be supporting the dissent motion.

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, we are prepared to support this motion of dissent in your ruling because each day in here at some point or another there is evidence of a set of double standards. Government members are not pulled up when they interject or heckle yet there is constant pulling up of Opposition and Greens members, more often than not the Greens member. As a response to that, we have tried to temper our behaviour without impacting on our jobs.

However, when you have a motion before the House that seeks to refer not just any member, but the Premier to the Privileges Committee, we believe the Premier needs to address the substance of the referral and be reined in so that he is not deviating from the subject matter.

It must be a very difficult job to sit in that chair. I am not trying to be matronising - I know it is a difficult job and that you are part of a political party. I understand the reality of it. However, when you are dealing with a matter as serious as evidence of misleading the parliament and a mood in the House, at least for a substantial number of members, that the Premier should be referred to the Privileges Committee. It is important that the Standing Orders are applied fairly and impartially, and that the Premier should be asked to confine his contribution to his argument as to why leave should not be granted and why he should not be referred to the Privileges Committee. Just because he is the Premier does not mean he should get special treatment because, ultimately, in this place we are all equal. We happen to have different positions but we all have one vote, and it is a very powerful privilege to hold.

Mr Speaker, I urge you to help the Premier do the right thing by making the argument as to why we should not have this debate on the referral to the Privileges Committee, and defend himself from an accusation based on evidence in black and white that he has misled this House.

I just heard Mr Jaensch say that this is a stunt: the same minister who rose in this place 18 months ago when we had a Cabinet minute in our hand and we asked him to confirm that it

was the Government's intention to change the Residential Tenancy Act in a way that would negatively impact on tenants, making it easier to evict them. We had the Cabinet minute in our hand. Mr Jaensch did not know that. He walked up to this lectern and told a bare-faced lie.

Mr SPEAKER - Ms O'Connor -

Ms O'CONNOR - Mr Speaker, this is a dissent from your ruling motion. I believe I am able to say that here.

That is what happened. Mr Jaensch walked up to the lectern knowing what the truth was and decided not to tell it. This is the minister, to my left, who is heckling and saying that this is a stunt when you have the Opposition and the crossbench asking legitimate questions. It might be a game to some of you people. It might just be public money that you think is your plaything but these are legitimate questions in the public interest. If you cannot trust your premier to come in here and tell the truth, who can you trust in Tasmanian politics? It is cultural -

Mr Tucker - Certainly not you.

Ms O'CONNOR - I heard that, Mr Tucker, and you know it is rubbish. You are surrounded, Mr Tucker, by a number of your colleagues who have a real challenge with the truth. It is cultural. It goes back to 2014, it goes back to Will Hodgman as premier, then Peter Gutwein as premier. Maybe it is my blithe optimism in human nature but I thought this premier would be different. Many Tasmanians thought this premier would be different. Same rubbish, different bin.

Mr Speaker, we are prepared to support this dissent in your ruling. I encourage minister Jaensch not to walk into that sort of trap again, because in the last parliament he told the biggest untruth in this place and he was not made to resign. He did not even admit he had told an untruth at the lectern, because the premier at the time, Mr Gutwein, backed him all the way. It was therefore okay to tell a lie in here. It was approved and endorsed by then premier, Peter Gutwein, and the culture has not changed enough.

We have the evidence in black and white that the Premier misled the House. He can get all cute about the form of the words, but they are what they are - and they are in fact backed in by his own media unit which, in April this year, told the ABC that all the Local Communities Facilities Fund projects were funded in the Budget.

We need clarity about the truth here. We need to have the Premier confine his contribution to the seeking of leave, and make the argument for why the House should not refer him to the powerful Privileges Committee for misleading the House and not correcting the record at the earliest opportunity, which he is obliged to do.

He is obliged to do it under the Standing Orders. He is obliged to do it morally and he is obliged to do it because he is the Premier of Tasmania.

[12.32 p.m.]

Mr FERGUSON (Bass - Deputy Premier) - Mr Speaker, it shows how low this Opposition is prepared to bring this House, to move this motion against yourself. It is effectively a vote of no confidence in the Speaker when you move a motion of dissent. I look

at the crossbench and I warn you that if you vote for this Labor motion, you are actually voting for a motion of no confidence in the Speaker, so be on your guard. This is a stunt by the Opposition, who -

Ms O'Connor - You are threatening members of this place.

Mr FERGUSON - have been flailing around all year. They have not been able to land a blow, they have been taken over by Nick and Dougie, they cannot even run their own party and they have been exposed for failing to even understand basic financial management and the way the Treasurer's Reserve is governed. Not by me, not by the former treasurer, not even by individual members of this House but by the Financial Management Act, the law. Failed to take account of information that is being provided to this House.

If you want to start calling me on relevance, it just points to the double standard by members opposite. We listened to a six-minute vomit from Ms O'Connor on a dissent motion in you, Mr Speaker, on relevance. You made a ruling on relevance. Ms O'Connor spent her time talking about minister Jaensch, talking about the year she lost the election - 2014 - and making character assessments of the Premier. It makes a mockery of this House because Ms O'Connor, in addressing the motion of dissent in the Speaker, talked a lot about everything else: not you, Mr Speaker, not the ruling or the guidance that you provided to Ms O'Byrne's point of order, which then led to Mr Winter springing to his feet trying to outshine the rest of his colleagues, trying to show everybody just how much talent he has, give the boy a go. That is the subtext of all of this.

To then have Ms O'Connor warn you, Mr Speaker: do not pull me up on relevance because this is a motion of dissent in you -

Ms O'Connor - No, I said not to pull me up on using the word 'lie'. I am exercising my rights in here.

Mr FERGUSON - Honestly, what a mess. This is a stunt that has now been injected halfway through another stunt.

I will take this opportunity to be very clear. I feel quite disgusted at what I am witnessing here.

Mr Winter - Defend the ruling then.

Mr FERGUSON - I will have a go at that, Mr Winter. I will see if I can do a better job than your prosecution. Give me a chance. Give a guy a go.

Opposition members interjecting.

Mr FERGUSON - You have a lot to say - why not have a turn at listening.

What I am witnessing here, what the whole House is witnessing, and any unfortunate Tasmanians who are watching this complete waste of time by the Opposition - what we are witnessing is a revisionism of history, trying to twist and turn the Premier's words where he gave an honest account of a particular question about what? About the Sandy Bay Rowing

Club, Mr Speaker. That has not been mentioned much today, has it? That was the actual question being put to the Premier on that occasion.

A member interjecting.

Mr FERGUSON - Oh yes, you have a lot of interjections, a lot of smart remarks but listen to the facts.

The basis for this appalling and false line of questioning that we have experienced here today against our Premier is actually quite a gutter act, a dog act, to try to allow people - including in the media who are probably watching - to try to plant the seed of doubt in other people's minds that a person has lied. I think that is a dog act, Mr Speaker.

Ms Finlay - It is in the *Hansard*.

Mr FERGUSON - Again, you have a lot to say, Ms Finlay, but why don't you just listen to where your party has taken you today.

I will read the question from Ms O'Connor into the House -

Ms Finlay - Get on topic, then I will be happy to listen. He set up a challenge to listen to him talking about the dissent motion, but he is not going anywhere near it.

Mr Winter - You have just admonished Ms O'Connor for being irrelevant, and now you are talking about -

Mr FERGUSON - Mr Speaker, they know where I am going. They do not want to hear it. It is so apparent. It is written on all your faces.

Mr Speaker, the question from Ms O'Connor -

Opposition members interjecting.

Mr FERGUSON - You are trying to stop everybody having their say. I mean, you sat the Premier down with these points of order so he would not be able to explain his position. That is how you are behaving right now. You are trying to stop me explaining my position.

The question from Ms O'Connor was as follows. I will shorten it; I cannot read all of it. I will read the first half:

Last year, the Government that you now lead approved a \$150 000 election request made by your colleague, Madeleine Ogilvie, on behalf of the Sandy Bay Rowing Club. More than a year later, after questioning from the Greens ...

Ms Finlay - How about you get onto the dissent motion?

Mr FERGUSON - Mr Speaker, look at this behaviour.

More than a year later, after questioning from the Greens in Estimates last Wednesday, your Minister for Sport and Recreation admitted that Ms Ogilvie's daughter was a member of that club. That is a very clear conflict of interest and one that would never have been known by Tasmanians unless we had asked that question. Your minister justified this dodgy behaviour by saying Ms Ogilvie had advised the Liberal Party of her conflict of interest.

Dr Woodruff - I am so glad you are reading this all out again into the *Hansard*. It is so helpful of you to remind Tasmanians about how secretive you have been about this process.

Mr FERGUSON - You can see what is happening. I have a minute left and now I have to sit down. They do not want to hear the truth.

Mr Speaker, I hope that Tasmanians observing this appalling behaviour will be able to detect that this is what happens when they have no policy, no plan - and frankly, no conviction.

In the time I have remaining, I will say the Premier has been clear in his response to that question as far ago as when that was asked, and made the statements that were made. I have made statements about how projects were funded, election commitments were funded - out of Treasurer's Reserve, which is approved by parliament in the Budget.

In closing, Mr Speaker, I respect your rulings. We accept, Mr Speaker, that you do provide latitude many times, as you did this morning to Dr Woodruff when you gave her extensive latitude around when she finally got around to withdrawing. We support you, we respect you and respect the role and the difficult task you have. We will not be supporting this appalling stunt dissent motion.

[12.39 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, I genuinely do not know where to start on my contribution here but I will start with Mr Street saying he has been a little while and he has not seen this sort of behaviour before. Well, he has not been around a long time, because I can assure you that matters as serious as this regularly make it to the Privileges Committee. They are supposed to. They do not under this Government, but they have in the past. I know because I have sat on it.

To Mr Ferguson's - I do not know what on earth that was. He spent most of his time saying nobody lets me talk, nobody lets me talk - and then actually never got to the point that he wanted to make. He started off by saying, how low do we go when we raise these issues? Mr Speaker, it is of no surprise to you that I have had concerns that we do not take this book seriously - that the Standing Orders of this parliament are regularly ignored in this place. They are just not ignored by behaviours on the Floor, which are to be called into account by the Speaker. We argue today, in this dissent from your ruling, that you ignore them. You do so at the peril of this entire parliament. The only thing we have that allows us to stand in good regard in the community is that people think that when we answer questions and act in this parliament, we do so in good faith and with honesty. It is quite clear that for some period of time that is being eroded by the behaviours in this House, by the behaviours of ministers, and on occasion by the decisions of the Presiding Officer in this parliament.

Mr Speaker, we dissent from your ruling, which is the matter we are supposed to be debating right now, not the substantive matter that we will return to, which is the need to go to

privileges. We dissent because when I raised the point of order, you ignored it. When I questioned the point of order, you argued in defence of your ruling that there were broad-ranging matters raised during the day.

Mr Speaker, the Standing Orders do not allow you to defer a matter because there have been broad-ranging issues around the day. The matter before you that we have moved dissent in is that you would not ask the Premier to stand up and explain why a referral to the Privileges Committee is not important, appropriate or applicable.

We have not had a privileges debate for some time and we do so with great seriousness, because the member was afforded, time and time again, many opportunities to clarify what he said, to correct the record of what he said, to stand by the principle that another minister in his Government upheld. This is a serious matter. It was not addressed before question time, it was not addressed during multiple opportunities during question time, and it certainly was not addressed at the next opportunity, during other formal business.

We have raised a matter of privilege and it does take precedence in this parliament. Interjections from the other side about this being a stunt absolutely undermine the principles of the Standing Orders.

The debate seeking leave needs to be taken seriously because, let us be honest, Mr Speaker, in a few minutes when we get to the vote, you will use your casting vote to side with the Government. You have every right to do that. The Standing Orders allow you to do that but that means that you have to ensure that every other step has been taken in the most transparent way, in a way that will stand up to scrutiny not just in this place, because quite frankly that has been falling apart, but by the public outside who expect us to maintain some standards.

Mr Speaker, given that you are going to use your casting vote to knock off dissent - and you have nodded, so obviously you are going to do that - and you are then going to most likely use your casting vote to block a referral to the Privileges Committee, you need to make sure, for your reputation and for all of our reputations, that you follow the rules all the way through. A simple rule about asking members to be relevant to the matter before the House when the matter is of such significance should not be that hard.

It is not appropriate to use the argument about how, in question time, you allow leniency, or that in question time, matters are broad-ranging and in other debates in House, matters are broad-ranging: this is a matter of privilege. If, by chance, the Premier found himself in front of the Privileges Committee, he would be required to present contestable evidence to that committee, with witnesses, to prove that he had not misled this House. It is a serious thing he would have to go through, which members on the other side of the House are attempting to protect him from.

Mr Speaker, you need to make sure that your rulings are fair and above reproach, because this impacts on all of our reputations. If people cannot look at parliament and think that we behave honestly, decently, and with some kind of recognition -

Mr Ferguson interjecting.

Ms O'BYRNE - Mr Ferguson, you are so very rude.

Mr Ferguson - Did you witness your behaviour when I was trying to speak?

Ms O'BYRNE - You do this all the time and yet you make no substantive argument.

Mr Speaker, the matter is dissent in your ruling. It is a really important and rare matter to move. It is, however, not as rare as the one that we need to get back to. Every member who stands and speaks on the issue of whether this should go to the Privileges Committee should be talking about whether it should go the Privileges Committee.

There is not a member in this House who could not talk underwater for three hours about any other matter. You should be able to spend seven minutes explaining your position. The Privileges Committee has been formed to make sure that we do the right thing, that there is a consequence when we lie to this parliament. We did not manage to refer other ministers who have lied to us and it has happened in the past - and you know it has, Mr Speaker, because you were a member and a minister during that time. We have had ministers stand up and admit that they lied in parliament and there is still no consequence, but there has to be because if there are no consequences to lying to this House, where does it stop?

There is no obligation to do your stuff well. There is no obligation to be truthful to this parliament and the people of Tasmania. It is a dangerous slippery slope when you tell mistruths here. It is a frightening thing when you blatantly lie here, but I tell you what, if you are going to argue that you do not deserve to go to Privileges for it, then you had better be able to mount an argument as to why.

That is why we have moved dissent, Mr Speaker. This is an important matter and if, in your next decision, next couple of votes, you are going to protect the act in a way that prevents the member from going to the Privileges Committee, then every step towards that had better be squeaky clean.

[12.46 p.m.]

Ms JOHNSTON (Clark) - Mr Speaker, I will be supporting the motion of dissent. The Speaker is not beyond scrutiny; in fact, the Standing Orders provide the very mechanism for that, and I will not be threatened by the Deputy Premier in the way that I, or anyone on the crossbench, should cast their vote.

The matter of relevance is important and particularly on such a significant issue. It is about the effective and efficient use of this parliament's time. It continues to come up and be a frustration of mine and many in the public that we do not get relevant answers to questions or relevant contributions to debate. I will continue to stand up and say that relevance does matter. I am not sure whether the Fahan children have seen the debate so far, but it is quite frankly embarrassing when we are debating such an important and significant issue that relevance is not a matter of great importance.

I will be supporting this motion. I am sure the community would expect that when we come into this place we remain focused on the issues that matter to them and answer those questions and address the debate with that regard to relevance.

Mr SPEAKER - The question is that the dissent ruling be agreed to.

The House divided -

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Street
Mr Tucker
Mr Wood (Teller)
Mr Young

PAIRS

Ms Butler

Ms Ogilvie

Mr SPEAKER - The results of the division being Ayes 11 and Noes 11, in accordance with standing order 167 I cast my vote with the Noes.

Dissent motion negatived.

[12.52 p.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, we went through that debate around dissent in your ruling because Mr Winter was called to account for some of what he has said out in the community and some of his mistruths. We call into question the motivation of the Labor Opposition bringing falsities here to mask the fact that they have no plan for Tasmania, no convictions, no beliefs and absolutely no unity when it comes to that side of the House.

The person who has moved the motion has claimed before that Tasmanians could not access the Energy Saver Loan Scheme. He was wrong. He has claimed that the winter bill buster payments were not fully funded. Wrong. Mr Winter claimed Hydro Tasmania had lost \$100 million in the first few months of the year. Wrong. Mr Winter claimed TasNetworks was overcharging customers. Wrong, and it was strongly refuted by the Australian Energy Regulator and TasNetworks CEO. Increasingly, we see Labor deliberately misleading Tasmanians and making political stunts for the sake of it.

I have spoken on these matters. I have made it very clear and I will make it very clear to all Tasmanians that we, as a government, will be out there in our communities, listening to our communities throughout summer, understanding their needs and how we can support them, just as we were doing prior to the 2021 election, just as we went to the election with key commitments. We won the election and we have delivered and are delivering on those commitments. That is what people expect and we will never shy away from listening to our communities, making those commitments and delivering, should we be in government.

I have been making commitments for many elections. Sometimes they are not delivered because we do not win the election but in 2014, 2018 and 2021 we did and we are proud of what we have done for Tasmania.

Time expired.

[12.54 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, the Premier may have overlooked the fact that this is a motion to refer him to the Privileges Committee. This is incredibly serious and it goes to his conduct in this place and his failure to uphold the same standards he demands of his ministers.

His minister came into this House and corrected the record but the Premier refuses to do the same. That is not integrity. That is not showing the courage of your convictions. I cannot work out how what the Premier said is so very different from what the minister said. The minister said the commitments were all in last year's budget, listed, funded and approved by the parliament. The Premier said the election promises being funded, included in the budget and the budget being agreed to by the parliament. Nearly word for word, exactly the same thing.

The Premier requires his minister to apologise and to correct the record but he will not uphold the same standards for himself. His refusal to do that, continuing to double down on that, requires him to be sent to the Privileges Committee because he has continued to fail to explain himself. He has not done it now. He has completely ignored the standing orders of this House. He was not relevant in his contribution. He spoke about everything but his own integrity, everything but explain his own words, everything but apologise and correct the record.

This motion is to refer the Premier to the Privileges Committee because he has not upheld the standards expected of him as a member of this place. It is a clear breach of standing order 2, where it says:

A Member must not mislead Parliament or the public in statements that they may make.

Whether any misleading was intentional or unintentional a Member is obliged to correct the Parliamentary record or the public record, at the earliest opportunity in a manner that is appropriate to the circumstances.

Accuracy of statements matters. Failure to uphold integrity, failure to uphold the standing orders, failure to uphold the ministerial code of conduct matters. There needs to be accountability and there should be consequences.

In the past, when ministers have misled the parliament, in some instances they have resigned. This premier will not even reach the first hurdle of correcting the record. He will not even pass through the start gate. He requires his minister to do so. Different standards over here that he demands his ministers meet but he will not even pass go. Lack of integrity.

That is why the Privileges Committee should be able to call the Premier as a witness and get him to explain himself, because he will not do it here. He will not uphold the Standing

Orders by being relevant in his contribution. He has had ample opportunity. He did not take the first opportunity at the start of this parliamentary sitting day to correct the record, unlike the Minister for Sport and Recreation, who did the right thing.

A referral to the Privileges Committee is very serious. It happens on occasion when the parliament feels something has been done that warrants further investigation to make sure that a member upholds the ethical and moral obligation placed on them to behave with integrity and in a way that the Tasmanian community can continue to have trust in them. The Tasmanian community cannot trust a premier who misleads them and refuses to correct the record. The Tasmanian community cannot trust a premier who says something that he knows to be untrue, that he requires his minister and Cabinet to correct the record about because he knows what he said was incorrect but will not uphold the same standards for himself. How can the community trust a premier who has lower standards for himself than he sets for his ministers?

This is a very serious matter. The Privileges Committee is the appropriate place to deal with this issue. I did not hear the Premier, in his contribution, explain either his statements to this place or why he should not be referred to the Privileges Committee. He did not go anywhere near explaining why he should not be referred to the Privileges Committee.

I remind members in the limited time I have left that the words he said in this place were not so very different from those of Mr Street. Mr Street has apologised, corrected the record and said that what he said previously was incorrect. What the Premier said was that the election promises being funded, included in the Budget and the Budget being agreed to by the parliament, whereas Mr Street said that the commitments were all in the last year's Budget, listed, funded and approved by the parliament. Not very different at all.

The sitting suspended from 1 p.m. to 2.30 p.m.

MOTION

Leave to Suspend Standing Orders - Negatived

Resumed from above.

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, the motion to refer the Premier to the Privileges Committee could have been avoided had the Premier done the right thing and corrected the record, like he demanded his minister do today.

