



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 22 March 2022

REVISED EDITION

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Tuesday 22 March 2022

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

ABSENCE OF MEMBER

Member for Franklin - Dr Woodruff

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, on indulgence, I indicate that Dr Woodruff is not here today because she is a close contact. I congratulate the government for taking out half the crossbench.

Mr SPEAKER - Thank you.

QUESTIONS

Victim/Survivor - Call for Apology

Ms WHITE question to ATTORNEY-GENERAL, Ms ARCHER

[10.02 a.m.]

It has now been nearly two weeks since you groaned in response to a question put on behalf of a victim/survivor about your colleague and your Government's approach to the most serious child protection issues. Your actions that day rightly caused deep offence, not just for the person I was quoting but for many other victims/survivors as well. Will you do the right thing and apologise?

ANSWER

Mr Speaker, I am reluctant to thank the Leader of the Opposition for that appalling question.

The Premier has unreservedly apologised to the parliament, without explanation or excuse, on Thursday of the last sitting week. The Premier's apology was genuine and was made on behalf of all Government members. The Premier made it clear to the parliament that he was speaking on behalf of the Government, without explanation or excuse. All members of the Government wholeheartedly support the Premier in that apology.

I understand the Premier has also apologised to the victim/survivor via email on behalf of the Government, and has offered to meet personally with the victim/survivor and apologise in person. I also note that Mr Jaensch, member for Braddon, has also publicly apologised for his interjection.

Every one of us acknowledges the bravery of victims/survivors to disclose child sexual abuse, especially me as Attorney-General. I understand this is a very distressing time for all victims/survivors to come forward to a commission of inquiry process. That process, which all members of this House support, now needs to be able to take its course independent of this

place or Government. It is highly inappropriate for any member of this place to interfere with that process or comment further.

Ms White - Why is it so difficult for you to apologise?

Mr SPEAKER - Order.

Ms ARCHER - I remind the House that during my time as Attorney-General and Minister for Justice, I have focused on delivering on our Government's commitment to strengthen our laws to protect and support the health, safety and wellbeing of our children and young people. Not one member here can deny the significant reforms I have progressed to achieve this important aim, especially to address the issues that have come to light in recent years regarding victims/survivors of child sexual abuse.

Ms WHITE - Point of order, Mr Speaker, under standing order 45, relevance. On behalf of the victim's father who has asked for an apology, I ask you to draw the minister's attention to the question. It is not about her record. It is about her groaning.

Mr SPEAKER - As you understand, the minister can answer the question how she sees fit.

Ms ARCHER - Mr Speaker, I started my contribution by saying I was appalled at the question. I repeated the Premier's wholehearted apology on behalf of the entire Government. We did that unreservedly. Quite frankly, what the Leader of the Opposition is now trying to do is isolate instances that just do not exist.

Ms White - I beg your pardon: that do not exist?

Mr SPEAKER - Order.

Ms ARCHER - In every one of the legislative packages I have introduced, and in my responses to questions asked in this place in relation to the royal commission and commission of inquiry, I have paid tribute to people affected by institutional child sexual abuse. It is worth restating that without the bravery of those victims and their families, many of whom are personally known to me and I have contact with on a regular basis, we would not have the benefit of the fast work of the royal commission and the subsequent actions that have been taken to ensure that issues are identified and addressed as quickly as possible. These reforms are happening because of the courage of victims/survivors to come forward.

I reiterate the Premier's sentiments and thank each and every one of them for making their voices heard and for shining a light on these matters. It is also important that all Australian politicians, as well as the community as a whole, continue to support them to do so.

This is why I will continue my hard work to progress further important legislative reforms to address the royal commission recommendations, including a package of reforms that will improve criminal outcomes for victims/survivors, and that will enhance child safety in a way that is both best practice and future focused.

Victim/Survivor - Call for Apology

**Ms WHITE question to MINISTER for INFRASTRUCTURE and TRANSPORT,
Mr FERGUSON**

[10.07 a.m.]

It has now been nearly two weeks since you groaned in response to a question put on behalf of a victim/survivor about your colleagues' and your Government's approach to the most serious child protection issues. Your actions that day rightly caused deep offence, not just for the person I was quoting, but for many other victims/survivors as well. Will you do the right thing and personally apologise?