Mr Speaker, I was reflecting on the contribution the Premier did make. He called it a waste of time, which is pretty disrespectful to Tasmanians, but also to the standards of this House that are clearly outlined in the standing orders, which demonstrate the requirement for all of us to uphold truth in our statements in this place. Accuracy of statements matters. Claiming this is a stunt, a waste of time, really discredits the Premier's own integrity more than anything else. He then resorted to some personal attacks, which is what we see people do from time to time when they come under pressure. Then he slipped into his bad old habit of obsessing about the stadium for a little while; he went on a bit of a rant about that.

The consequence of failing to uphold the Standing Orders is that the Premier waffled and did not go anywhere near explaining why he should not be referred to the Privileges Committee today.

At the end of the day, this House will decide, but you will have a casting vote, Mr Speaker, as we have already discussed. I will not reflect on the vote that was taken in this place already, but it is important that each of us exercises our duty and responsibilities to the public, particularly the Premier, who is supposed to be the trusted leader of this Government. When he fails to do that, he lets every single person in this place down, and the Tasmanian community.

If he had corrected the record, we would not be standing here.

Time expired.

[2.32 p.m.]

Mr FERGUSON (Bass - Deputy Premier) - Mr Speaker, this is a stunt that has been going since 10 o'clock this morning. The Leader of the Opposition has had a shocking year. She has been taken over by the left and the right faction heads - Nick and Dougie - and in desperation -

Ms WHITE - Point of order, Mr Speaker.

Mr Ferguson - There you go, more time wasting.

Ms WHITE - Mr Speaker, I seek your guidance. In the past I thought you had made a ruling that former members of parliament should be referred to in an appropriate way that respects the position that they held. You have upheld that in the past. However, the member who has just resumed his seat continues to disrespect that. I ask you to draw his attention to proper processes and titles people hold.

Mr SPEAKER - It is a very good opportunity to remind everybody that we should be respectful of each other and, yes, to use appropriate titles.

Mr FERGUSON - Thank you, Mr Speaker. The Leader of the Opposition just wants to snatch away pockets of time from when the Premier was speaking, and now I am speaking.

Their inconvenient truths are these facts, Mr Speaker. Minister Street made an innocent mistake and has corrected the record. The Premier has not made a mistake, and has no reason to correct the record, and no case has been made to the contrary. The Premier -

Mr Winter - You are not letting us make the case; that is the point.

Mr SPEAKER - Order.

Mr FERGUSON - The Premier has been clear, and I have rehearsed it as well that the Premier has made correct statements in relation to the way that election commitments are being funded as have I, Mr Speaker. The public record and the parliamentary record could not be clearer.

Importantly, during an earlier question being debated, I made the point that has been missing from the centre of the allegation from the Labor Party - and that is that the Premier's words were directly in response to a question with a false allegation from the Greens in relation to conflicts of interest around the Sandy Bay Rowing Club.

Why is it that the Labor Party have been silent on that context in everything that has been said in their allegation against the Premier? What has happened - and is widely known publicly - is that like the rest of us, minister Street made an honest mistake, and it became known more recently. Minister Street has correctly - as all of us should - corrected the record, as is our duty, not only ministers. The premier has no such case to answer at all.

Frankly, I was surprised this morning to think that they were going to make a new set of allegations against a different member of this House in relation to the funding of election commitments. Again, an inconvenient truth for Ms White, who would normally be challenging the Government to honour its election commitments; that is what you would expect. When the Government saw early delivery of 111 election commitments from the Local Communities Facilities Fund, rather than us be embarrassed about it because I told the House about it over one year ago, I would have thought the Opposition would have been saying, well, where are the rest of them? But no, what they have tried to do is create a lie in the minds of people outside this House. What they have been trying to do is create in the minds of people outside this House some mistaken belief that some inappropriate action has been taken. The only corrective matter was in relation to incorrect information minister Street provided to the Estimates Committee - on incorrect advice, I hasten to add.

On the question of integrity, the Premier's and minister Street's integrity are 100 per cent intact on these matters, and the record is clear. Why is it that the members opposite, and the crossbench, are determined to bring this whole House down, and every member with it, with these appalling accusations which have no basis in fact -

Ms O'Connor - No basis? Because you say it, does not make it true.

Mr FERGUSON - It seems to me that the Leader of the Greens and the Leader of the Opposition, who for two weeks was the shadow treasurer, have forgotten that standing in my place where I am right now, we provided this information. It is on the record: 24 June last year -

Ms O'Connor - No, you did not. I have read the transcript. You were slippery about it.

Mr SPEAKER - Order.

Mr FERGUSON - using the Treasurer's Reserve. I will make this important point. There are some things that I have heard said from members opposite that demonstrate the lack of financial knowledge of how our Financial Management Act works. For example, anything that is funded, any initiative which is funded from the Treasurer's Reserve was in the Budget. I should not have to tell members this, but it is not possible - nor legal - for a minister or a department to spend money that has not first been appropriated by this House, by the parliament, by both Houses.

Opposition members interjecting.

Mr SPEAKER - Order, member for Franklin.

Mr FERGUSON - Hence the Treasurer's Reserve, which, as we should all know, is a fund that has a level of discretion applied to it. That Treasurer's Reserve, which was drawn down from in the 2020-21 budget, had been previously approved by this parliament.

Ms White - But we had not.

Mr FERGUSON - The then treasurer of the day, premier Gutwein -

Opposition members interjecting.

Mr FERGUSON - If you care to listen, the election you lost was on 1 May. There were still two months of the financial year. I should not have to explain to you, but I do have to explain. As I told the House on 24 June, 111 election commitments were funded out of Treasurer's Reserve. We were very transparent about that. Guess what, Mr Speaker, the remaining election commitments were then funded in the following budget. It is so clear - so what is the conspiracy that the members opposite are trying to make, when their only object is to attack the Government and the Premier?

As for the Privileges Committee, what is it that Ms White and the Opposition are seeking to achieve here? What they are actually doing is trying to weaponise the Privileges and Conduct Committee, because they want to bring in - as if you would imagine yourselves operating under any fair rules in that environment. I say through you, Mr Speaker, to the Leader of the Opposition, I have to say I would not trust you on that committee -

Ms White - You are reflecting on the Privileges Committee. Are you saying the Privileges Committee is not ethical?

Mr FERGUSON - because you have already made up your mind. You have made your case very poorly. You are very clear in what your real object is here. The Labor Party has had a bad year. They have been taken over. They have no policies, they cannot count. They cannot manage money. They cannot lobby the feds to help Tasmania in our time of need, and the Opposition Leader has no case.

Time expired.

Mr SPEAKER - The question is that leave to suspend Standing Orders be granted.

The House divided -

AYES 11

Dr Broad (Teller)
Ms Butler
Ms Dow
Ms Finlay
Ms Johnston
Mr O'Byrne
Ms O'Byrne

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff

Ms O'Connor
Ms White
Mr Winter
Dr Woodruff

Mr Street
Mr Tucker
Mr Wood (Teller)
Mr Young

PAIRS

Ms Haddad

Ms Ogilvie

Mr SPEAKER - The results of the division is Ayes, 11 and Noes, 11, therefore in accordance with standing order 257, I cast my vote with the Noes.

Leave negatived.

MATTER OF PUBLIC IMPORTANCE

Ministerial Standards

[2.43 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I move -

That the House take note of the following matter: ministerial standards.

What a woeful display we have seen this morning of ministerial standards by this Government. At a time when Tasmanians were hoping to see from the new Premier, Jeremy Rockliff, delivery on the statements he had made that he would lead a government with courage and integrity, instead what we have had clearly demonstrated today is more of the same and it is not good, because the standards that this Government applies to itself are pretty low. In fact, the standards that the Premier applies to himself are lower than what he expects of his ministers.

The code of conduct for ministers is pretty clear, particularly when it comes to misleading statements. I would like to read, not only because we have talked about misleading statements under the Standing Orders for all members in this place, but there is a particular reference to it in the code of conduct for ministers. It says:

Ministers must not deliberately make statements that mislead Parliament or the public and in line with parliamentary practice, are obliged to correct the record in a manner that is appropriate to the circumstances as soon as possible after any incorrect statement is made.

It is recognised that a mistake or referring to incorrect information does not, in and of itself, constitute the offence of misleading Parliament as long as it is corrected as soon as possible once the error is identified.

Mr Speaker, trust in politics is at an all-time low and it is eroded further when we have terrible examples of leadership, as we have seen today from the Premier. Ministerial standards are not only written on a piece of paper like this in black and white for the government of the day to uphold - and presumably the Premier is the one who makes sure there is accountability

from his front bench - it is also the expectation the community has of how their Government will operate.

I thought it was extraordinary today when we had the Deputy Premier, who is the Treasurer, try to defend the statements of the Premier, because the Premier did a poor job of that himself. The Deputy Premier referred to statements he made in this place last year, and I was here for that debate when we were debating a supply bill to provide money to the Government because the Budget was delivered late after an early election. As to the money that was committed to that, I have gone back and looked at that bill and the second reading speech. There was not any mention of money being used out of the Treasurer's Reserve to fund election commitments. You will not find any reference to that in the bill or the second reading speech. It was only on the summing up, when the minister was responding to the questions I had put to him through that debate that he revealed that there was money included in that to fund 111 organisations through the Local Communities Facilities Fund, and then we had an exchange in the parliament about that.

What is important to note here is that at no point in time did that go through the normal budget process. The Premier has tried to claim that what he said was factually true. It is not. His statement is no different from the statement made by minister Street. They are largely the same, yet minister Street has confirmed that what he said was inaccurate and he has corrected the record. The Premier has not.

The Deputy Premier, in trying to clear things up today, only made things worse, not just for himself but for his Premier. He has really muddied the waters, because what I would like to point out, which I think the Deputy Premier has tried to use smoke and mirrors to hide behind, is that yes, there was a budget for that \$20 million Treasurer's Reserve but it was the 2021 financial year. At that point in time, there was no way for us to know that it would be used to fund Liberal Party election commitments that they made to members of their own families who were involved with those organisations, election commitments that were made to close associates of different members of the Liberal Party where there was no conflict interest disclosed that we know of.

The process has been called into question by the Integrity Commission. Some of the comments by esteemed members of the community in response to this entire debacle have been very strong in their condemnation of the Government. Geoffrey Watson SC, a director with the Centre for Public Integrity, said:

The documents appear to reveal an extreme version of the federal 'sports rorts' saga. This is just a grab by the executive of all of the relevant power. It's really quite inappropriate.

He goes on to say:

The striking feature of all of this is that there's no transparency about it because it's never been debated by parliament; because it's never been put before the people at the relevant time, no-one knew it was happening, much less did the people know why it was being done. It's not a question of transparency, it's really a question of secrecy.

That is the fundamental issue here. We know that ministerial standards have not been upheld by the Premier, certainly not the same standards he expects of his ministers, because minister Street has upheld a higher standard of integrity than his Premier today. I do not know how the Premier feels about that. The facts are that, despite what the Deputy Premier and Treasurer might try to claim, these projects that were funded with this money never came through the parliament in the ordinary process. The budget that delivered that funding occurred before the election, so there was no way for members of parliament to scrutinise that spending through the normal Budget Estimates process.

It is also not accurate to say that there was complete transparency. The Deputy Premier, in a throwaway line on a debate on 24 June, made reference to the fact that they were doing a good job getting some election commitments funded before the end of that financial year. They have not explained what the rush was, but at the end of the day, what the Deputy Premier said was that what we have to do is what is defensible and sensible. He excused his poor behaviour by saying it was defensible and sensible.

Time expired.

[2.50 p.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I welcome the opportunity to speak on the matter of public importance. All members of this House should be strongly committed to the highest possible standards of integrity and propriety for the people of Tasmania. I am very proud that my team is. Our Government is committed to acting honestly, professionally and accountable to the people of Tasmania in the performance of our duties.

Since coming to government, we have taken considerable action in a number of areas to improve standards, accountability and transparency. As members of this place would be aware, the Government approved an updated code of conduct for ministers following the election in 2021. The code applies to the premier and each minister. It was based on the framework adopted by the Government in March 2014, updated in 2018 and again, as I say, in 2021. We have made changes to a number of sections of the code to ensure that there is no doubt that the Government will operate in a manner that withstands the closest public scrutiny.

Furthermore, to protect and uphold the public interest, ministers take reasonable steps to avoid, resolve or disclose any material conflict of interest, financial or non-financial, that arises or is likely to arise between their personal interests and their official duties. We take this very seriously. All of our government members do.

I mentioned transparency before: we have been steadily improving access to published government information, increasing transparency of government activity and continuing to build a culture that reduces red tape. In fact, we have proactively released more information than any other government in history, including monthly health, housing and child safety dashboards, which were previously delivered quarterly, and a variety of routine disclosures. I have mentioned health and the outpatient waiting lists, for example. We had to constantly RTI that information so that we could reveal to the Tasmanian people the true state of the outpatient waiting list. This is now done routinely every single month, along with our elective surgery data, so that Tasmanians have more of an opportunity to hold their government of the day to account. We have brought in those reforms and are proud to have done so.

I also recently announced that the actions we are implementing in response to the Commission of Inquiry hearings will be publicly reported on from January 2023.

The 2022-23 Budget included \$500 000 over two years to support the significant uplift of Right to Information capability and practice in the Tasmanian State Service. The funding will facilitate the provision of centralised training, building skilled RTI practitioners, and will reduce key-person dependencies in agencies. We will promote and support a consistent practice across the RTI space which will deliver enhanced processes and systems for RTI.

There is \$900 000 to provide additional oversight, misconduct prevention and education activity through the Integrity Commission. There is \$1.2 million across the forward Estimates to the Health Complaints Commissioner to improve its ability to respond to inquiries and resolve complaints and \$1.3 million across the forward Estimates to improve financial and performance audits in the office of the Auditor-General. Not only do we take these are matters seriously but we are also backing up with investment.

This is on top of the key reforms delivered under our transparency agenda, such as publishing RTI responses online within 48 hours of release to applicants; a significant increase in the number of routine disclosures of information; launching the Government Information Gateway on the Department of Premier and Cabinet website to make government information practicably disclosed easier to find; publicly reporting gifts, benefits and hospitality received and given by officers across all agencies at least quarterly on all agency websites, implementing a submissions publication policy requiring agencies to publish all submissions received in response to major policy and legislation reviews; delegating ministerial responsibilities under the Right to Information Act 2009 to departmental offices; and improving the integrity of parliamentary decision-making by expanding the disclosure of spouse interests and financial information through amendments to the Parliamentary (Disclosure of Interests) Act 1996 and requiring disclosures to be published on the parliament's website; and, as I have said, updating the Ministerial Code of Conduct and supporting the parliament's adoption of a new members code of conduct. We have also transferred responsibility for the Tasmanian Lobbyists Register to the Integrity Commission and provided more funding to the Ombudsman, the Custodial Inspector and the Office of the Commissioner for Children.

We are improving our transparency and accountability across a range of areas and we are backing that with budget investment. We understand that the Tasmanian people have a right to information and want to understand the workings of government in a more open and transparent way, and we have made significant reforms since March 2014 to ensure that there is a greater degree of accountability, more information and more transparency.

The members who have been with this Government for the last eight years are no doubt proud of that fact because they were lacking with previous governments. Despite what the Opposition says about the level of transparency of this Government, we have made significant reforms in this area. The electoral disclosure legislation on the agenda for debate is an example of that.

Time expired.

[2.57 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, it is good to have this matter of public importance debate at a volume that is tolerable to people who work in this

building beyond us. However, it is important that we have a discussion today about ministerial standards. I understand that Government members are seething about this morning. I am picking up the vibe very strongly in here. They feel a sense of injustice towards them. You have to be out of touch with or not properly understand the expectations in the Tasmanian community to think that Opposition and crossbench members asking legitimate questions about the expenditure of very large sums of public money is, in some way, a stunt. You only have to look at the series of stories that have been covered by local media, the ABC, and nationally to know that this is a real issue.

The Local Communities Facilities Fund has been a real problem for Government because it stinks and it fails the sniff test. We have seen ministerial and ethical standards take a hit on so many levels over this fund. We have had a minister repeatedly not tell the truth at an Estimates table. We have had a premier who, at best, has distorted the truth unknowingly over the 111 projects funded through the Treasurer's Reserve. We have the previous year's budget papers which state as fact that the Local Communities Facilities Fund was set up in June 2020. No, it was not. It was established in April 2021 in the very early days of the election campaign and we have the correspondence here to demonstrate that.

On so many levels, this fund has a terrible stink about it and it is dragging ministers and the Premier down with it. We have seen a terrible slide in ministerial standards, but this goes back.

I know Mr Ferguson this morning was suggesting this is sour grapes. No, this goes back to 2014 when we saw under the then premier, Will Hodgman, that it was okay for his ministers to come in here, like Matthew Groom did over the proposed sale of TasTAFE, and tell an untruth at the lectern, which Mr Groom did and experienced no consequences for it whatsoever; no chastisement from the then premier. There were attempts made in the House to censure and move no confidence in the end, from memory, in minister Groom, but for premier Hodgman at the time it was fine that his then minister for state growth and the environment had told a blatant untruth at the parliamentary lectern.

Then we had, under the same premier, the infamous Mr Adam Brooks, who three times at the Estimates table was caught on tape telling blatant untruths. The then premier did not make a statement that he would sack Mr Brooks from the ministry; it staggered on for a few days and Mr Brooks apparently left of his own volition.

I recall the previous premier, Mr Gutwein, asking him questions at the Estimates table about the rivers of dark money that came into the Liberal Party for the 2018 election, the promises that had been made to the Tasmanian Hospitality Association and the extra \$4 million they were given after the 2018 state election, and the pride that Peter Gutwein took at the Estimates table in being slippery and evasive, not giving a straight answer at any point. It is most certainly cultural and that is why it is so disappointing.

Of course, who can forget the infamous Jaensch incident under the previous premier, where he clearly misled parliament because we had the facts there in front of us and there was no sanction again from Peter Gutwein as premier. It was okay for a minister to rise to the table and tell a complete untruth when we had the documents with us at the time, and then we had both Mr Jaensch and the then premier frantically spinning in an effort to mislead the Tasmanian people about what happened.

What happens in that situation, Mr Speaker, is that dishonesty becomes acceptable. Dishonesty or evasive answers, like minister Barnett gives constantly, become the name of the game; they become a *modus operandi*, and it goes to the absolute arrogance of people in positions of high power in this place. We have seen it for the last eight years; a slip in ministerial standards that I think we had not seen previously.

I watched, on the screen, Steve Kons come in here and have to resign because he misled parliament - the then Labor planning minister and deputy premier - and it happened almost instantaneously. As soon as the Greens exposed him for telling a mistruth to parliament, Steve Kons had to go. Even Paul Lennon had a set of ministerial standards that he applied to his ministers out of a modicum of respect, I gather, for Westminster principles and this parliament.

We saw this sort of slippery language again with minister Ferguson today. If you go back and have a look at his transcript on that supply bill last year, I doubt you would call that being really open about the use of the Treasurer's Reserve. What Mr Ferguson said was:

All election commitments will be funded through the budget appropriation bills, but also the Financial Management Act provides flexibility to enable the Government to fund election commitments.

Again, slippery language. I encourage this Premier to do better and save himself two-and-a-half years of extreme pain.

Time expired.

[3.04 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I rise today to speak on this very important matter of public importance. I have listened this morning and watched the behaviour on the other side of this Chamber. Quite frankly, I am dismayed by it. It is quite out of character for this Premier to see what has transpired in this parliament today and to block debate. We have had dissent from the Speaker's ruling, which I am not going to reflect on, but all of that could have been resolved if this Government had allowed debate on this important matter, and if the Premier had come in, like minister Street, been upfront about the mistake he had made and corrected the record. He set a tremendous example for the parliament, but as time went along, asking for accountability from each of the other involved ministers, it just deteriorated.

I want to read into the *Hansard* something that was in the 2022-23 budget papers. It says:

As Premier, I am committed to leading a government with integrity and heart, one that is courageous, accountable, and delivers on its commitments.

I ask the Premier, what has happened?

To be elected to this place to represent your community and the State of Tasmania is an enormous privilege that is bestowed on very few Tasmanians, and we must take that responsibility very seriously. Whilst being in opposition has its own set of responsibilities, one is holding this Government to account, which is what we have done today in this place. That

is our role and to be criticised for that by those on the opposite side of the Chamber is deplorable. We are undertaking our role: we are holding you to account. You are not doing your role: you are not being transparent and you are not conducting yourselves in the manner that is expected of Tasmanian parliamentarians and ministers in particular, Premier.

Integrity in government and upholding ministerial responsibilities and the code of conduct are the hallmarks of a good government. Given the track record of your Government, Premier, and its ministers, it is not surprising that when you became Premier you clearly stated that you wanted to lead a government with integrity. You also said that you would lead a government with heart, but that is proving to be very difficult when you are prioritising a \$750 million stadium over the cost of living and health and housing crisis across our state. I wish that you would share the same intestinal fortitude for fixing those issues, and what those issues mean for Tasmanians, as you do for your \$750 million stadium.

Despite what you might continually say, Premier, your Government is not a great government. There is a groundswell of quiet Tasmanians who just want your Government to get the basics right for them and their families and who quietly agree that your Government has its priorities all wrong. In fact, your Government is an unstable government, with the esteemed record of losing two ministers in as many weeks. That record is pretty extraordinary and even the most outrageous sporting announcement cannot detract from that, Premier, as you have tried to do in the past.

We all remember Adam Brooks - or should I say Terry Brooks - in Braddon, Sarah Courtney in Paris, and the many unanswered questions that remain about Jane Howlett in Prosser. Premier, you have done little to clear up these issues during your tenure, your very short time as Premier following Peter Gutwein's abrupt departure. It is always in the public's best interest to know if there has been a breach of confidence and trust in public office.

Before us now we have another Liberal sports rort that has come through this parliament. There are so many unanswered questions associated with this and you have not been able to do the right thing in here today. I do not understand why you would not come in here and correct the record. I cannot understand why you would not set the record straight and lead your Government with the integrity that you set out to do at the beginning of your tenure as Premier. You failed to do that.

There are questions about how these funds were allocated. That is clearly evident through that RTI and the scrutiny that has been afforded to this parliament around the allocations of that important taxpayer money. We have not had the opportunity to scrutinise that, and your comments were not, as others have said time and time again, that dissimilar to those of minister Street, and yet you could not bring yourself to correct the record. As I said, that is out of character for the Premier.

There have been conflicting answers right throughout this debate today from each of those who have spoken about each of the motions we have put before the House. With minister Ferguson, we only have to go back and look at the *Hansard* where he said:

Large commitments need to go through a proper budget process and of course the scrutiny that goes with the Budget Estimates committee process.

That was during the debate that was held way back in June.

Mr Speaker, that is the fact. That is why we are debating this today. That did not happen. The answers that the Premier has provided in the past are not that dissimilar to what Mr Street has provided - so it does beg the question why the Premier could not put on the record and correct his remarks today, in this place.

As others have outlined, the code of conduct clearly talks about the responsibilities and standards expected of ministers in this place and in the community. One area relates to misleading statements, which I know my colleague, Rebecca White, has certainly made mention of today, but it is important to reiterate that, on the record. Ministers must not deliberately make statements that mislead parliament or the public. In line with parliamentary practice, they are obliged to correct the record in a manner that is appropriate to the circumstances as soon as possible after any incorrect statement is made.

This is an important part. It is recognised that a mistake or referring to incorrect information does not in and of itself constitute the offence of misleading parliament, as long as it is corrected as soon as possible once the error is identified.

There were a number of opportunities for the Premier to do that today but he has not done that, and he has not provided adequate explanation as to why he has not done that.

Time expired.

[3.11 p.m.]

Mr WOOD (Bass) - Mr Speaker, I welcome Labor's focus on ministerial standards. As the Premier has said, all members of this House should be strongly committed to the highest standards of integrity and propriety for the people of Tasmania. Our Government is committed to acting honestly, professionally and with accountability in the performance of our duties for our strong future for our state.

For the record, the statements made previously to parliament by minister Street were based on advice. Some of that advice was unfortunately incorrect. That is why Mr Street has today corrected the record to be absolutely accurate.

What is indisputable is that the list of community projects funded were named and tabled in June this year with dollar amounts. What is also indisputable is that 111 Local Communities Facilities Fund projects were lawfully funded prior to the 2021-22 budget, as outlined by the then finance minister to parliament during the supply bills debate on 24 June 2021 which were supported by both Labor and the Greens. In that debate, the minister said:

All election commitments will be funded through the Budget appropriation bills but also the Financial Management Act provides flexibility to enable the Government to fund election commitments prior to the Appropriation Act being passed. Under section 21(3) of the Financial Management Act, the Treasurer is able to issue and apply funding from the Treasurer's Reserve in the absence of an appropriation where the Governor has in writing, approved that expenditure.

The Government has already commenced fulfilling a number of its election commitments, and members will be thrilled to know that \$4.7 million has

already been funded this year which included funding to 111 organisations through the local communities facilities fund.

Ms O'CONNOR - Point of order, Mr Speaker, on potentially incorrect information provided by Mr Wood. He has misquoted minister Ferguson.

Mr Ferguson did not say all election commitments will be funded through the Budget appropriation bills, but 'also the Financial Management Act, which provides flexibility'. What the Treasurer said is that:

... the Financial Management Act provides flexibility ...

He did not specify that they had been funded through the Financial Management Act.

I want the *Hansard* record to correctly record what he said.

Mr SPEAKER - Thank you.

Mr WOOD - Since coming to Government, we have taken action to improve standards, accountability and transparency. In contrast, the Labor Party has a history of mistruths and fearmongering, yet it is rarely held to account.

Who could forget Labor's TAFE and Hydro scare campaigns during the last state election? Labor spent thousands of dollars on fake scare campaigns about TAFE privatisation and Hydro privatisation. This included fake phone calls that were used nightly to bombard Tasmanians, using deliberately deceptive statements about so-called privatisation as if they were facts. It is a disgrace, frankly.

Then there was their sham 'free TAFE' promise at the last election. Labor advertised a sham 'free TAFE' promise using the tricky one-liner to deliberately mislead Tasmanians that under them' all TAFE courses would be free, when this would definitely not be the case. The truth was that the promises referred to only 5000 of an existing 22 000 places currently offered by TasTAFE - so Labor's free TAFE was certainly not free for everyone.

In addition, there was deliberate deception about closing hospital wards. During the election campaign, Ms White and the shadow health spokesperson stood outside the Royal Hobart Hospital and made the deliberately deceptive claim that the Government had closed the hospital ward. That is just not the case, but it is the Tasmanian Labor way, sadly.

Mr Winter has made an artform of deception. Mr Winter's wild energy claims are wildly known, his false claims -

Mr SPEAKER - Order, Mr Wood. It was the member for Franklin, not Mr Winter. I will uphold the standing orders.

Mr WOOD - My apology: his false claims that power prices for Tasmanian families will increase by 75 per cent over the next two years; his false claims that Tasmanians could not access the Energy Saver Loan Scheme and the winter bill buster payments were not fully funded; his false claims that Hydro Tasmania had lost \$100 million in the first few months of

the year; and his false claims that TasNetworks was overcharging customers, which was strongly refuted by the Australian Energy Regulator and the TasNetworks CEO.

The member for Franklin stands in this House today and talks about courage and integrity, but if he practised what he preached, he would fess up on his own deceptions. If not, he is just demonstrating what everyone knows. In the absence of standing for anything in the last week of parliament, all Labor can do is serve up a stunt.

Parliament is no place for stunts. Tasmanians deserve better, and it is no wonder the Labor Party in Tasmania is in administration.

Matter noted.

ELECTORAL DISCLOSURE AND FUNDING BILL 2022 (No. 25)

In Committee

Resumed from 10 November 2022 (page 106).

New clauses A, B and C to follow clause 29 further considered -

Ms O'CONNOR - Mr Deputy Chair, continuing from when this Committee stage was adjourned, these amendments are in many ways self-explanatory. We are seeking to introduce two new divisions that deal with donations from anyone other than natural persons who are not citizens or permanent residents and introducing a general cap on political donations. We are very pleased to see that there has been progress here in the form of a ban on foreign donations but, as we know, that ban is in place under Commonwealth law so this ban simply brings the state law into line with that Commonwealth provision.

Obviously, foreign donations are not the only form of donations about which not only the Greens have concerns but the broader community has concerns. For example, donations from vested corporate interests, whether they be the gambling industry, which bankrolled the Liberals 2018 election campaign, or tobacco or alcohol companies; big corporations which only make these donations because they want an outcome out of it. London to a brick that in the 2025 state election the likes of JBS and Cooke will be lining up to make contributions towards both major parties in their campaigns because they want to see either the Liberal or Labor parties elected to government so they can continue to expand in Tasmanian waters, corporatise our waters and degrade our marine environment.

Our preferred approach is modelled on the Canadian donation laws, which allow only natural persons who are citizens or permanent residents to donate to political parties. Similar provisions were attempted in New South Wales in 2012 which limited donations to persons registered on the electoral roll. This law was overturned by the High Court in 2013 on the basis that it failed to satisfy the Lange test and I know there has been back and forth with the Attorney-General over that test and the High Court decision because there were no clear purposes articulated for the prohibition. In our view, the purpose of the prohibition is to make sure that you do not have money from corporate vested interests being contributed towards political parties running campaigns in the hope of a policy or legislative or regulatory outcome

that favours that corporation following the election, so we wish to see donations limited to natural persons.

We also want to see a general cap on political donations and there is no cap on political donations of any sort in the Government's bill, which is unfortunately an area where most of the country is lagging. Only Victoria, New South Wales and Queensland have donations caps. Of these three, Victoria is the only state to have a particularly restrictive cap at \$4160 a term, Queensland is more generous at \$10 000 a term and in New South Wales you can donate a total of \$26 400 in a term, but all of them place some sort of confinement on the quantum of money a particular corporation, entity or vested interest can donate to a political party over the term of that government. We think that is sound, democratically, because the more cashed up the corporations are, the more policy and regulatory and legislative outcomes they can buy.

The Victorian cap demonstrates that a \$1000 a year cap will not cause the sky to fall in and as I said in a previous contribution, as a Liberal politician said in a 2018 study in New South Wales, 'If someone donates \$1000 they support you, if they donate \$100 000 they have bought you'.

We think that these are important amendments. We hope to have some support from Labor but I know that Labor is conflicted in this situation because, the way the structures we have set up in Tasmania and nationally, it is very difficult for political parties to raise the money they believe they need to campaign effectively and win elections unless they go cap in hand to corporations like big fossil fuel corporations or salmon farmers like the Batista brothers or Tassal previously, or the Federal Group. I find the whole thing odious because it is so obvious that what is happening here is 'pay to play' on the part of corporations. We feel very strongly about these amendments and commend them to the House.

Ms ARCHER - Members would be aware of my recent letter to Dr Kevin Bonham. I want to deal with that now before I respond, if I can, to Ms O'Connor, rather than wait until the clause that it relates to.

There are comments I made during the consideration of this bill in the second reading speech. I was mistaken when I indicated that the ACT provides for above-the-line voting and this was based on an error in advice I received. My gut actually made me stop and think, 'I don't know if this is right,' but it was during the speech, so I take full responsibility for that, of course. I wanted to correct that while the ACT once featured above-the-line voting under its previous system - and that is perhaps what I should have said - it now uses the Hare-Clark model like in this state.

That said, the Government has been careful not to simply pick up and adopt the ACT model in relation to all electoral reforms we have considered, including public funding. I will go into further detail when we get to that particular provision. As members know, I have written to Dr Bonham; I copied in Ms Haddad, Ms O'Connor, Mr O'Byrne and Ms Johnston, just to ensure that you knew about that. I apologise for that error because I know that he made a comment on that. I wanted to clarify that before we kick off today.

In relation to Ms O'Connor's amendment, I think you were dealing with divisions A and B together.

Ms O'Connor - Didn't I move all three together?

Ms ARCHER - A, B and C? Okay, great. I will roll on with my speaking notes on these proposed amendments, which include a ban on non-citizens and non-permanent residents. Part of it is unnecessary with the bill already banning foreign donations in Part 3, division 1 of the bill. The ban already included in the bill is consistent with the ban on foreign donations at a Commonwealth level, thus providing a consistent ban on such donations. The inclusion of this additional provision only serves to add to the complexity.

Beyond foreign donations, the Government has significant concerns about bans in general without a firm evidence base. The High Court has been very critical of limitations on the ability of the individuals and groups to contribute to political debate without firm evidence that any limitation is appropriate and adapted. I quote the final report in relation to bans:

Given the lack of data on the extent of third-party activity, it is difficult to make an informed judgment on whether any bans on donations may be required in Tasmania in the future. Recent High Court judgments have indicated that it is possible to ban donations from certain entities or individuals; however, there are complex legal assessments required to ensure the constitutionality of such a ban.

I also note that no other Australian jurisdiction has chosen the non-targeted banning of all donations from non-natural persons. That was generally in relation to the division A amendment. With respect to division B, which proposes to introduce a cap on political donations, the Government does not support the proposed division B. The Greens have included an amendment to put caps on donations and this amendment is not supported generally due to the Government's commitment to ensuring the reforms do not unreasonably impinge on freedom of speech.

The amendments are also not supported due to some of the specific elements of the cap. For instance, the cap period is four years, which does not align with the life span of a parliament as House of Assembly elections are not fixed to a specific date. This may lead to challenges with the capped periods potentially running over the life of more than one parliament, or alternatively, for a single parliament to run over more than one capped donation period. It is also unclear in the Greens amendments whether the individual candidate has a capped amount in addition to the party's capped amount or whether donations to a specific candidate form part of the party's capped amount.

The carve-outs within subsection (5) create a significant inequity between those classes listed and the rest of the population. It is not clear why our local government councillors should be allowed to donate without restriction whereas, for example, a family member or friend of a candidate is not.

It is also noted that there is no comparative cap on associated entities or third-party campaigners. Therefore, for example, a third-party campaigner could collect donations unfettered whereas those actively participating in elections would be restricted in their fundraising. This would likely lead to some voices in political discourse being overpowered.

That finishes all the contributions I want to make on that. Thank you.

Ms HADDAD - Mr Deputy Chair, I thank the Leader of the Greens, Ms O'Connor, for her description of the intentions of this proposed new division. The way it has been drafted is

quite neat in limiting the capacity to donate to actual persons rather than banning donations from a range of different sectors. I thought that drafting style was clever. That said, unfortunately, we will not be supporting the amendment.

I said in my second reading contribution that it is no secret that elections cost a lot of money and I, for one, would like that not to be the case. I would like to see a much more level playing field in Tasmanian and Australian politics. I would like to see the ability to run for parliament to be much more accessible, particularly to people on low incomes who seek to represent their community. Everybody should have the ability to do that but at the moment election campaigns are really expensive, so people seek donations.

What these laws need to be underpinned by is disclosure and caps on spending. I will be moving amendments later and the Greens have amendments also that would impose caps on how much money can be spent in election campaigns by candidates, by political parties and by third-party campaigners and associated entities as well. It is a grave error not to have spending caps put forward in the government's bill because it is not healthy for democracy to have the unlimited ability to raise funds and the unlimited ability to spend funds.

At the moment, people know that all parties seek and receive donations from people who are not natural persons. Everybody knows that unions are involved with Labor Party campaigns and often with campaigns of independents and other parties as well, for that matter. I also wonder how this limitation might affect donations in kind - things that should be disclosed, as I said earlier, but things like if your friend runs a business and you are able to use that premises for a campaign event or a fundraiser, whether that would be allowable or not.

On general caps, other states and territories have caps on donations. Victoria is around \$3000. In the long term, that is something Tasmania should consider, something that would add to a level playing field in Tasmanian politics. However, because of where our political donation laws are right now, the fact that we do not have any transparency or clarity on who donates, to what extent they donate and how much people are spending, it is too early to consider a general cap on donations.

Ms O'CONNOR - That is a very predictable response from Ms Haddad because what we often hear from Labor politicians is 'now is not the time', we get a bit of hand-wringing, and then we are given the reasons why now is not the time. The reason why now is not the time for the Labor and Liberal parties in Tasmania to support these provisions is because they will always put their political self-interest ahead of the public interest when it comes to donations reform. I am disappointed in both of those answers.

Regarding which jurisdictions ban donations from which type of donor, foreign donors are banned at a Commonwealth level and also in Victoria, Queensland and Western Australia. Property developers have been banned in New South Wales and Queensland, and rightly so. As we have seen through ICAC in New South Wales, the Crime and Corruption Commission in Queensland and IBAC in Victoria, property developers are one of the most powerful potential vehicles for political corruption - donations that come from property developers to get planning outcomes.

Tobacco and gambling donations have been banned in New South Wales. The reason why New South Wales is leading the nation in some ways with its electoral laws is because of

the bitter experience of seeing corruption in public hearings that related to unhealthy relationships between New South Wales politicians of both colours and vested interests.

Very disappointing. This is a proposal that places an aggregate cap on a donation from a single source in a parliamentary term. The Attorney-General talks about adding to complexity. Well, electoral laws are complex things. By rights they are because there is a whole range of things we have to cover to ensure robustness and probity. If you want to look at the evidence base, that is what I talked about before: all the cases that have come before corruption commissions on the mainland where you have seen political donors caught in very unhealthy relationships with government ministers and premiers. There is the evidence base. We do not buy that there is no evidence base.

In terms of our \$3000 per term per donor cap, this has come from the Senate Select Committee into the Political Influence of Donations, which recognised that any donations cap is relatively arbitrary. On balance, they recommended a donation cap of \$3000 per term per donor in their report, handed down in 2018. We argued in our submission to government on the draft electoral bills from two years ago that a \$3000 cap on donations would curtail the potential influence of any given donor, particularly as no cap currently exists. It also represents about 0.4 per cent of an \$800 000 expenditure cap, which we have also proposed. We have proposed that there be a cap on expenditure from parties in a campaign. If we had a \$3000 cap, it would mean that risking the loss of revenue from a single donor would be more palatable for political parties.

It is all doable. The fact that other jurisdictions have done it, a number of other jurisdictions have either aggregate caps on donations or bans on specific donors, tells us it is good policy that does have an evidence base behind it. There is no way a state like New South Wales would ban donations from property developers if the evidence was not there that it was potentially very corrupting.

We do not buy either of the arguments put by the Attorney-General or the shadow attorney-general. We regard it as self-interested excuse-making on principle. We heard a statement of support, in principle, from Ms Haddad but she is pretty safe to do that in here in a debate. It is not the sort of thing, necessarily, that she might put forward at a Labor Party state conference whenever that happens, some time in 2025.

We think these are important new divisions in the act.

Ms Archer - Fair enough.

Mr O'Byrne - You don't have to punch down every door. You can walk past the door occasionally.

Ms O'CONNOR - On a debate like this, I do not know about that. Anyway, I possibly will not even be here because it will be so far off, Mr Chair, but I do hope that both the Labor and Liberal parties at some point in the future when they are pushed repeatedly into minority government perhaps and realise that they are losing public trust, can find the space to work together and agree to level the playing field properly because what we have here is not best practice, nationally or in comparison to other jurisdictions.

The first best example of it is the proposed disclosure threshold of \$5000. These are really important divisions. We know they are well drafted and would make sure the bill was strong and give Tasmania a leg up from having the weakest donation disclosure laws in the country, which we will still have, although the Attorney-General has argued robustly that this is not true.

I am very disappointed that colleagues in this place have not seen the importance of bans on specific types of donations, restrictions on eligibility to donate and a general cap on donations which, as we know, would restrict to a significant extent the capacity, for example, of an entity like JBS or Cooke with their Australian operations - because they would not be called a foreign entity because they have Australian offices - being able to make repeated large donations to the two parties of government, for now, on this island in the hope of getting exactly what they want in our marine waters which, as we know, both the Labor and Liberal parties have basically agreed to, which is massive expansion against the communities' wishes and against the evidence of significant environmental harm, but that is what the donations from Big Salmon would buy.

It is the promise or the prospect of those big donations that also prevents our major party colleagues in this place from supporting these proposed amendments because they do not want to get off the corporate teat.

Mr CHAIR - The question is that the new division A be made part of the bill to follow clause 29.

The Committee divided -

AYES 3

Ms Johnston (Teller)
Ms O'Connor
Dr Woodruff

NOES 19

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Mr Rockliff
Mr Shelton
Mr Street
Ms White
Mr Winter
Mr Wood
Mr Young (Teller)

New clauses A, B and C to follow clause 29 negatived.

Clauses 30 to 39 agreed to.

Clause 40 -

Registered parties and their members and candidates

Ms O'CONNOR - Mr Chair, I move the following amendment -

Page 87, subsection (1).

Leave out everything after "political donation is"

Insert instead the following -

"received, or made, by or on behalf of -

- (a) a registered party; or
- (b) an Assembly Member who is, at the time at which the donation is received or made, endorsed by a registered party; or
- (c) an Assembly candidate who is, at the time at which the donation is received or made, endorsed by a registered party -

the party agent in relation to the registered party is required to disclose the donation in a donation declaration that is lodged under section 49 within -

- (a) if the political donation is received within 7 days before a polling day, 24 hours after the political donation is received; or
- (b) if paragraph (d) does not apply, 7 days after the day on which the political donation is received or made.

I will now move the second amendment to clause 40, if that is acceptable.

Mr CHAIR - Ms Haddad has an amendment in between yours, so we will just go with the first amendment, and we will deal with your second amendment after Ms Haddad.

Ms O'CONNOR - Sure. Mr Chair, this is the first of a series of amendments to introduce into the legislation a full real-time disclosure framework for our electoral laws in lutruwita/Tasmania, very similar to the one that exists in Queensland. In saying this, I acknowledge that the Attorney-General's consulted bill takes us a more significant step towards real-time disclosure, but there is that issue about disclosure within a campaign itself, which is highly problematic.

Our proposal is for a blanket requirement for a donation disclosure seven business days after receipt, and within 24 hours during the seven days before polling day. It is self-

explanatory that this better allows voters to make informed decisions, when they can appreciate which entity is donating how much to which political party in something close to real time, and in 24 hours within that period of seven days before the polling day.

While the proposal brought forward by the Government is an improvement, it is still woefully inadequate. Any donation made seven days before polling day would not be available to the public before polling day. This could be as high as 14 days, as the Electoral Commissioner has up to seven days to publish this information.

Remembering that, at the moment, we are in a situation where the full extent of donations made to political parties during election campaigns can take between 15 and 18 months to be revealed to voters, because of the weak laws under which we continue to operate. Further to this, under the proposed bill, any donation made prior to the election period would also not necessarily be made public, depending on when the election falls.

This means that if the next election is held on 28 June 2025, and the election period is the minimum of 22 days, potentially only donations made on eight of the 179 days preceding the election - that is 4 per cent of donations - would have to be made public. As a best-case scenario, if an election period is a full 30 days, and the commission publishes the donations immediately on receipt, still only donations made on 23 of the 179 days preceding the election would have to be made public.

Mr Chair, this is not real-time disclosure. What we are being offered in the Government's bill is not real-time disclosure. It is functionally not likely to be much better than our current system, as avoiding scrutiny before an election will be just as easy to achieve.

Again, I simply suggest to members that around the country there are moves towards real-time disclosure. In Victoria, the disclosure period is 21 days, in Queensland it is seven days, and they have those provisions within the campaign period. Regrettably, Western Australia, the Northern Territory, the ACT and Commonwealth law only provide for annual disclosure through the Australian Electoral Commission (AEC) returns process.

In South Australia I guess it is a step up from annual disclosure, but South Australia has a provision that you have to disclose after the election - which, of course, entirely defeats the purpose of why you have donations disclosure: to inform people in a democracy about the flow of money to vested interests.

I strongly commend this amendment to the House. I hope it has the Labor Party's support, given that the Palaszczuk Labor Government has introduced very similar provisions.

Ms ARCHER - The Greens amendment to this clause would see the donation disclosure period shortened to seven days year-round, except in the week leading up to polling day, when the donation must be disclosed within 24 hours. The Government does not support this amendment.

The bill currently aims to balance transparency and accountability with preventing unnecessary administrative burden. We are of the view that this amendment creates two significant and administrative burdens, without evidence that such a burden is warranted. Of particular concern is the burden on Independents and small parties. Under these provisions, these people would bear the burden for reporting donations as received well outside of an

election period within seven days. In instances where an Independent or small party had a contracted or casual admin person doing this work for them, this may be a significant risk for them also.

What we have tried to do with our provision is to allow for a two-step system, where it is not as onerous outside an election period, but more onerous in terms of frequency during an election period. What Ms O'Connor's amendment would do is make that a much shorter period than what we have provided for already.

I thank Ms O'Connor for acknowledging that it is better than what we have, but we have given this serious consideration in relation to comparison jurisdictions. We believe that the two-step process that we have in the bill already is fair and reasonable.

Ms JOHNSTON - Mr Chair, I will be supporting this amendment. I recognise the contribution by the minister and thank her for her concern about the administrative burden. Perhaps I can respond to that by reassuring you, as an Independent, that the rivers of gold do not usually flow to Independents in such an amount and frequency that will be an administrative burden on, I believe, any Independent to provide this kind of disclosure in a real-time scenario. I cannot speak for other Independents or the crossbench or the Greens, but it is certainly not something that I would experience. In any case, I do not accept donations.

The desire to be honest, open and transparent about the donations received, and the timing of the donations, is more worthy than any administrative burden that might be imposed on any Independent or crossbench member or minor party member.

From my perspective as an Independent - and I am assuming from other crossbench members - knowing exactly what others have received at that particular point in time helps to inform me about what those vested interests might be when we are debating bills before the House at the time. I believe this is an important amendment to make sure that not only are members of the public informed about what donations are received by whom and when, but also those in this place to have an understanding of what interests might be at play when we are here debating bills.

I acknowledge the minister's concern about administrative burdens, but I doubt it is something that outweighs the desire for transparency.

Ms ARCHER - Mr Chair, I will respond to that, because that may be Ms Johnston's experience but any Independent to come may have a completely different experience and a completely different backing. Ms Johnston can speak on behalf of herself, but I think she cannot speak on behalf of all Independents to come in this place.

Also, her contribution is all well and good. Ms Johnston spoke to openness and transparency, which the Government has attempted to open up in this bill, but what Ms O'Connor's amendment seeks to do is obviously make it more frequent.

Ms O'CONNOR - Mr Chair, I will respond, if that is okay. Attorney-General, it absolutely warmed the cockles of my heart to hear you express concern about the administrative burden on smaller parties. I have not heard you express such concern for Independents and minor parties administratively before. I thought it was really sweet. However, we are prepared to carry that burden - and we have been carrying it since our state conference in 2016, about a

year after I became leader, where we passed a motion that required the party to begin real-time disclosure and put in place structures and processes that would enable us to do that.

Because of the nature of the donations we receive, which are literally from individuals, long-time donors, people who have been members of the Greens for decades, people who buy a raffle ticket for us, there is a reasonably high administrative burden on a small political party that declares donations in real time. Then we have a whole lot of smaller donations which are our bread and butter. That is how we run campaigns. It is an administrative burden that political parties should be required to accept and carry during a campaign.

What the amendment bill before us says is that it is okay to keep voters in the dark in the week before a campaign about the source of political donations to a particular party. It is not okay for us, as parliamentarians to say that that is acceptable because it is not. It is insulting to the processes of our democracy.

The administrative burden in a campaign of being required to disclose a donation over the threshold within 24 hours is something that can be borne by all parties and I think it could be borne by independent candidates who accept donations because that is the administrative price of being a participant in our democracy.

I am sure the Attorney-General remembers election campaigns when you have streams of requests coming in from different organisations, stakeholders and community groups who are asking for your position on a whole range of issues, or asking you to make a commitment on a policy position or funding proposition. They are administrative burdens candidates and parties carry and they are a very weighty part of the work of an election campaign. I am sure other people in this place have experienced this where you are campaigning and you are out in the community and then you get back to the office and there are half a dozen stakeholder asks there that you just have to do. It is not the sort of work you can necessarily delegate. Election campaigns are full-on. They require all our energy. They are extremely unusual, irregular circumstances where we accept that we will be pushed to the limit. It is partly because we have accepted that, that we have been elected to this place.

We do not have any issue with the administrative task of a 24-hour real-time disclosure in the period before election day. This, to us, is a real democratic threshold issue because we have seen it repeatedly, state election after state election, where it is very obvious that vast sums of money are coming in at the back end of the campaign to give the political party of choice that bit of extra push. People who go to the ballot box should be able to go to an accessible portal or website and see where the money is coming from. If you do not support real-time disclosure within a 24-hour period in those days before the campaign, it means you are content to keep that information hidden. This is information that has a direct impact on democracy and could have a very real impact on voters' choices. Perhaps that is why there is resistance to real-time disclosure like Queensland has in this legislation. I know from reading a number of the submissions made over the course of a two-and-a-half-year consultation period that strong calls were made by stakeholders for genuine real-time disclosure, with a focus on that period before polling day.

At the moment, JBS, for example, could make a \$10 000 donation to the Liberal or Labor party in the week before a campaign and coastal communities would go to the polls not knowing that these people took the money. We think it is important that they do know that major parties take money from corporations that are not acting in the public interest; they are

acting in their own profit interest at the expense of this island, its people, its long-term future and its brand.

I do not understand why there is such resistance to that campaign-period real-time reporting. It does not pass the sniff test and it seems to come from a place of unabashed political self-interest.

Ms HADDAD - Mr Chair, I also have amendments to change the disclosure threshold time frame, which I will move after we have dealt with this amendment.

The Labor Party supports real-time disclosure of donations throughout the electoral period. Ms O'Connor is correct to state that what we have right now is not good enough and what is in the bill is a significant step forward.

What we have now is that people are not aware of donations that have been received by parties or candidates until 15 or 18 months after an election is over. That requirement comes from Commonwealth law so, presumably, it is usually a donation received for federal elections that is captured by that disclosure requirement. At the moment, there is no requirement for donations received by state candidates or parties fielding candidates in state elections to disclose anything they receive, which is abominable. It is one of the reasons why we have, I hesitate to say, the worst electoral donation laws response in the country, because at the moment we do not have donation disclosure laws at all. What is in this bill is a significant step forward.

We will be moving amendments at the end of the debate on this clause to have monthly disclosures throughout the year because six-monthly is too far apart. I will come to that when we get to the next clause.

The way Ms O'Connor described the administrative burden, the way the Labor Party operates is not that different. The majority of the donations to the Labor Party come from individual members and small donors, and there is one administrative officer who works for the Labor Party. I have consulted with our party office on these amendments. At the moment, weekly disclosure during the election period would be administratively possible for that one administrative officer to cope with, remembering that this person would be responsible for declaring the donations received not only by the party but by every sitting Labor member and every candidate endorsed for that election.

There are serious offences in this bill for failing to disclose under whatever time frame is agreed upon. In the bill it is weekly during a campaign period. We need to be mindful of the fact that time will be needed for individual candidates, independents and parties to implement this new disclosure regime.

The Labor Party absolutely supports real-time disclosure. We agree with the weekly time frame during election periods at this point. I will be moving amendments after this clause around the disclosure period outside election time.

Mr CHAIR - The question is that the amendment be agreed to.

The Committee divided -

AYES 3

Ms Johnston
Ms O'Connor (Teller)
Dr Woodruff

NOES 20

Mrs Alexander
Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Mr Rockliff
Mr Shelton
Mr Street
Ms White
Mr Winter
Mr Wood
Mr Young (Teller)

Amendment negatived.

Ms HADDAD - Thank you, Mr Chair. I will read my amendments into the *Hansard*. I was going to propose that I move my amendments to clause 40, 41, 42 and 44 at the same time but I cannot do that because Ms O'Connor needs to come back to clause 40. In that case, I move -

Page 88, subclause (2).

Leave out "the six-month period".

Insert instead "the calendar month in which the donation is made".

I think that appears twice in that clause; I have not brought my copy of the bill over to the podium.

Mr Chair, this is a very straightforward amendment and I made my arguments about my support for real-time disclosure on the last clause. What this amendment would do is ensure that outside of election periods there are rolling monthly disclosures of donations received by parties and candidates, and that those would be published on the Electoral Commission website every month.

At the moment the bill puts forward a period of six months for rolling disclosures. I believe that that is too long, so the Labor Party is moving this amendment which would mean that there would be monthly rolling disclosures of election donations received by parties and

candidates, although I suppose not so much by candidates because it is outside the election period. I believe that is administratively manageable by any party administration.

As we talked about on the last debate, people talk about the major parties having rivers of gold and having a big party machine. It is really not the case, much to people's surprise and maybe disbelief, but in fact many people fund their own campaigns. Most candidates fund their own campaigns and monthly disclosures by sitting members to their party and by the party to the Electoral Commission for monthly publication on the commission's website is a reasonable time frame to be able to manage. Also, more importantly, it is a reasonable expectation of the Tasmanian people to know month by month what donations have been received by sitting members of parliament and political parties who seek to run candidates in state elections.

Mr O'BYRNE - Quickly, on indulgence, I was not able to provide a second reading contribution last sitting week because of a COVID-related absence, so my apologies for that. I do not intend to get up each time and repeat a second reading contribution to each amendment.

Broadly speaking, this bill is very important for Tasmania. People having confidence in the transparency around the funding of elections is crucially important. There is a number of amendments being moved to the bill which I am in philosophical support with. There are some practical elements that need to be considered in smaller jurisdictions and particularly given it is Hare-Clark as well. In other jurisdictions, if you have a party and a single member, some of the reporting requirements are easier to fulfil by the virtue of the number of people reporting and the kind of donations that are reporting in periods. I think the goal of real-time reporting at best is practicable, to ensure that people are aware of the donations made to individual candidates and parties is important.

It needs to be balanced with the ability not to try to capture or trap people into inadvertently not being able to meet a deadline because of the onerous nature of the reporting. I think balancing those, coming from where we are, where whilst there are broad party reporting requirements, for individual candidates in Hare-Clark it is scorched earth, really. It is pretty open, pretty vacant, and legitimately people have the right to question some of the donations that may or may not have been made to candidates.

The problem is that if an accusation is made, everyone gets tarred with that, so having an act in the bill which is appropriately accommodating of reporting transparently the kinds of donations and the amounts - and I know there are a number of amendments dealing with caps in terms of the minimum reporting, and I will be supporting some amendments which I understand are coming through. I think that outside of election campaigns, six months is way too long; I think 30-day monthly reporting is appropriate outside of election campaigns, particularly for candidates or for individual members if they do receive one, in terms of the party processes. I work predominantly on a 30-day process if I am issued an invoice from whoever.

In reporting donations to politicians, six months is way too long because there are whole range of questions that could be raised at the time of that reporting which are after the fact. If there is a concern for the community, or if there is trend appearing, monthly reporting is significantly more appropriate to enable the community to have their say and form an opinion on a candidate, a sitting member or a party on a monthly basis.

I believe that the series of amendments dealing with the six-month period, as opposed to the calendar month which has been proposed on this clause - but there will be a number of amendments moved by the shadow attorney-general, Ms Haddad, on subsequent clauses relating to this.

I believe the 30-day monthly period is appropriate and I support the amendment.

Ms ARCHER - Chair, I note that although the Labor amendment provides less onerous reporting than the Greens amendment, the Government does not support these amendments to the reporting time frames. We are sticking with what is in the bill.

Mr O'Byrne acknowledged the complexities of the Hare-Clark system. Putting together this bill, we have had to consider that and how our jurisdiction differs from others in having multiple candidates per electorate. When we get to the public funding aspect of this, it is now further complicated by the fact that we will have a 35-seat House, and it is a bit unexpected as to how that will project as well. I will make that brief observation and comment.

Ms O'Connor - But you have not said why you will not support it.

Ms ARCHER - I am saying the nature of Tasmania's voting system has not made it easier to deal with some of these issues, because Mr O'Byrne was using this as an opportunity, more as a second reading speech, rather than specifically on this clause.

Back where I was, under the bill as it currently stands, outside the election period, party agents and official agents have a regular six-monthly reporting requirement. At the end of the financial year and the calendar year, all disclosable donations can be compiled and reported to the Tasmanian Electoral Commission.

Under the ALP amendment, outside the election period, each disclosable donation must be reported within 21 days of the calendar month in which it was received. Therefore, this could potentially increase the administrative burden of party agents and official agents six-fold, as there is currently no disclosure regime, and there is no evidence to demonstrate that this frequency of reporting is warranted outside an election period.

All this is still going to be disclosed. The argument here is what is the right balance that will not be the administrative burden that some of us are concerned with. Our concern is that the Government is exactly that, an administrative burden, when it is unknown. I believe we strike the right balance outside an election period, which is what this clause specifically deals with.

Ms O'CONNOR - Mr Chair, Ms Haddad's amendment is an improvement, but I will remind the House that Ms Haddad and Ms Archer and all their colleagues voted against actual real-time disclosure in the campaign period, the seven days before election day. It seems to me both Ms Archer and Ms Haddad are expressing an extension of the same idea, which is that we should be able to have a measure of opacity around reportable donations for long periods between elections. We do not want actual real-time disclosure in the last week of a campaign.

In the bill we are debating, we have a six-month disclosure period. Ms Haddad has come forward with one month, which again is an improvement, but why pretend that you are interested in good governance and democracy if you cannot support actual real-time disclosure.

We have this pretty ordinary amendment, I think, given the Greens amendment that has been defeated.

I am hearing from the Attorney-General, increasingly, the excuse of administrative burden. I do not know where I have put it but I have Sam McQuestin's submission to the consultation on these bills that he made on behalf of the Liberal Party. That day, Sam McQuestin had hours to spare, writing a rubbish submission where, on behalf of the Liberal Party apparently, he blocked or expressed resistance to every single, genuine transparency and playing field levelling measure that would be put forward in a robust donations disclosure framework - every one. This argument that it is an administrative burden issue is rubbish, and we will call it out as such.

With respect, Attorney-General, the complexity of Hare-Clark is irrelevant to the amendment put forward by Ms Haddad. Say it, because I do not want you to feel misrepresented.

Ms ARCHER - I was responding specifically to the general comments Mr O'Byrne was making. He did not have an opportunity to make a second reading speech, so was not necessarily specifically talking only on the clause but he did make reference to some general comments, to which I was referring.

Ms O'CONNOR - Thank you. In response to Ms Haddad's amendment, we simply had the statement from the Attorney-General that the Government does not support this amendment. No rationale given for not supporting the amendment, none whatsoever - and even when sort of prompted, there was no further explanation for why the Government would not support this amendment.

Ms Archer - Are you talking about this one?

Ms O'CONNOR - Yes, Labor's amendment.

Ms Archer - I did.

Ms O'CONNOR - We did not have a rationale put forward by you, other than the same very ordinary rationale you put forward in response to our amendment.

Ms ARCHER - Point of order, Mr Chair. I am not going to be misrepresented. I did have a rationale. You cannot say there is no rationale, and then I did have a rationale.

Ms O'Connor - What is your rationale?

Ms ARCHER - You said it yourself. You said I said I had no rationale, other than. Do not say I do not have a rationale, or my rationale is administrative burden and you have acknowledged that.

Ms O'Connor - Oh, that is laughable. Attorney-General, I hope you feel better.

Ms ARCHER - That is an oxymoron statement.

Mr CHAIR - That is not a point of order, sorry.

Ms Archer - I know it is not a point of order, but she was misrepresenting me and I am sick of it in this House. We were going so well until that point.

Ms O'CONNOR - Oh well, we are not here to make people happy. We are here to do our jobs.

Ms Archer - Absolutely.

Ms O'CONNOR - Yes, the Attorney-General did say a set of words after she said we are not supporting this amendment. It was the same excuse that was made for not supporting real-time disclosure within 24 hours in the seven days before polling day. It was the furphy of an administrative burden - this, from a member of the Tasmanian Liberal Party, which is cashed up to the gunwhales because it is a wealthy political party. The Labor Party is pretty wealthy too: has the dues that come in from union members.

This argument that it is an administrative burden for political parties to report reportable donations once a month because of the administrative burden is fallacious. It is untrue because it is a very small administrative task for a party manager or an admin officer to send an email, and I presume this is the way it would work, or a standardised form into the Tasmanian Electoral Commission to say, 'In the past month, we have received \$5001 from one of Batista brothers, we've received \$6000 from Cooke, and we've received about \$10 000 from MMG's Australian Office'. It is not a big administrative ask at all.

There is no sound rationale for not supporting this amendment, which we will do because it is a step forward. The provision in here which requires reporting every six months is half as much better as we are now, and it is pathetic. Again, my recall of the submissions made to the consultation was not that government should bring in amendments that require six-monthly reporting of donations. Overwhelmingly those submissions said 'genuine real time disclosure, genuine transparency'. Numerous submissions also called for prohibitions on donations from certain entities that can buy votes.

I am not buying this argument from the Attorney-General that it is about the administrative burden, because it is not an administrative burden for a party manager or admin person to write to the Electoral Commission once a month with information about money received by the party.

Mr CHAIR - The question is that the amendment be agreed to.

The Committee divided -

AYES 11

Dr Broad (Teller)
Ms Butler
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Shelton

Ms O'Connor
Ms White
Dr Woodruff

Mr Street
Mr Wood (Teller)
Mr Young

PAIRS

Mr Winter

Ms Ogilvie

Mr CHAIR - The result of the division being Ayes, 11 and Noes, 11, in accordance with standing order 257 I cast my vote with the Noes.

Amendment negatived.

Ms O'CONNOR - The second amendment to clause 40 is to leave out the entire subclause because it is problematic and has -

Mr CHAIR - Ms O'Connor, you need to -

Ms O'CONNOR - Just a second, sorry. I am going to withdraw the amendment because the first amendment failed, as have Ms Haddad's so far, but it was to amend clause 40(2) and to leave out the subclause which is the one we have been discussing which allows corporations and major political parties to hide their donations for six-month periods. That was our proposed second amendment to clause 40 and I can indicate to the House that we do not support the clause as read so, should members not want to have to travel back to their offices, I can indicate we will be calling a division on this clause as read.

Mr CHAIR - The question is that clause 40 as read stand part of the bill.

The Committee divided -

AYES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Shelton
Mr Street
Mr Wood
Mr Young (Teller)

NOES 11

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

PAIRS

Ms Ogilvie

Ms Finlay

Mr CHAIR - The result of the division being Ayes, 11 and Noes, 11, in accordance with standing order 257 I cast my vote with the Ayes.

Clause 40 as read agreed to.

Clause 41 -

Independent Assembly Members, Council Members, independent candidates and Council candidates

Ms O'CONNOR - Mr Chair, this was an amendment we proposed that flowed on from our proposal to introduce 'real' real-time disclosure in the seven-day period before polling day. Obviously, this amendment relates to independent members and candidates. You cannot have two separate regimes depending on whether a candidate is from a political party or an Independent, so we will withdraw our proposed amendment to clause 41, which would have required Independent members or candidates, or a council member or a council candidate, to declare a reportable political donation within 24 hours after the political donation is received in the period before an election.

Ms HADDAD - Mr Chair, we are up to -

Mr CHAIR - Clause 41(2).

Ms HADDAD - This is where I will seek clarity. I have four amendments to go that would all, if passed, achieve what we just tried to achieve in the last amendment I moved, which is remove the words 'six-month period' and insert instead the words 'calendar month'. I will read this amendment into the *Hansard*.

I move the following amendment -

Page 89, subclause (2).

Leave out 'six-month period'.

Insert instead 'calendar month in which the donation is made'.

Instead of restating my arguments about why I believe monthly reporting throughout the year, throughout the term, is reasonable, I will respond to some of the comments made on my last amendment, which would have achieved the same result. We supported that last division called by the Leader of the Greens, which was trying to remove subclause (2) because we oppose the proposition that reporting is six-monthly. It is just too long.

The Attorney-General said that this new regime turned into monthly reporting would place an administrative burden on parties, candidates and members. However, this whole new regime will place an administrative burden on parties that does not exist at the moment. That is welcomed by parties, certainly by the Labor Party because we want to see political donation law reform happen in this state. It is not wrong for the minister to acknowledge that administrative burden but it is only part of the picture.

The other part of the picture is, of course, public awareness of those donations. To me that is a fundamentally more important part of what we are trying to achieve in this bill. The Tasmanian public expects to and should expect to know on a regular basis - and I believe that monthly is reasonable. They have the right to know, month on month, who is donating to parties, candidates and sitting members. It is not too administratively burdensome to parties to

adhere to that on a monthly basis. Every year, a small or large-size organisation would be doing their banking at least monthly.

We supported that last division which would have removed that clause relating to six-monthly reporting. This amendment is identical to my last one and I acknowledge that it is likely to be defeated, as my next several will likely be, so I do not intend to speak at length on each of these amendments.

I will conclude by reiterating the fact that we are taking great steps forward, through this bill, to improve Tasmania's transparency around political donations and the way that elections are run. However, if passed as they are currently written, they will still be the weakest in the country. I am glad we are here debating them. I said in my second reading contribution that I am very glad that the Government has progressed this law reform that has been called for by the Labor Party, the Greens and many civil society organisations and the public for a very long time. That is a very positive thing that we are here debating these bills.

However, I do want to see some of the provisions in these bills improved. This is one of those. I will read this amendment and the several others I know of into the *Hansard* but I will not make substantive comments on them because they achieve the same purpose: to ensure that there is monthly, rolling real-time disclosure of donations received by parties and sitting members throughout the electoral period. They would be disclosed to parties by their sitting members. The parties would have oversight of those donations received by their sitting members. Independents would have an obligation as well to report to the electoral commission. Parties would have an obligation to report to the electoral commission. The electoral commission would then have the task of publishing those donations, as reported, every month.

That is a reasonable expectation for parties to comply with. As I said, it is also vitally important that the Tasmanian public is provided with that information on a regular basis, so that they can see on a regular basis who is donating to political parties and sitting members.

Ms JOHNSTON - Mr Chair, I am seeking clarification. We are dealing with clause 41, is that correct and the amendment to clause 41(2) on page 89?

Ms HADDAD - Yes, page 89. I have a typo in my amendment. It says page 90 but it is page 89.

Ms JOHNSTON - Apologies if I am misunderstanding this but would that mean there would be a different reporting requirement for registered parties and members so that we would have two standards? Ms O'Connor withdrew her amendments to this particular clause because it would create two different expectations for party members, as opposed to Independents. I am completely supportive of increasing transparency and reducing the time for disclosure, but I want to check if it was still your intention to move this, despite the fact that members of parties would not have the same requirement for reporting the timeframes as Independent and council members would have.

Ms HADDAD - The member for Clark makes a very important point, which is that my last amendment failed. My last amendment would have created that monthly reporting expectation for parties. This is dealing with Independent members of parliament and of course, if this amendment, for some unexpected reason, was supported by the Government, it would create a double standard. I suppose I am pre-empting my expectation that this amendment will

probably also be defeated, but I can foreshadow that there would be an expectation that the Labor Party would be moving amendments in the upper House as well -

Ms O'Connor - Can I just ask, Ms Haddad, by interjection, this series of amendments you are putting here will be the same, effectively, as what Labor members upstairs argue?

Ms HADDAD - Yes, that is my expectation. There will still be ongoing discussions about that, but my expectation is that we will be moving these same amendments in the upper House and certainly monthly reporting, a \$1000 disclosure threshold, and spending caps - which are the three major parts of our amendments - will be moved in the upper House as well.

Ms Archer - I would hope the upper House does not reach into our House.

Ms HADDAD - Well, you never know. Thank you to the member for Clark for pointing that out. I can foreshadow that we would expect the intent is the same, that every member of parliament should have the responsibility of monthly reporting, regardless of whether that person is an Independent or a member of a party.

Ms ARCHER - Mr Chair, it is not very good practice in this House to pre-empt a vote, so I urge Ms Haddad to think twice about moving this series of amendments. I can indicate that the Government is not supporting them, but that should never be pre-empted. Is not very good practice and does not read well on the *Hansard* either. You need to argue on each specific clause. Ms Johnston quite correctly points out that you would be creating a two-tiered system and one which is more onerous to Independents than parties, which we would not be supportive of.

Amendment negatived.

Clause 41 agreed to.

Clause 42 -

Associated entities

Ms O'CONNOR - I am very interested in exploring this clause and, potentially, the clause relating to third-party campaigners. All of us in here - whether we are members of political parties or Independents - will work with various stakeholders and entities with whom our values and policies may align. I will not read the whole thing, but I am curious about this definition of an associated entity 'an incorporated, or unincorporated, body of persons that is controlled by one or more registered parties ...'. Is the Attorney-General able to give an example of what that sort of associated entity would be?

There was the Liberal Party Foundation that was funnelling money nationally - the Enterprise Foundation - a sort of shady organisation for funnelling money via the Enterprise Foundation into the federal Liberal Party and to state Liberal bodies. Would this foundation be captured by this provision? We are not arguing against it, most definitely not, but the House should understand what is meant by 'associated entities' and what entities, for example, are controlled by the Liberal Party or the Labor Party.

If you look at subclause (b), 'an incorporated, or unincorporated, body of persons that operates wholly, or to a significant extent, for the benefit of one or more registered parties ...' and 'an incorporated, or unincorporated, body of persons that is a financial member of a registered party ...'.

Ms Archer - You are reading from the definition section, aren't you?

Ms O'CONNOR - That is right. The interpretation of 'associated entity'. I am trying to understand clause 42 and who it specifically relates to. If we are talking about the Labor Party and the broad union movement which has a long history of connection with the Labor Party, is it the Attorney-General's understanding, for example, that 'associated entity' in this provision applies to unions which may be financial members of a registered party. What is an example of an entity that is 'controlled by one or more registered parties'? I am struggling to understand who these people are.

Certainly, from the Greens' point of view, I cannot think of how this would apply with us. Obviously, the third-party campaigning provision would have a connection to the Greens as we have support within the broader conservation movement for our values and policies and commitment to this island's health and wellbeing, but there is no clarity about who would be captured by the associated entities clause in this bill and the House should know.

Ms ARCHER - Ms O'Connor, I will try to answer this as best I can because obviously this is going to be something that turns on a case-by-case basis.

Ms O'Connor - Yes.

Ms ARCHER - The reporting obligations are for someone who falls under this definition to report, and, if someone who is part of any other entity felt that something was captured as an associated entity and they were not reporting, and the Tasmanian Electoral Commission (TEC) looked into it at that point, then it would be the TEC that determines this.

To answer your question as best I can, would it cover unions? Potentially. Each union operates differently I am assuming and they may have different membership structures and the like.

Mr O'Byrne - They are registered under the federal act.

Ms ARCHER - I would not know, Mr O'Byrne, but if they come within this definition, they have the obligation to register. Similarly, any associated entity of the Liberal Party that falls within any of these subsections I expect would also register.

Ms O'Connor, in the case of that federal and federal provision, it was found that they should have, but in any event, that was a federal entity, so I am dealing with a hypothetical situation here.

Each case would turn on its own facts, but what we have tried to do in the definitions section is to be as specific as possible, in plain English, so it is well defined. We have six subsections, which is pretty fulsome in the circumstances, where it captures incorporated and unincorporated bodies as well indeed, linking it to financial membership or the other circumstances that are mentioned there. Again, each case turns on its own facts.

Ms O'Connor - To be clear on the answer you just gave, is it your understanding that the Tasmanian Electoral Commission would somehow monitor - where does the responsibility lie with this? I guess on associated entities who self-identify as being captured by the legislation, and then the role of the Tasmanian Electoral Commission is to -

Ms ARCHER - I will check, because at the moment we have a system where a lot of things are self-identification, and if you do not, you get reported by a certain person, and then the Tasmanian Electoral Commission gets involved.

Ms O'Connor, as I said, it will not be the role of the Tasmanian Electoral Commission - just as it is not now - to be some investigator or anything like that. Certainly, there is a list of associated entities - as there currently is, I believe.

Ms O'Connor - Where is that?

Ms ARCHER - The Australian Electoral Commission has it.

Ms O'Connor - The Australian Electoral Commission has a list of associated entities - the Transparency Register?

Ms ARCHER - It is called the Transparency Register, something like that. The Tasmanian Electoral Commission has that register and monitors it year-round. As I said, if people think there is someone or an entity that has not registered, they will be reporting that - and at that point it becomes an issue for that entity if it has not registered.

Ms HADDAD - Mr Chair, I had a question about this as well, and a comment. The Attorney-General said it will apply, in her understanding, to premiums, and that is my expectation as well - but not because of clauses (a) or (b). To make the point on the public record - and I will read it into the *Hansard* - subclause (a) in the definition of associated entity says:

- (a) an incorporated, or unincorporated, body of persons that is controlled by one or more registered parties; and
- (b) an incorporated, or unincorporated, body of persons that operates wholly, or to a significant extent, for the benefit of one or more registered parties; ...

I make the point that unions are not controlled by a registered party, and they do not operate to benefit political parties. They operate to represent working people and fight for the rights of working people in Tasmania. You would not find a unionist in this state who would be happy to be considered to be, wholly or to a significant extent, operating for the benefit of one or more registered parties.

I acknowledge, though, that this clause will capture unions that are financial members of the Labor Party - there are unions that are affiliated with the Labor Party and pay a fee. That is by virtue of subclause (d) and subclause (e) - unions that are financial members or receive voting rights will be captured as associated entities.

I want to put those comments on the record because I would like to know from the Attorney-General what organisations might be considered to be controlled by a party, or operating to a significant extent for the benefit of a party. For example, the Love Your Local campaign in the 2018 state election operated very clearly for the benefit of the Liberal Party. The T-shirts said 'Vote Liberal'; the billboards said 'Vote Liberal'. Through reading this bill, and the research and work we have all done over the last few years, I expect that an organisation like Love Your Local would probably be captured as a third party campaigner.

My question is, something like that campaign - which was clearly very heavily funded and operated exclusively for the benefit of the Liberal Party - would they be captured instead as an associated entity under subclauses (a) and (b) - wholly, or to a significant extent, of one or more registered parties?

There are different expectations in this reporting regime for how associated entities are expected to behave, and how third party campaigners are expected to behave. There are different requirements - and we will come to them later in the bill - around when an associated entity needs to register and report donations and report spending, versus when a third party campaigner needs to register, report donations and report spending.

It is important for the parliament to know if a pop-up campaign like Love Your Local would be captured under this reporting regime as a third party campaigner, or as an associated entity.

Ms ARCHER - The definition is the same as what is under the national legislation, which applied at that time. I am not going to draw any conclusions there, other than to say this definition is consistent with how the definition has always been about associated entities.

Ms HADDAD - I am not asking to be cheeky. I am genuinely interested because there are different expectations for associated entities versus third parties. I am wondering whether, had it been in place, would a regime like Love Your Local have been expected to report as a third party, or as an associated entity?

Ms ARCHER - Again, we need to remember this is about self-identification. With this - I do not want to call it a regime, because that is an awful word to use - but with this system that we will have, that self-identification is really important because if, in the view of someone who wants to report an entity - for example, because they have not self-identified - it is then up to the electoral commission to determine what that is.

Again, each turns on its own case. It may well be that people say anyone who supported the Teal Independents, for example, if we had an equivalent campaign like that, are they controlled by anyone? It would have to be looked at on the individual circumstances of each case.

The member refers to the THA. The THA is not a controlled entity.

Ms Haddad - I did not -

Ms ARCHER - No, I am just saying the THA is a free -

Ms Haddad - I just talked about Love Your Local.

Ms O'Connor - But the Liberal Party is controlled by the THA.

Ms ARCHER - I know Ms O'Connor is not going to agree with me. I know Ms O'Connor takes a different view.

Ms O'Connor - Yes, and my view is that the THA controls your party.

Mr CHAIR - Order.

Ms ARCHER - We will be respectful of each other. The THA is an entity, in itself, separate from the Liberal Party, and is not controlled.

Ms Haddad - By interjection, Attorney-General, there is a very important differentiation here. I did not ask about the THA. I asked about Love Your Local, which did not put themselves out there as a THA subset or body. They put themselves out there as a community group, an interest group that wanted people to vote Liberal. Their T-shirts and billboards said 'Vote Liberal'. They may have gained some support from the THA. It is none of my business. I did not ask about the THA. I asked about the Love Your Local campaign. Would that be, under this definition, wholly or to a significant extent for the benefit of one or more registered parties and, therefore, an associated entity, not a third-party campaigner?

Ms ARCHER - I know the member is not really happy with this answer but we are speculating a lot here and there are circumstances I do not know about. Again, that serves as a definition that is consistent with the national definition, so we have consistency in that regard. It is for each entity to assess themselves. If they do not and it is reported that they should, and it is looked at at that point, then that is for someone with all of the details and the facts at the commission to determine, as is the case with any other provision currently in the act when there are things that are reported about that the electoral commissioner has to make a determination on. I do not have that information in front of me. I am not fully familiar with Love Your Local in terms of the intricate details of how that was set up and who forms what and who controls what.

Mr O'BYRNE - Adding to the debate on this, this is very important because if a matter is sent before the courts, not only the black-and-white letter of the law in terms of legislation but this debate will be referred to by the defence, or not, in terms of what is in and what is out. There is a real lack of clarity. I am asking if you could provide greater clarity about what kind of organisations are going to be captured under this section of the act because, based on your answers, it seems to be unclear about who is going to be captured.

Ms ARCHER - What I can provide clarity about is that the ordinary meaning of the word 'control' would be used if a court is interpreting this section. It would be for the court to determine, based on the evidence put before it. I do not have that evidence. You are asking for specific examples of whether the Love Your Local campaign would fall under this. I do not have those things in front of me. All I can say is that this definition is designed to be consistent nationally and with other jurisdictions. It is the ordinary meaning of the words. It is for entities that come within that definition to self-identify. If it is discovered that they do not self-identify, at that point the electoral commission looks at it and determines that they should be an associated entity and, therefore, registered and captured and comply with the provisions of - I note that we are arguing about the wrong clause here. We are actually on

clause 42, so relating it back to clause 42 whether or not it is an associated entity for that purpose - I have lost track. What are we doing?

Ms Haddad - They were just questions. Cassy, you have an amendment.

Ms O'CONNOR - They were consequential to the one that failed. It is the actual real-time disclosure clauses that would treat an associated entity in a different way from a third-party campaigner and a different way from a candidate, so I cannot do it.

Ms HADDAD - Okay. On that basis, it will be the same for my 42. I will foreshadow that my expectation is that we will move amendments in the upper House that will create the same expectation, which is monthly reporting but -

Mr CHAIR - So you are not going to move it down here?

Ms HADDAD - No, because it was contingent on the others.

Mr CHAIR - You are not either, Ms O'Connor?

Ms Archer - Instead of having debates on things and then withdrawing -

Ms HADDAD - They were questions on the clause. They were reasonable questions to be asking on the clause.

Ms Archer - Fair enough.

Clause 42 agreed to.

Clause 43 -

Third-party campaigners

Ms HADDAD - I have a question on clause 43, which deals with third-party campaigners and their responsibility to declare both the receipt and the spending of political donations. I want to put on record concerns that have been raised with me by civil society organisations that have submitted on the bill and put some questions to the minister about what her expectations are.

I will start with the concerns raised by TasCOSS, which has written and said that the bill requires third parties to report political donations within seven days of receipt, meaning a charitable organisation would have to decide at this point whether the money is going to be used for something that could be classified as electoral expenditure. They are concerned that this would create unjustified negative impacts for many of their member organisations who receive untied donations. They make the point that charities, unlike political parties and candidates, do not receive political donations but instead receive donations year-round for use in pursuit of their charitable purposes, which could include advocacy activities relating to issues raised at an election.

It is, therefore, extremely difficult, if not impossible, for charities to predict whether or not a donation may be used for electoral expenditure at the time it is received. As an election draws near, an organisation could decide it wants to spend money on communication, which

may then be classed as electoral expenditure, which would therefore result in a breach of this provision.

The same concerns have been raised with me by the Australia Institute, a civil society organisation and think tank with a different role from TasCOSS, which is a peak body representing the NGO sector. Nonetheless, they do have the same concerns. I looked at whether I could draft some amendments to clarify this but, instead, I have committed to putting these questions on the record and asking the Attorney-General for an explanation on how this part of the new disclosure regime would operate, recognising that those civil society organisations want to be able to comply with the law.

Indeed, those two civil society organisations, plus the membership of TasCOSS, are many of those civil society organisations that have argued very strongly for political donation law reform. I doubt any of them are baulking at the expectation that they would also have responsibilities for reporting donations they receive then use for a political purpose. However, they do have concerns about how it would operate on a day-to-day basis, knowing that they receive money from community members and other organisations but that those funds are not usually received for a political purpose at the time of receipt.

Some of the suggestions they have made could be that civil society organisations or third-party campaigners would report at the time of spending on a political purpose, rather than at the time of the receipt. I am not sure that that would work easily either because I am not sure how an organisation would be able to track that back and know which donation was received from which donor, and which part of that donation was then used for a political purpose.

I hope the way I have expressed the question makes sense. I am happy to come back to it if required but I will ask the Attorney-General to put on the record some explanation about giving some comfort to third-party campaigners who work in a space where they often will make comment about political issues and things that are of interest to the public when it comes to election time. They want to be able to comply but they also want to know how this would affect them and how they would be expected to report a political donation that they have received, that they might use further down the track to be spent on a campaign that relates to political matters.

I will come back to that if it does not make sense, but hopefully some of that information can be put on the public record because it is of significant concern to a number of organisations.

Ms ARCHER - If I go back to the very basic question of what is a third-party campaigner perhaps: that is a person who is not a registered party member or candidate or associated entity and who incurs more than \$5000 of electoral expenditure during the House of Assembly election campaign period in relation to the election.

A third-party campaigner can be an individual or an entity such as an incorporated or unincorporated association, or a company. A third-party campaigner may be an organisation that also operates as a business, charity or representative body. A third-party campaigner is a person or entity who incurs at least \$5000 in electoral expenditure during a House of Assembly election campaign period. That is the turning point there, that this may not apply at all during an election period, to those types -

Ms Haddad - If they do not spend \$5000.

Ms ARCHER - Yes, because it relates to that.

Ms Haddad - But many of them might.

Ms ARCHER - The bill only seeks to regulate certain activity as it pertains to incurring electoral expenditure. A third-party campaigner is only regulated in relation to the House of Assembly election campaign period. A person or entity can apply to register as a third-party campaigner prior to incurring the \$5000. This can ensure that a person or entity remains compliant with the requirements of the bill and can ensure an entity is prepared for an anticipated upcoming election period.

Does that sufficiently cover it for you, or do you want any further information that I can seek?

Ms HADDAD - It does in relation to the fact that it will not apply to everyone because some of those organisations will not spend \$5000, but for those that do, and for example a full-page advertisement in the paper costs about \$10 000, so it might be more organisations than you think that would potentially be captured. There is still that worry for those organisations around how they can identify a donation they receive outside of the electoral period, but they are going to be using it way down the track for an electoral purpose, so they could then be breaching the act.

Ms Archer - I am pretty sure it is only during the election campaign period.

Ms O'Connor - So, the money has to be received during a campaign period?

Ms Archer - It is the election campaign period. They can register in advance and it is only that they are on a list and it is not applicable until the election campaign period.

Ms HADDAD - That is problematic because they might actually be spending money in the electoral period that they received way before the electoral period began, and therefore be in breach of the act because they received that money months earlier and at election time they have decided 'we are now going to use this for an electoral purpose' but they did not declare it at the time of receipt.

Ms ARCHER - Only donations received during the election period would raise this question. Outside the election period, third-party campaigners do not exist and therefore are not regulated. Donations that may have been received sometime in the past but are then dedicated towards electoral expenditure during the election period, would be reported as part of the electoral expenditure returns following the election. Donation disclosure requirements do not arise where a person donates outside the election period but is part of a pool of money spent during the election campaign.

Ms HADDAD - Okay, so they would be responsible for reporting their spending -

Ms Archer - After.

Ms HADDAD - in an electoral return, the same as a party and they would not be in breach of the act if some of that money they spent was in fact received much earlier than the electoral period?

Ms Archer - No, as long as they have it on their return following the election.

Ms HADDAD - Right, okay, thank you.

Ms O'CONNOR - Part of the confusion here, and I know it is a contemporary drafting thing, but we are dealing with a clause that is a single sentence about 15 lines long, and so, in order to interpret it really clearly, you would have to read it 15 times to break it up to understand it.

Ms Archer - No comment.

Ms O'CONNOR - Yes, but it is not plain-English drafting.

Clause 43 agreed to.

Clause 44 and 45 agreed to.

Clause 46 -

Details of reportable political donations that are required to be disclosed

Ms O'CONNOR - Mr Chair, I move the following amendment -

Page 97, after subsection (3).

Insert the following subsection -

- (4) Political donations may be disclosed under this Part, even if they are not -
 - (a) reportable political donations; or
 - (b) required to be disclosed under this Part.

This adds another measure of transparency around donations disclosure. We originally thought that clause 46, as it is in the bill, contained a drafting error in proposed subsection (3), where it says:

- (3) Details of a political donation may be disclosed under this Part even if they are not required to be disclosed under this section.

We believed it was intended to allow political donations to be disclosed despite not being required to be disclosed, because they had not met the threshold. As we now understand it, Mr Chair, we believe subsection (3) is intended to allow for the disclosure of further details that are not required to be disclosed in respect of political donations that are required to be disclosed.

We are proposing a new subsection (4) that would allow for donations to be disclosed, even if they are not required to be, so people could elect to be maximally transparent by making a voluntary disclosure which is provided for in the act. The act, in its foundational principles, should be encouraging maximum transparency about the flow of money to political parties during a campaign and outside a campaign period.

I would be surprised if anyone objected to this amendment. I know we have had people who have made donations to the Greens and it has come in under the reporting threshold and it has been recorded as a donation, so this should be a non-contentious amendment that allows for the greatest possible transparency in the absence of actual real-time disclosure around monies donated to political parties.

Ms HADDAD - Mr Chair, we will be supporting this amendment. I believe the Leader of the Greens' interpretation of the current subclause (3) is correct. I agree that subclause does not necessarily expand the reporting possibilities to invite people to disclose donations voluntarily that are not necessarily defined as political donations.

The whole underpinning of this legislation should be about transparency and public accountability, and information being provided to the Tasmanian public about donations. It is a positive step to include this new proposed subclause (4) from Ms O'Connor that would invite the disclosure of political donations, even if they are not legally required to be reported under the regime, or required under the provisions of this part. The more disclosure the better, and we will be supporting this clause amendment.

Ms ARCHER - First, thank you, Ms O'Connor, for indulging me. Long afternoon. Mr Chair, I think this issue came up at the briefing, so I have been aware of the issue that Ms O'Connor has and that we do not agree with Ms O'Connor's interpretation. Our view is that this subsection allows the voluntary reporting of information that is not specifically required. Therefore, we do not support this amendment. Obviously, we support the full and open provision of information to the Tasmanian Electoral Commission but we are not convinced of the necessity of this amendment.

Ms O'CONNOR - Can I ask, is it your advice and your position that the effect of subclause (3) in the amendment bill is to enable people to make voluntary disclosures of a donation that comes in under the reporting threshold? Is the effect the same?

Ms ARCHER - It is the act in general that does not preclude the TEC from receiving voluntary donations.

Ms O'Connor - Sorry, what was that?

Ms ARCHER - It is the act itself, generally, that does not preclude voluntary reporting of information.

Ms O'Connor - That is right. So, you have disagreed with our interpretation of that subsection?

Ms ARCHER - We have.

Ms O'CONNOR - That it does not promote the voluntary disclosure of donations? Without needing a precise legal analysis of the subsection that is in the bill, and our amendment, is the effect of that the same? That is, that in the bill we have a provision there which says that political donations may be disclosed under this part, even if they are not reportable political donations or required to be disclosed.

Ms ARCHER - It does not need to be as specific as this. I will look over to my left to make sure I am interpreting this correctly. We are not necessarily opposed to what you are doing, but the act generally does not preclude it. We do not agree with it needing to be done the way you are doing it, because at the moment it is argued that the act enables it.

Ms O'Connor - Yes, so it is the intent of that subsection to basically encourage or give permission for people to disclose non-recordable donations.

Ms ARCHER - I am advised not that subsection.

Ms O'Connor - Okay.

Ms ARCHER - That subsection specifically relates to reportable things. I think where you are going is, does it relate to capturing other things that are not required to be reportable?

Ms O'Connor - Or disclosed.

Ms ARCHER - It turns on that one thing.

Amendment negatived.

Clause 46 agreed to.

Clause 47 -

Donation disclosure by significant political donor also to include disclosure of certain gifts received.

Ms HADDAD - Mr Chair, I move the following amendment -

Page 97, subclause (1), definition of "relevant gift", paragraph (a).

Leave out "\$5 000".

Insert instead "\$1 000".

As members know, last sitting week we moved a series of amendments that would have reduced the reporting threshold from \$5000 to \$1000. This amendment is in line with that, but it would remove the \$5000 limit and replace that with a \$1000 limit when it comes to relevant gifts from significant political donors.

Clause 47 deals specifically with donation disclosure requirements by significant political donors. Significant political donors, as members would know, have their own reporting requirements under the Government's bill. If you are a significant political donor, you will have to comply with the reporting requirements associated with your status as a

significant donor, as well as the person receiving your significant donation having reporting requirements. This amendment would deal specifically with when gifts by significant political donors would be reduced from a \$5000 to a \$1000 gift when it comes to be reported under the reporting requirements in the bill.

Mr O'BYRNE - Mr Chair, I will be brief. The clause obviously outlines that there will be subsequent amendments around the \$5000 and \$1000, so I might make a contribution on that figure. I think \$5000 is a significant donation, and for its subsequent amendments that we are dealing with here, it is important that there is a level of consistency among the reporting.

For many people in the Tasmanian context, \$1000 is a significant donation. There are plenty of party members and chook raffles where \$10, \$20 and \$50 is significant for the individual, but when you move up into the hundreds of dollars - I think there is an argument below \$1000. In terms of acknowledging the amount of donations, small and medium, that candidates and parties receive, \$1000 seems to be a reasonable point but \$5000 is significant and is too high a threshold for reporting. In all of my experience in campaigns, anything over \$1000 is considered a significant donation and, in the Tasmanian context, would be seen as something people would like to be aware of because that is where the perception starts around what you achieve by making a donation of that size.

I will not get up on every amendment that deals with the \$5000 and \$1000. I will deal with it here. This should be considered by the Government. This is the one, if you talk about a pub test - and I will not refer to the Love Your Local campaign - but if you think about the pub test out there, anyone would be saying, 'Okay, so anything over \$1000 to \$5000 is fine, so \$4500 is fine -

Ms O'Connor - Over and over again.

Mr O'BYRNE - We saw some of the commentary around the recent dinner and some of the people, even people who are okay with large corporations donating and individuals donating -

Ms Archer - The Labor Party does not fund things like that? I think they do.

Mr O'BYRNE - The \$5000 is significant. Anything over \$1000 is significant and should be reported. Was that a reference to unions?

Ms Archer - No, I said the Labor Party.

Mr O'BYRNE - It does not matter what the size is, it needs to be reported. The point I am making is I do not care if it is a party or an individual that receives that donation. In my view, and I would argue this if I was in the caucus as well, anything over \$1000 should be considered in the Tasmanian context as a significant donation and it should be reported. If people are going to be spending that kind of money supporting a candidate, they should be open to scrutiny for the reasons they do that, either to the individual or the party.

Ms O'CONNOR - Can I ask a question on this, so that we are very clear -

Ms Archer - We are on the amendment though, are we not?

Ms O'CONNOR - Yes, that is right, we are on the amendment but we are also on the clause. We have had this discussion before about in-kind contributions. I have not seen a word like 'gift-giver' or terminology like 'gift-maker', so this is a new one in Tasmanian law as far as I understand. Can you confirm that 'gift' is interchangeable with 'cash payment'? If it was going to capture in-kind, it would say 'a gift of \$5000 value or more'. When we are talking about 'gift-makers', we are talking about people who give cash or electronic funds transfers to significant political donors. Is it only money we are talking about here?

Ms Haddad - In the definition section, 'gift' includes gifting items. It includes things like use of facilities, provision for no consideration, et cetera, of accommodation, vehicles -

Ms O'CONNOR - Why would it not say '\$5000 in value'?

Ms ARCHER - A political donation is a gift made to a political party, candidate, member of parliament, associated entity or third-party campaigner for a purpose related to an election or for the purpose of incurring electoral expenditure. A gift includes the giving of money or goods. It also includes the provision of services for no or inadequate payment or consideration. It does not include volunteer labour unless the work done is a specialist skill that the person would normally undertake as part of their profession. It can also include the overpayment for items such as in a fundraising auction.

Ms O'CONNOR - Maybe you could address why you did not, even though we disagree with the threshold, why you did not say 'gift of \$5000 in value or more'?

Ms Archer - Say that again.

Ms O'CONNOR - As you made clear, a gift could also include the use of a function centre or goods to the value of \$5000 or more. Why would this section not be clear - and this is outside the amendments we and Labor would move to this section - why would you not be clear that you are talking about a gift of \$5000 in value or more, because we are not just talking about cash money.

It could be a flaw in the drafting like that time Wrest Point Casino gave free space for Eric Abetz's big 30th celebration and then, after they got cross about Hodgman's position on the pokies before he came good for them, sent the bill. They sent the bill to Liberal HQ. It was going to be a gift and then it was not.

Ms Johnston - Clause 11 describes gifts and gifts in kind. They are two separate things.

Ms Haddad - This clause is about the reporting of them but in the definition section, 'gift' definitely includes gifts in kind.

Ms ARCHER - I am advised it is drafted as is. It covers situations we want it to cover. It covers gifts, it covers gifts in kind. We have made sure that, for example, levies paid to a political party is not a gift under this definition. Payment of annual subscription or fees to a political party of less than \$5000 per year are not gifts and therefore do not need to be disclosed.

Ms O'Connor - I think it is a genuine error because we are talking about \$5000 as one thing and it does not capture something in value.

Ms ARCHER - What we are saying is it covers gifts, gifts in kind and it is not a drafting error. I do not know whether it is me. I just cannot hear.

Ms HADDAD - Sorry, I do not have a very loud voice so I will come up to the lectern if that is easier. I am confused because the definition of gift on page 42, under clause 11, makes it clear that gifts include disposition of property as well as money.

Ms Archer - It would help if I had a question, I suppose.

Ms HADDAD - It is clear that the act intends that gifts include gifts in kind, things that are given that are not money or the use of something that is not money, so use of facilities, use of vehicles, et cetera. However, over here in clause 47, which is the clause we are on now, we are talking about 'relevant gift' so it does seem like the intention of the clause is not to include every kind of gift that could be given by a significant donor. Perhaps that is the intention of the clause - that it is only intended to capture gifts of money but not intended to capture gifts in kind.

Ms Archer - No. I will make that very clear.

Ms HADDAD - The Attorney-General is shaking her head so that is good to have that clarified that it is intended to cover gifts of money as well gifts in kind.

Ms Archer - Yes, and in-kind.

Ms HADDAD - I will sum up on the reason I am moving the amendment then and thank the Attorney-General for that clarity. It is clear that this clause is intended to apply to any reportable donation and gift but I reiterate the fact that my intention is to move the amendment to reduce that threshold to \$1000, in line with the other amendments I moved last week around reporting of donations to reduce that threshold to \$1000.

Ms O'CONNOR - We support Labor's amendment.

Amendment negatived.

Ms O'CONNOR - On the clause itself then, for absolute clarity, Ms Archer, I still think there is a problem here in the language in the bill. Your advice is that there is not but it does talk about a relevant gift being a gift of \$5000 or more. The plain English reading of that is that it is a gift of money of \$5000 or more. This clause specifically allows for - it is sort of in the way of a quid pro quo clause between a significant political donor and a political party, because it captures favours done in return for a significant political donation that could include in-kind gifts.

The first part of this clause talks about a set gift of money. It does not talk about something of \$5000 value. Then in the requirements, the reportable gift has a set of requirements for disclosure, but then it says the 'amount of the gift'. It does not go to the value of the gift so, again, amount is a monetary term. It is not a term that would capture an in-kind contribution between a significant political donor and a political party. It is flawed.

Obviously, I am not a lawyer and do not have a seasoned lawyer's hat on, but the plain English reading of this clause is that it relates to monetary gifts only. That is problematic and

what we are trying to capture here as well is free use, for example, of the Tasman Room. While I am on my feet, I am going to lay on the record the story of former senator, Eric Abetz's big shindig at Wrest Point Casino, which initially this space was provided to Senator Abetz - certainly, at a very discounted rate. The then opposition leader, Will Hodgman, made some comments about pokies and the end of the deed. I am paraphrasing him - that there could be a better way than the monopoly deed and, what do you know, this is our understanding, the next thing that happened is that the invoice was sent from Wrest Point Casino to the Liberal HQ for uncle Eric's big shindig, because it was no longer an in-kind gift to the Liberal Party.

Ms ARCHER - I want to provide some clarity - we have been talking about the meaning of 'gift'. Clause 11, at page 42, is set out in a lot of detail and sets out the meaning of 'gift' and 'gift in-kind' and wherever in the bill the word 'gift' appears, it would be my submission that that definition applies and it extends beyond the value of money.

Clauses 47 agreed to.

Clauses 48 to 52 agreed to.

Clause 53 -

Publication on Commission website of disclosures

Ms O'CONNOR - Mr Chair, I move the following amendments -

First Amendment

Page 105, subsection (1), paragraph (a).

Leave out "within".

Insert instead "as soon as practicable, but in any case no later than".

Second Amendment

Page 105, subsection (2).

Leave out the subsection.

Insert instead the following subsection -

- (2) If a donation declaration relates to a donation that is required under this Part to be disclosed within 24 hours after the donation is made or received, the Commission must ensure that –
 - (a) as soon as practicable, but in any case no later than 24 hours after the donation declaration is lodged with the Commission under section 49, a copy of the donation declaration is published on a Commission website; and
 - (b) the copy continues to be so published for a period of at least 6 years.

Third Amendment

Page 106, subsection (3), paragraph (a).

Leave out "within".

Insert instead "as soon as practicable, but in any case no later than".

I understand that the second amendment is problematic now that both the major parties in this place have voted against actual real-time disclosure in the seven days before an election. The bill currently requires donations to be disclosed within seven days to be published within a further seven days by the commission, so you have a rolling urgency of disclosure.

Our first amendment simply requires the commission disclose the donation as soon as practicable but in any case no later than seven days after it is disclosed. The amendment is not contingent on any of our previous amendments in respect of the donation disclosure.

The second amendment is.

The third amendment - the bill currently requires amended donations disclosures be published within seven days by the commission. Our third amendment simply requires the commission publish as soon as practicable but in any case no later than seven days after its received. This is not contingent on any other amendments in this bill.

I understand that the Tasmanian Electoral Commission does some of the most important work in our community and our democracy, and we do not want to unnecessarily burden them administratively. However, we are talking here about making sure that the act applies the greatest possible speed of disclosing donations. You have the requirements on parties and candidates but also we believe that the commission should be given the opportunity as soon as practicable but in any case no later than seven days to declare reportable donations that are reported to them.

Ms ARCHER - Mr Deputy Chair, can I clarify? You were talking to subclause (1)(a), subclause (2) and subclause (3)(a) all together, or were you -

Ms O'Connor - Yes, I moved subsections (1), (2), and (3) together. Now in hindsight I wish I had left the second amendment out - which I think I can do? Can I withdraw it?

Mr DEPUTY CHAIR - You can seek leave to withdraw it.

Ms O'CONNOR - Mr Deputy Chair, I seek leave to withdraw the second amendment, and move the first and third together.

Ms Archer - Which is subclause (2)? Yes, just checking.

Leave granted.

Ms O'CONNOR - Thank you.

Ms ARCHER - That simplifies. In relation to subclause (1)(a), the Government does not support this amendment. I acknowledge what Ms O'Connor has said about the TEC doing great work, et cetera. The Government has every faith that the TEC operates to ensure statutory time frames are met. I do not regard it as necessary to specify that the TEC must publish as soon as practicable.

With respect to subclause (3)(a), this amendment decreases the publication time frame for amended donation declarations and I think is similar to the argument put to clause 48. I am just checking to see if it is something we dealt with or not. No, I do not have that. I do not have any comment to make to subclause (3)(a).

Progress reported; Committee to sit again.

ADJOURNMENT

Housing Industry Awards Presentation Dinner

[6.01 p.m.]

Ms ARCHER (Clark - Minister for Workplace Safety and Consumer Affairs) - Madam Deputy Speaker, I rise on the adjournment tonight to mention the Housing Industry Awards presentation dinner I attended on Saturday night. It is always a rowdy awards dinner when you are the minister speaking. It is an opportunity for industry to get together, and 540 people were present to celebrate the HIA-CSR Housing and Kitchen and Bathroom Awards, which I find very inspiring. Every year for 24 hours, I feel like I am going to renovate my kitchen and bathroom, and after 24 hours decide that it is all too hard. It was a really great evening, and I commend all the winners - and indeed the finalists for entering.

I want to make special mention of the HIA-CSR Home of the Year. The winner was Lane Group Construction for Tinderbox House. It is the most magnificent house, and won a lot of different categories.

The category of Professional Major Builder was won by Wilson Homes. Another shout-out to Ronald Young and Co Builders. I know the owners, Lisa and Paul Burnell, very well. They could not make it to the evening, but did have a lot of their staff there. They won quite a few categories; one of the main ones was Professional Medium Building/Renovator.

It would be remiss of me not to mention the Professional Small Builder/Renovator went to Merlin Constructions. Apprentice of the Year, Christian Watson; Host Trainer of the Year, Delaney and Co; Bathroom of the Year, Lane Group Construction also for that magnificent bathroom.

I will not go through the entire list as members can find it on the HIA website and the social media page direct from the evening.

I had an opportunity to make the presentation for the Small Business Management to Nardia Nelson, who works at J&N Developments. I am advised that she was not planning on attending the evening because she had a wedding in a week's time, but they obviously twisted her arm to attend, so it was well worth her effort to go.

The award for Exceptional Young Woman in Industry went to Rachel Cleary from Ronald Young and Co Builders. It is magnificent when we identify emerging males and females from industries, but particularly women in industries that are male-dominated. That particular award will stand the industry in good stead in recognising some of the good work that a lot of building companies are doing in attracting women to either skills or other work in the businesses.

Ronald Young and Co Builders took out the Work Health and Safety Award. I mention that because that is part of my portfolio, and the other part of my portfolio is workplace safety. That is obviously critical to the ongoing success of the industry because of the need to have a safe workplace - and, simply, businesses would not be able to operate if they did not comply with strong regulatory frameworks.

I can mention, now that we have the automatic mutual recognition across states and territories for professional licensed occupation. We also have avenues for conducting investigation of building services providers to ensure that it is not just a bit of a 'tick' situation. There is an assurance, if you like, that conduct will be investigated if it is not of the standard that is required.

We are about to hopefully significantly expand the consumer protection mechanisms in the residential building area through providing TasCAT - our Tasmanian Civil and Administrative Tribunal - with the original jurisdiction for building disputes. We did have that listed for today. I would still like to get to that this week, but we will keep working our way through other bills.

There is a lot going on in all of my portfolios this week. I look forward to taking through that bill, if not tomorrow, hopefully by Thursday, because it will ensure that consumers and builders alike have an avenue to resolve issues as they arise - if they cannot resolve them through meeting with each other, or indeed mediation - and as a last resort need the tribunal to step in.

It is going to be far cheaper, quicker and more expedient than going to the Magistrate's Court, which is the current jurisdiction that parties would have to go. The feedback is that it is far too expensive and you need legal representation, which is one of the reasons why it is.

A big shout-out to the HIA for a very successful and well put together awards night.

Swift Parrots and Lathamus Keep

[6.07 p.m.]

Dr WOODRUFF (Franklin) - Madam Deputy Speaker, I rise tonight to talk about the incredible work of some passionate Tasmanians. Last year, the Big Tree Hunters found something truly globally special, the largest Tasmanian blue gum in the world.

That giant tree is over 300 cubic metres in volume. It lies right in the middle of a proposed logging area. It is 81 metres high. It is not the tallest blue gum in the world, but it is the biggest by volume in Tasmania. The tallest blue gum, which reaches 91 metres, grows less than 900 metres away from this enormous blue gum, and it makes this whole area truly unique and incredibly precious.

The Big Tree Hunters named this giant blue gum Lathamus Keep, after the scientific name for the swift parrot, *Lathamus discolor*. The Tasmanian blue gum is an important food source for swift parrots - the fastest little parrot on Earth, which migrates each year to Tasmania to feed and nest in our blue gums and across Tasmania's forests. We do not know where they go. Each year they choose where nature sends them; depending on which gums are flowering, that is where they will go.

What we do know is that the Huon Valley's Grove of Giants - in this area where Lathamus Keep has been discovered - is very precious. It is the last remaining stand of old-growth Tasmanian blue gum left in the world. Recent surveys of the area have shown their 100-hectare patch of forest contains 150 trees over four metres in diameter. It would take eight people joining hands to circle a tree that size. The grove is located in the Denison region of the Huon Valley, an area which I know as a local member, and the tree hunters provide the evidence that it is an area that has been decimated by logging. In 2019 the forest next to the Grove of Giants was logged and many giant trees as big as Lathamus Keep have been lost forever. The Grove of Giants contains mountain ash, stringy bark, alpine ash and Tasmanian blue gum, all of which are irreplaceable and this grove is due to be logged next year by Forestry Tasmania.

Madam Deputy Speaker, this cannot happen. It cannot possibly be happening, this continued destruction of habitat which is globally unique and essential for this particular critically-endangered bird, and for so many other species. This is the habitat they need for their survival, for their flourishing, and there is such a tiny fragment left in the world in Tasmania for them to migrate to, to forage, and to have their baby chicks in.

Those trees have incredible carbon stores and the work that was done by Dr Jen Sanger and the Big Tree Project last year, has never been disputed by Forestry Tasmania or the minister for Resources. Native forest logging in Tasmania produces the highest amounts of carbon emissions of any sector in Tasmania. Those large ancient trees in the Grove of Giants and across the rest of our native forest stores have hundreds of tonnes of carbon that are released back into the atmosphere whenever they are logged. What we know is that 94 per cent of native forests end up as woodchips and waste. Only 6 per cent is used for materials for building houses or furniture. The majority of the waste is left on the site. It is burned and it releases carbon back into the atmosphere. Woodchips are used to make temporary products like paper and cardboard that only store the carbon for a couple of years.

We have seen the Secretary-General of the United Nations giving us the gravest of warnings at COP27 last week. It is very clear that we cannot continue with business as usual and each jurisdiction on the planet has a responsibility to do everything we can to reduce the carbon emissions that we are able to. This is absolutely low-hanging fruit. It is something the Government has to prioritise. I fully support the work of Dr Jen Sanger, on behalf of the Greens, who makes it very clear that it is something that this Government can choose to do.

The Big Tree Hunters have written to all members of parliament, through Dr Jen Sanger, The Tree Project, encouraging members to support the conservation gain of protecting old-growth forests. The easiest way to do that, they say, is to legislate a reduction in the logging quota, because we know that the logging quota at the moment is causing the destruction of these carbon-rich, globally unique, enormous blue gums and the other big trees in these forests that are home to critically-endangered species.

Sustainable Timber Tasmania formally requested a 30 per cent reduction in the logging quota to improve its financial viability six years ago, and the minister rejected that request. The Greens think we should not introduce a logging quota, we just think 'job done', we are in a climate emergency, but we support the work of the tree hunters and their calls to take action to end native forest logging.

Walter Pless - Football Australia Hall of Fame
Nathaniel Atkinson - Socceroos

[6.15 p.m.]

Mr O'BYRNE (Franklin) - Madam Deputy Speaker, I rise tonight to acknowledge the long commitment, passion and work of 'Mr Football' in Tasmania, and I am not talking about Australian Rules Football, I am talking about the 'world game'. Recently, Walter Pless has been inducted into Football Australia's Hall of Fame. Walter is an absolute staple of the game in Tasmania. He has played and coached and he has been a journalist and a photographer of games for more than 40 years. I would challenge you to go to a game of football in Tasmania during the football season, even during the summer cup, and not come across Walter doing his work reporting on the game and taking photos and telling the story of the game for others to enjoy.

Walter is known as Tasmania's 'Mr Football' and he was one of six legends inducted into the Football Australia Hall of Fame after the Matildas match against Sweden in Melbourne recently, and what a match that was. It was great to see the Matildas return to form and the Sam Kerr-led team knock off the world number 2, Sweden, in such a fantastic game. Walter would not only have enjoyed the event put on by Football Australia but he would also have enjoyed the game as well.

Walter migrated to Hobart from Austria as a child and, like many immigrant families, they were connected to a number of football clubs in and around Hobart and played games and plied their trade within the sport in Hobart. He played for a number of clubs, including the Glenorchy Knights senior side in the mid-1960s. Walter always wanted to write but in his own words in his recent interviews he said he needed a bit of 'street cred' first and so, after years as a player, Walter turned his attention to coaching and after getting his senior coaching badge from the Australian Soccer Federation, he went on to coach teams at senior levels for seven years.

He has also been quoted as saying 'if you haven't been sacked, you can't call yourself a coach', so Walter duly has been sacked as a coach. It was, as he recently described, a 'badge of honour', but this gave Walter the perfect opportunity to segue from playing and coaching to what he calls his true passion. That is as a journalist and photographer and a great promoter of the world game and the sport that he and many Tasmanians love. He has been covering football as a journalist for more than 40 years and he has an immeasurable impact on the sport across the state over that time. He has interviewed the great Manchester United and Irish player George Best; the Australian Socceroos legend Johnny Warren; and many other legends of the game within Australia. They say 'if a tree falls in the forest but nobody heard it, did it actually fall?'. Well, if a game was played and Walter had not reported on it, was it actually played?

He continues to write frequently on his blog, walterplessonsoccer.blogspot.com, which has a massive following across Tasmania and abroad. On behalf of the House, I congratulate

Walter and the other five inductees of the Hall of Fame, one of whom is Ange Postecoglou, the coach of Celtic who is forging a magnificent international career.

It would be remiss of me not to acknowledge that, as we head into this World Cup, we are proud to have a Launceston boy wearing the Socceroos' strip in the World Cup - Nathaniel Atkinson. His is a fantastic story. From all reports he is a very humble young man whose family has been significantly attached to clubs in Launceston. We are all very proud of him and we wish him well and the Socceroos well in the World Cup over the coming weeks.

Mr Speaker, congratulations to Walter Pless.

Greg Green - Tribute

[6.19 p.m.]

Ms FINLAY (Bass) - Madam Deputy Speaker, this evening I rise to celebrate one of Tasmania's true gentlemen, who has inspired many across Tasmania for a range of reasons across his whole life but a gentleman who right now is inspiring people through his courage. Mr Greg Green was present on Saturday evening at a dinner held to celebrate and recognise him. Greg is a building surveyor working out of Launceston. He has worked on projects all across Launceston and Tasmania, and has influence nationally. Six months ago he was diagnosed with MND.

Six months ago, Greg and his beautiful wife, Wendy, noticed a few moments where things were not quite connecting and received the diagnosis. In true Greg fashion, he decided with his family to face and fight MND. Being in the construction and consulting industry sector, working day in, day out with some incredible people in Tasmania, in Greg's way, he continued to work and to share his story with those he worked with. It did not take long for the northern Tasmanian and entire Tasmanian community to step in behind Greg and his family and to help him fight what is - insert unparliamentary word here - a real cow of a disease.

Some of his industry colleagues suggested early on that they would love to honour him, and his past and ongoing services to the Tasmanian construction industry, with a dinner. Greg thought this might have been a couple of guys down at the pub having a beer, having a quiet moment together. It turned out, through the incredible work of a committee and some impassioned northern Tasmanians, to be a dinner that packed out Launceston's largest dinner venue at the Country Club Tasmania and sold out by word of mouth within days, before anyone else outside that inner circle could find out about it. On Saturday evening, 350 people packed in to Country Club Tasmania and I know they could have sold two or three times as many tickets.

The event was extraordinary for a number of reasons. The reason why Greg agreed to have the event was, firstly, because he and his family know that whatever they can do to ensure that no other families in the future go through what they are facing, they wanted to stand up and fight back on MND. To do that, they wanted to raise funds to contribute to future research. The incredible people in this industry, within Greg's network and supporters of his family, had raised \$100 000 towards the fight of MND before the doors opened on Saturday evening. Then, due to the incredible generosity of people within that industry and Greg's network, so many experiences and opportunities for raffle, lucky door, silent auction and loud auction items were donated that by the end of the evening in the room - and I have no doubt that beyond Saturday

there will be a rounding out of this, \$175 000 was raised to contribute through Tassie Freezing for MND, through Fight MND, to continue the important work done to support people in the community living with MND and their families and people that support them; to extend the opportunities for research and the great work that Fight MND do to create guidelines and frameworks for the work around MND research.

On the night, the room was filled with emotion and energy. One of the other reasons why Greg agreed to have the dinner, as well as raising funds, was to give the industry an opportunity to come together and have a pause. We all know the industry is overheated and there are lots of challenges. Yes, it is buoyant but with that comes challenge. It is hard finding a workforce, hard to get supplies. All those things mean this industry is under pressure right now. Greg thought it would be a great opportunity for them. They do not always come together just to relax and be together so the night was full of opportunities for that.

I MC'd the evening. It was hard sometimes to bring them to the attention of what was going on in the room but there were three moments through the night where you could hear a pin drop. Bravely demonstrating his courage and inspiration, Greg came onto the stage with Andrew, who had been one of the lead organisers, to speak briefly about his gratitude to the industry and the people in the room but also his personal experience. It was an important moment for Greg, his wife Wendy and his children, Nathan and Jarrod, for him to have that moment in the room.

The other part of the evening where you could hear a pin drop, was a beautiful success story, out of Launceston but from Tasmania. Dr Rosie Clark who is at the Menzies Institute, who with a team of people is actually leading research into MND: here in Tasmania, a Launceston girl. Through her PhD research, a lot of MND research is about the overheating or the over-excitement of activity. She came across this concept of balance and what if we could inhibit that and what work could we do. This is my paraphrasing clearly, of what is a very clever concept from Dr Rosie.

She is the first person in the world that said this is something if you look at it and she is leading that research right here from Tasmania. She gave a presentation I imagine was quite confronting for Greg to hear about all of these challenges, but to everybody in the room, it consumed their attention, for them to learn more about MND and the impacts of MND.

The third moment of the night, Greg's boys Nathan and Jarrod, came up onto the stage to thank everybody for what they had done on the night and to talk about Greg as a father and how his parenting of them had framed them as husbands and fathers in community.

Tonight, I stand to celebrate Greg Green, an incredible man who will continue to make an incredible contribution in our community and to say to Wendy, Nathan and Jarrod we stand with you and we will fight back against what is MND.

Penguin District School - *Rapunzel - A Tangled Hairy Tale*

Lions Club of Penguin - International Men's Day Breakfast

[6.26 p.m.]

Dr BROAD (Braddon) - Madam Deputy Speaker, I rise on adjournment to talk about another fantastic event, a musical that I attended. This time it was the Penguin District School

presenting *Rapunzel - A Tangled Hairy Tale*. It was a fantastic event. I took my family with me. It is an original script written by Luke Reilly, but the musical arrangement was by Nick Turner, who may actually be the music teacher at Penguin District School. If that is the case, if it happens to be another Nick Turner, then that is another excellent thing for our coast to have.

It was actually quite a good story. It was funny, there was great singing, enthusiastic students as you would expect, and great set changes. The one thing about it, when you go to these musicals, the quality of them across the coast is amazing and it says a lot about the talent we have on the north west coast and the talent behind the scenes, putting these together because it is no mean feat.

We went to the opening night and the principal, Matt Grining got up and gave a brief talk about some of the struggles that the students had putting this together. When they started rehearsals, it was right in the middle of COVID-19 and they had lock-downs, had to wear masks and so on while at the same time preparing for this huge event. There were a lot of students involved and it must have been a logistical nightmare.

I would like to recognise some of the cast. Jasmin Palmer was Rapunzel, Mattea Browne was Rose, Molly Davies was Genie, Amelia McKenna was Slipper, Estelle Rossborough was the evil Dr Grimm, Steven Richards was Caesar, Izaya Talia-Butler was Prince Lee, Heidi Kable was Miss Kale and Brianna Stevens was Mo Hawk. It was an enormous cast. There were lots of dancers, lots of singers and everybody put in. It was a fantastic show and a credit to the north west coast and definitely a credit to Penguin District School, well done. My kids loved it, the crowd loved it, it was funny, a great event and I hope it went well every other night.

I would also like to talk about another event I went to which was the Lions Club of Penguin, International Men's Day breakfast. The Lions Club of Penguin put this on at the Penguin Sports Club with the aim of making time for old mates, new mates, but also reaching out to mates who were doing it tough.

There were a couple of speakers. First of all was Craig Redman. Craig is an Ulverstone legend I suppose you could say, especially in the sport of triathlon. He talked about his time not only as an athlete being a professional in Europe as a triathlete right near the start of the sport of triathlon but also competing in the Hawaii Ironman which everybody who knows anything about triathlon is an amazing achievement just getting to the start line, let alone finishing the Hawaii Ironman but also his time as a coach in particular in youth development but then also as a Paralympic coach. He was responsible for athletes at the Rio Paralympic Games so much so that he has been awarded the Legend of Sport Award in the sport of triathlon so that is how good Craig Redman was.

I have heard him speak a number of times. It is also great to see Craig and he is a product of Ulverstone so it goes to show what you can do by putting in effort. Even in a place like Ulverstone, we have these legendary athletes, like Craig Redman but also people in the sport of triathlon.

The other speaker was Peter Clark. Peter is a veteran and he is the founder of Due South Australia. The aim of Due South Australia is to support veterans and first responders. They operate three purpose-designed homes. They have an off-grid adventure block; they have a

farm, which they call Diggers Run; and they have a community hub. They provide activities like mountain bike riding, fishing, yoga, they have tourism experiences, hiking, bushwalking and so much more with the aim of providing mateship not only to veterans but also first responders.

The thing that is really amazing about Due South is their business model. They have a guarantee that if you make a donation to Due South Australia at least 90 per cent of donations will go to actively supporting veterans and first responders in these activities and only 10 per cent will ever go to administration. They can proudly say that as of that meeting we had on Friday morning, 100 per cent of donations had gone to supporting veterans and first responders.

The other interesting part of their business model is that Due South Australia run the motel and function centre on Eastland Drive in Ulverstone which they have called Seasonal South. Seasonal South has had a few names over the years but it is easy to find; it is on Eastland Drive, one of the major accesses to Ulverstone. It was Bass and Flinders. Now they have turned that into a motel and function centre but the interesting thing is that all profits from that operation, whether it be going there for dinner or staying in the accommodation, or having an event, will go to supporting Due South Australia which will support veterans and first responders.

It is a real credit to Peter Clark and his team that they have put this together so not only will they seek donations but also the profit from this standalone business will go to supporting veterans and first responders. That is amazing and a credit to Peter Clark and his team for putting this together, and supporting veterans and first responders. It is an amazing effort and it was a pretty good speech and a well-attended event and I look forward to going again.

Tasmania Police Officers - Tribute

[6.33 p.m.]

Mr ELLIS (Braddon - Minister for Police, Fire and Emergency Management) - Mr Speaker, Tasmania's police officers provide incredible acts of service in our community each and every day and also find themselves in some very tough situations that we, as a community, need them to be in.

Over the last month, about 80 police and Department of Police, Fire and Emergency management staff have been recognised for their incredible contribution to keeping Tasmanians safe through the roles with the department and Tasmania Police.

Ceremonies were held in Burnie, Launceston and Hobart to recognise those who had been awarded with Commissioner's Medals and awards and the National Medal and National Police Service Medals and the clasps for long service. These medals and awards are issued to members who have demonstrated a consistently high standard of work performance along with a demonstrated and unequivocally high standard of personnel and professional conduct.

Award recipients are recognised for their ethical and diligent service to the Tasmanian community. Of the 80 people who received awards, five people received National Police Medals and National Police Service Medals. These include Constable Andrew Manger,

Constable Mathew Creek, Constable Christopher Langshaw, Constable Melinda Pearce and Sergeant Hamish Woodgate.

Ten people received awards for 20 years of service, six people received awards for 25 years of service, two people received awards for 30 years of service, 15 people received awards for 35 years of service and, outstandingly, four people received recognition for 40 years of service: Commander Mark Mewis, Constable Craig Keogh, Inspector Ian Lindsay and Vicki Burn.

Commissioner Donna Adams received her clasp for 35 years of service of policing in Tasmania.

This is a fantastic achievement by all members and I would like to take this opportunity to applaud award recipients for their contributions to keeping Tasmanians safe. Tasmanians are proud of their police force.

I would also like to take the opportunity to congratulate recipients of the Commissioner's Certificate of Commendation and the Commissioner's Certificate of Appreciation. These special awards are provided to people of organisations or organisations who: perform their duties while exposed to significant risk to life or personal danger; demonstrate a level of bravery, courage or devotion to duty above and beyond what is expected; demonstrate a combination of initiative, resourcefulness, integrity and commitment which exceeds expectations; or demonstrate an exceptional level of service delivery.

This year Sergeant Brad Conyers and Detective Sergeant Nicholas Smith were recognised with the Commissioner's Certificate of Commendation for their role in Operation Garden, a murder investigation. Senior Constable Adam Hall and Senior Constable Ruth Purcell were awarded the Commissioner's Certificate of Appreciation for their contribution to the same Operation Garden.

Mr Speaker, policing is a highly rewarding career that offers great diversity over the course of an officer's journey with Tasmania Police. Our Government is committed to supporting Tasmania Police by investing significantly in recruitment, capital projects, the Health and Wellbeing Program and other important initiatives.

Policing is an incredible career and the dedication of those who I have just mentioned - and all of our Tasmanian police - is to be commended. Congratulations again to all the award recipients.

Australian Women's Land Army - Tasmanian Chapter

[6.37 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, there is an old Chinese proverb that women hold up half the sky. Well, during World War II, in this country, Australian women pretty much held up the whole sky, and Tasmanian women have their own amazing story of service.

I want to make a contribution tonight on the Australian Women's Land Army - and the Tasmanian chapter of the Australian Women's Land Army, which was set up before the

national body was established. This year is the 80th anniversary of the formation of the Australian Women's Land Army. As we know, Mr Speaker, when World War II broke out, the men were commissioned into service or conscripted into service on the land, and there was a huge labour shortage in the agricultural sector - producing food for the country, shearing sheep, keeping the farm running.

In Tasmania, in Launceston, in August 1940, a first meeting was set up to assess the viability of forming a Women's Land Army in Tasmania. This is from an article written by a former member of the Australian Women's Land Army, Billie Pearce, who wrote this story for the Launceston Historical Society. It starts:

Recipe for a servicewoman

Take one healthy female of required age and dimensions.

Examine well for flaws and, if suitable, prepare as follows:

Remove to 'rookie' course and trim neatly.

Shape into correct posture by drill and PT until you have head up, chin in and back straight.

Dress in regulation issue and soak well in 'routine orders'.

Baste judiciously with equal quantities of Duties, Lectures and Recreation, and sprinkle well with humour to bring out the Esprit de Corps.

At the end of one month, Servicewoman should be ready to 'serve', remember.

The first meeting was established. A committee was appointed with Ms Agnes Hodgman to act as the organising secretary. She later went on to become the first state superintendent, later followed by Ms Sheila Hodgman, who undoubtedly is one of that well-known Tasmanian family.

Training camps were established in the lowlands, at the Richmond property of Mr C. T. Jones, and so there was a training ground for the southern girls. They experienced farming activities, driving tractors, caring for the farm implements, and stockwork. The girls visited other properties and several rural-based industries. There was another camp held at the St Leonards home of Mrs Olive Ransom, training 20 girls. In the north-west of the state, quite a large group of volunteers participated in a range of rural-based activities more or less centred around the Devonport area.

The foundation members of this body began their Women's Land Army experience on the property of Mr and Mrs Parsons, of Ferlstain. As the girls became more confident, they were sent out to other properties in the district. One large band of volunteers cultivated and sowed a grain crop on 25 acres of an area near the bluff, land donated to them for that purpose and so, the Tasmanian Women's Land Army was going very well.

By 1941 there were around 200 women working on their home farms throughout Tasmania. There were another 35 trained members of the Women's Land Army stationed on properties other than their own. Then in July 1942, the federal government established the Australian Women's Land Army. It was Australia-wide. From then, everything changed for the Tasmanian organisation because they were absorbed, effectively, into the Australian Women's Land Army. The majority of the members did not leave the service of the Australian Women's Land Army until they were demobilised in 1945. That is an incredible five years of service from the women of this country to keep the country going.

They were kitted out with socks, boots, full dress and work gear, and woolly underwear. Regulations were enforced as to leave entitlements, sick leave; benefits were introduced. After a very long time, finally, in 1991, 46 years after the end of hostilities, permission was granted for the Australian Women's Land Army to join the Returned Services League. It was finally agreed to offer membership to the 2500 full-time members of the Australian Women's Land Army. Now, after 50 years, says Mrs Billie Pierce:

We are to receive a medal in recognition of our war service. It does seem to be a little too late to make up for all the put-downs over the years, but we can look back from 1940 and say with pride that we also served.

It was my great honour in 2011, as minister for women, to induct the Australian Women's Land Army (Tasmania Division) members onto the Honour Roll of Tasmanian Women following a nomination made by Mr Chris Bowen of Howrah. As he says in his little message to me recently:

The young city land girls of the Australian Women's Land Army did back-breaking work in the defence of our nation during World War II.

He was hoping that we could give mention to the current community, recognising the huge contribution to this country by these exceptional women.

That is a great Tasmanian story. It is a great Australian story. It is a great story about the feminist movement, that when the men had to go off to war, the women who were there could step up and do all the jobs that needed doing. There was an adjustment for women when the men returned from service because suddenly the power dynamic had changed very much. We should all be enormously thankful for the service given by those 2500 Tasmanian members of the Australian Women's Land Army.

Wellers Inn Tenants Facing Homelessness

Burnie Court Complex

Second Linear Accelerator - North West Regional Hospital

[6.44 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I rise tonight to raise three issues of concern for constituents across my electorate. The first one is Wellers Inn and the current situation there where tenants will find themselves no longer having a home at the end of this month. Wellers Inn, it is fair to say, has been a fiasco from the start and when it is finally being used for something, we now find that people are going to be without anywhere

to live, once the contractual arrangements that the Government has in place come to an end at the end of this month.

The minister has made some comments about this today, and people who have raised their concerns with me - and that I have raised with the minister - have been able to find subsequent accommodation. I also know there are people there who are really concerned about what their future holds, coming to the end of those contractual arrangements.

I put those concerns on the record. I want to make sure that this Government is accountable and actually does work to assist these people to find alternative accommodation, come the end of these contractual arrangements, because these people need it. They are desperate. I have had people come to my office incredibly distressed, and they need some certainty from this Government.

I recognise and welcome the minister's commitment in the media today, but I am putting you on notice and putting it on the record here in the parliament that we do need to find some housing solutions for these people before that contract ends at Wellers Inn.

The second issue I want to raise has been drawn out and ongoing for far too long. That issue is the location of the Burnie Court complex, which has dragged on for months now. The Government was dragged by its heels through the expression of interest process. There has been some work done in that space, but we still do not have a firm commitment from the Government about a preferred site in and around the Burnie CBD. They have not ruled out the Morwell Road site yet, and they need to.

It has gone on for far too long. The community wants certainty. The business community wants certainty. We want an announcement from this Government about the preferred site in the Burnie CBD by Christmas and I am calling on the Government to do so.

The third issue I raise is about the provision of the second linear accelerator at the North West Regional Hospital. My constituents who have been using that facility for radiation oncology services are not able to access those at the moment, and have raised their concerns about having to be on a waiting list for the Holman Clinic in Launceston - but also about having to travel to Launceston to have their treatment.

It was not too long ago that this Government was out announcing the provision of that additional linear accelerator, and what a great thing that would be for people on the north-west coast, being able to access their treatment in a timely way, close to where they live, alongside their families and friends, in what is a very difficult time for many people as they access treatment for cancer - and for their families, I might add.

I want the Premier to update the House, before the end of this week, about what measures are in place to ensure that linear accelerator is being staffed. To my knowledge, people are still missing out on that valuable service locally here in the community. It is just another example of the issues that we have across our health system around retention of health professionals and the incredible pressure they are under working within the health system, but also our inability, it would appear, to recruit staff to these positions.

It is all very well to have the equipment made available in the local community. I acknowledge that there has been great generosity around the provision of that treatment from

a local business person, but you cannot provide these services without people and resources on the ground to operate that machinery and to deliver that service.

We have a critical staff shortage right across our health system. This Government needs to focus on recruitment and retention and do more to make sure we can provide these services. Right now, across Tasmania, people are missing out on critical services due to a lack of staffing.

Motor Neurone Disease

[6.49 p.m.]

Mr BARNETT (Lyons - Minister for Veterans' Affairs) - Mr Speaker, tonight I pay tribute to the estimated 30 Tasmanians who currently have motor neurone disease, and their families. It seems to have been a bit of a theme in recent weeks. Many members in this Chamber know people living with motor neurone disease and want to pay tribute to them, and I commend them and thank them for their contributions to support those living with motor neurone disease.

In Australia, about 500 Australians die with motor neurone disease each year. About 1900 Australians have MND at any one time. Across the globe there is approximately 400 000 people with MND and it kills approximately 100 000 every year. It should not be just the person that is impacted but the whole family and a range of others and there is an estimated 14 people or other family members and carers who are directly affected by the disease.

Tonight, I would like to pay tribute in particular to Allan Jones, the former Hydro Tasmania employee who sadly passed away about six months ago with MND. Allan joined Hydro Tasmania in 2001 and made a significant contribution to the business and the energy sector for more than 20 years through his dedication, intellect, positive approach. I acknowledge Brad Turner, in my office, who has been working with Hydro Tasmania for so many years and has assisted with these remarks tonight. Alan was instrumental in the transition of Hydro Tasmania's business into the national electricity market, setting up and leading the control room and the trading teams for nearly two decades.

Allan was well-known to the energy industry and was a real people-person and he will be greatly missed. He is survived by his wife Nina, and son Christopher. A group of volunteers across Hydro Tasmania, TasNetworks, Aurora Energy and Marinus Link honoured Allan's legacy and raised funds for MND Association of Tasmania last Friday, via a T20 cricket match at Blundstone Arena. The event was attended by around 80 people and so far has raised more than \$9700 which will go to important research to find a cure for people with MND and to support MND Tasmania. I would like to congratulate Allan's former colleagues at Hydro Tasmania and friends across our energy GBEs for this initiative to remember Allan and raise important funds for this important cause. My sincere condolences to Allan's family and friends.

As Janie Finlay, the member for Bass indicated earlier, last Saturday night there was a 'thank you' dinner for northern construction icon Greg Green, which who raised some \$175 000 for MND, demonstrating the generosity, care and commitment of his family, friends and the community. Greg is a prominent building surveyor who was diagnosed with MND about six months ago and I want to extend my sincerest thoughts, best wishes and prayers to Greg and his wife Wendy, Nathan and Jarrod, and his other family and friends' and to thank all those involved in that raising of funds and awareness for MND and to fight MND.

I have a personal link of course, as many in this Chamber know, with my late father who died of MND in 1985. He battled with the disease for nearly three years and it was a very tough time for the family and particularly my late mother who cared for Dad so generously and carefully all that time, day-in day-out, night-in night-out. Mum subsequently became patron of MND Tasmania and helped establish MND Tasmania, and so I recognise my mother as well tonight. When I returned from the United States, I got involved as well and was appointed president of MND Tasmania for a time, and was involved in the committee for many years. My wife is a speech pathologist and has likewise supported MND Tasmania off and on over many years. Subsequently, I had the honour of being appointed MND Australia Ambassador, including when I was in the Senate in the federal parliament. It was a great honour to fly a flag for people with MND and their families because it is a very difficult condition to live with.

I pay tribute to all those who are raising funding and awareness. I highlight the fantastic work of the MND Freeze, and my wife and I have been involved in the 'ice bucket challenge' in past years, and of course that happens most years, including at the MCG. It is a great tribute to Neale Daniher, great former Essendon and Melbourne player, as well as the coach of Melbourne Football Club from 1998 to 2007 and for his courage in living with MND and supporting fundraising efforts for research and advocacy. I want to recognise as well Anne and Graham Page whose dear daughter, Catherine, passed away with MND just a few years ago.

Mr Speaker, I urge all Tasmanians to dig deep to support MND Tasmania to provide the support and care that people need during these tough times. MND Tasmania can be contacted on 1800 806 632 or you can contact their website or likewise, the MND Australia website as well. Tonight, I pay tribute to all those with MND in Tasmania and across the nation of Australia and their families.

Ben Lomond Ski Patrol's 60th Anniversary

[6.56 p.m.]

Mr WOOD (Bass) - Madam Deputy Speaker, recently, I was honoured to attend a function to celebrate the Ben Lomond Ski Patrol's 60th anniversary and I take this opportunity to speak about what an important service they provide to the Tasmanian community. Established in 1962 as a not-for-profit organisation, the Ben Lomond Ski Patrol is the second-oldest ski patrol in Australia. Its members have provided countless first aid and advanced emergency care to the Ben Lomond community and public when visiting the designated ski field located within the Ben Lomond National Park during the snow season.

I have very fond memories of learning to ski on Ben Lomond from a very young age, rugged up to the eyeballs and enjoying the absolute thrill of cruising, reasonably fast, down the slopes. Of course, you do not have to have been on the mountain for very long to see someone, unfortunately, 'come a cropper'. Skiing is one of the fastest non-motorised sports on land, with records of up to 251.3km/h and while it is highly unlikely that these speeds will ever be achieved on Ben Lomond, you can instantly see the potential for significant accidents to occur in such an environment. The incredible ski patrol volunteers routinely step forward and put their lives on the line to help others with their selfless attitude, season after season. I know some of the volunteers have served the Ben Lomond community for 20, 30, and upwards of 45 years.

During the ski season, the patrol provides 10 weeks of mid-week patrol and 10 weekends of volunteer service. In some seasons, this 10-week season has been extended. In an average 10-week season, the patrol provides between four to six patrollers each day for weekend volunteer service, equating to approximately 1000 hours of volunteer service. Outside of this, the volunteers attend training days and their committee spends many hours planning the season ahead. This planning usually starts as soon as the previous season ends. Additional training and planning would bring the hours of volunteer service to well over 2000 hours in a year. The Ben Lomond ski patrol has come a long way, from its first day 60 years ago when communication presented such a barrier. In the early days, the nearest telephone I believe was located in Deddington, more than half an hour away, and one probably should not rush down Jacobs Ladder, if you know what I mean.

In the early 1970s, it was Irving Fong who managed to acquire an old ambulance two-way valve radio and this was able to talk directly to the ambulance communications for serious accidents. In the late 70s to early 80s, the first radio telephone was installed at the ranger's hut at the bottom of Jacobs Ladder and at the ski rentals. This greatly assisted the patrol in emergency situations. Patrollers have used handheld two-way radios since the early 80s, with only two or three patrollers having radios. Over the years, this has increased to a radio for up to six patrollers, plus a base station. All radios are equipped with channels to communicate with other commercial organisations on the mountain. The funding of the patrol until the early 1990s was entirely by sponsorship -

Mr SPEAKER - I need to indicate to the member that the time for adjournment debates is now concluded. You will be able to finish your adjournment tomorrow night.

The House adjourned at 7.00 p.m.

RESPONSE TO PETITION

Petition No. 14 of 2022

House of Assembly

Residents and Ratepayers of Ouse and the Central Highlands Community – Lack of General Practitioners to provide medical care

The petitioners ask the House to:

Community concern regarding the lack of a General Practitioner to provide medical care to the Citizens of Ouse and surrounding areas of the Central Highlands.

Currently your petitioners have to access the services of a Doctor in either Hobart or Risdon Vale for something as basic as obtaining a repeat prescription. We are an aging population, and are now forced to endure a 176km round trip in order to obtain the services of a General Practitioner. Many of our residents no longer drive and have to rely on community transport or public transport that leaves at 6am and doesn't return until after 3pm. The residents consider this lack of medical services unacceptable. With an aging population we believe that in order to maintain our population and to prevent the need of older residents relocating to larger towns, to access basic medical care, that we need access to a General Practitioner located within the Central Highlands region.

Your Petitioners therefore respectfully request The House to call upon the Government to immediately look into securing a General Practitioner to be located in Ouse to service the people of Ouse and the surrounding Central Highlands

RESPONSE:

- The State Government acknowledges that access to timely, affordable primary health care, including General Practitioners is critically important for all Tasmanians
- The State Government has been actively involved in assisting the Central Highlands community to attract General Practice services and will continue to work toward a sustainable solution for the community.
- Recently, Bothwell Medical Centre has increased its opening hours from two days per week to four days per week and opened its books to Central Highlands patients.
- The sustainability of this model and opportunity for future possible models will be reviewed in the New Year.
- The State Government has also provided financial assistance to residents who were previously a patient at the GP Practice at Ouse to assist with travel costs to attend a GP out of the local area.

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- General Practices are predominately private businesses, and the State Government cannot dictate where they operate, their billing practices nor if they accept new patients.
- A complex combination of factors, including business viability and workforce availability, makes it challenging for a private practitioner to establish a general practice in Ouse.
- Federal legislation and associated policies impact General Practice operations as the patient rebates no longer adequately cover practice costs, resulting in a need for increased gap payments to enable business continuity.
- The State Government is working nationally with the Commonwealth Government and other states to seek solutions to the challenges Medicare and primary health care in Australia are facing.
- Representatives of the State Government are involved in ongoing collaboration between the Central Highlands Council, Primary Health Tasmania, Health Consumers Tasmania and HRPlus – Tasmania's rural workforce agency – to address the primary care challenges faced in the Central Highlands.
- This includes engagement with the community, local service providers, and potential future primary care providers.
- The Tasmanian Health Service continues to provide access to local State community health services such as community nursing as well as visiting services through our Tazreach and Rural Health Outreach Fund programs.
- Training opportunities are also being made available which will ultimately enhance rural health services. This includes the establishment of the Tasmanian Rural Generalist Pathway Coordination Unit, the Rural Medical Workforce Centre and rural primary care intern and resident medical officer rotations.
- The concerns of the community are noted, and the State Government will continue to work with stakeholders to seek a sustainable primary health care solution for the Central Highlands community.



Jeremy Rockliff MP
Premier
Minister for Health

Date: 18/11/22

RESPONSE TO PETITION

Petition No. 17 of 2022

House of Assembly

The petitioners ask the House to:

- Impose a night-time freight curfew between 9.00 pm and 6.00 am.
- Impose a reduced speed limit where houses are close to the corridor.

GOVERNMENT POSITION:

- The Tasmanian Government does not impose freight curfews on the State Road network.
- Birralelee Road forms an important part of the State Road network for business and agricultural product transport providing an alternate link between the north west and north east of the state.
- The speed limit for Birralelee Road has been previously reviewed. The hamlet of Birralelee between Prestleys Lane and Delantys Road has a higher access density, and review of the speed limit in this section will be undertaken by the Department in conjunction with the planned road upgrade.

RESPONSE:

- Birralelee Road provides a link between the Bass Highway and Bell Bay via Frankford Main Road, the West Tamar Highway, Batman Highway and the East Tamar Highway.
- In 2007 the Department published a road hierarchy, which mirrors today's classification in that area, classifying the Batman-West Tamar-Frankford-Birralelee corridor as Category 2 roads.
- The most recent traffic counts in 2021 indicate that there was an average of 204 heavy vehicles travelling on Birralelee Road per day, seasonally adjusted.

- The Australian Government committed \$24 million in 2019 to upgrade Birralelee Road as part of the Roads of Strategic Importance (ROSI) Initiative.
- The need for improvement and upgrade of Birralelee Road has long been recognised. This project will improve safety by widening and sealing shoulders, providing a safe and efficient road and allowing additional space for drivers to regain control, thereby reducing crashes.
- To maximise the benefit of this funding commitment, the project scope was extended to include the Batman Highway and a connecting section of Frankford Road. The total funding commitment for the Northern Roads package is \$55 million, with \$44 million coming from the Australian Government and \$11 million from the Tasmanian Government.
- These upgrades support businesses and industry and improve safety for all road users. A heavy vehicle rest area is also being incorporated at Sidmouth Hall.
- The Northern Roads package was considered and endorsed by the Parliamentary Standing Committee on Public Works in 2021. This consideration included inviting public submissions and a public hearing.
- Consultation for the Northern Roads package has been ongoing since 2021 including public displays, project updates to landowners and residents and visits to landowners to discuss project works and accommodation measures.
- The State road network is the key network for both light and heavy vehicles. The use of the regional road network is important for freight transport over the full 24-hour period. These needs reflect the varying travel time requirements to enable connecting with seaports, businesses with varying opening hours and transport of time-sensitive agricultural products. There are no plans to provide a night-time freight curfew on Birralelee Road.
- Noisy trucks, with deficient exhaust systems, or through unnecessary use of auxiliary compression braking systems is of concern. It is recognised this is an issue that needs to be tackled by government, regulators and industry. However, this is not restricted to any particular road corridor.

- The speed limit for Birralelee Road has been previously reviewed. Generally the default rural speed limit is appropriate for the majority of the corridor when assessed against the Tasmanian Speed Zoning Guidelines.
- Speed limits are set with respect to the level of roadside access, not by how close housing is to the road.
- As the proposal for road widening will ultimately improve the standard of Birralelee Road and not result in any change to roadside development or the number of accesses, it is not expected that a lower speed limit will align with the guidelines in order for it to be recommended to the Transport Commissioner for approval.
- Through the hamlet of Birralelee itself (Preistleys Lane to Delantys Road), there is higher access density. A review of the speed limit in the section will be undertaken by the department in conjunction with the planned road upgrade.



Michael Ferguson MP
Deputy Premier
Minister for Infrastructure and Transport

Date: 7 November 2022