ANSWER

Mr Speaker, I can only reiterate what my colleague, the Minister for Justice, has just stated to the parliament: the Premier has unreservedly apologised on behalf of this side of the House. He did so standing where I am right now, without explanation or excuse and openly, on the last sitting day of the House. I was here for that apology, made it my business to be here when the Premier did so, to support him, as I do right now. That apology, without excuse, without any attempt to explain the circumstances but just a straight apology, was offered in good faith. It is my hope that that apology would be accepted. However, it is entirely a matter for any person who was offended for them to come to their own view on that.

The Premier has made it very clear to the parliament that that apology has been made on behalf of our side of the House. I also understand that the Premier has made direct contact with the person to whom Ms White is referring, the victim/survivor, for whom I have great respect and a sense of wanting, like so many victims/survivors around Tasmania and indeed around our country, who deserve and are entitled to our full support as they seek justice and, no doubt, ultimately the truth of what goes on behind closed doors.

That is exactly why I am the strongest supporter of the Premier's decision to have a commission of inquiry in Tasmania. It is needed and it has a job to do. That commission of inquiry should not be undermined by members of this House. It needs to be thoroughly supported. It is not for members of this House to think that it is somehow their duty to get in and do some of that work for them. It is the commission's job, it is a difficult job and no doubt will have trauma along the way, although I hope that can be brought to an absolute minimum. It is also the case that last week the Premier, in response to questions, stated that there will be no further comment to allow that commission of inquiry to do its very important job.

In conclusion, I will say for my own part that I have a long history of connectedness to wanting people to have justice, including better laws that make sure that people who are guilty of serious child sexual offences go to jail for minimum periods of time, and we have tried time after time after time. I did so in this House on behalf of the then Attorney-General, Vanessa Goodwin, and prosecuted that matter, but we were opposed by members opposite and ultimately by the Legislative Council.

We have brought that bill forward again - to each parliament since 2014 in government - and that bill has still not been agreed to by this parliament. That could change. I encourage members of this House who previously have not supported this legislation to so, because it is

yet another way that we can signal our strong support for real justice, which includes minimum mandatory jail times for child sexual offenders.

Victim/Survivor - Call for Apology

Ms O'CONNOR question to MINISTER for STATE DEVELOPMENT, CONSTRUCTION and HOUSING, Mr FERGUSON

[10.12 a.m.]

Mr Speaker, if you will excuse me keeping my mask on; there are people in the Chamber who are unmasked and I note they are not sitting members.

Minister, you were clearly heard groaning whilst sitting there, while the words of victim/survivor Tiffany Skeggs were read into the House. We have listened to the audio repeatedly and we can hear both yourself and the Attorney-General, Ms Archer, who was given the opportunity to apologise and did not have the grace to personally do so. The Premier and minister Jaensch had the decency to apologise to Ms Skeggs, but neither of you have. You are the former minister for Health, the minister while Griffin was at the Launceston General Hospital. Why have you not sought forgiveness for your trespasses and apologised to Ms Skeggs for the offence and pain caused by your actions? What is so hard about saying sorry?

ANSWER

Mr Speaker, I have answered the question earlier. Ms O'Connor has reframed the same question.

Ms O'Connor - No.

Mr FERGUSON - It is true that I was the minister responsible for the health system for some of the time of Griffin's offending. I will take this opportunity today to say what I will always say, which is the truth: none of those accusations or allegations ever came to my notice. I wish that they had, because had they, I would have immediately made a report to the police and done everything within my power to see that behaviour apprehended and justice provided to anybody who was hurt during that appalling period of time.

I feel it is regrettable that Ms O'Connor has framed her question in that way because, very clearly, the late Mr Griffin had many years of offending against young people and children in my local community. I am upset and devastated by that, as I believe is every member of this House.

I make that point, because clearly Ms O'Connor has tried to zero in on that and I want to detach myself from anything to do with that individual, Mr Griffin, and the vile nature of his perpetration of wicked crimes against children.

I strongly support the commission of inquiry the Premier has initiated, and I hope that might be something that would unite this House.

Jobs Figures and Tourism Industry - National Award

Mr ELLIS question to MINISTER for TOURISM, Mr GUTWEIN

[10.14 a.m.]

Can you please update the House on last week's Tasmanian job figures and outline how Tasmania's world-class tourism industry has shone once again at the national awards?

ANSWER

Mr Speaker, I thank Mr Ellis for that question and his interest in this matter. My Government is an aspirational government. We believe that our economy, one of the strongest in the country, can and will continue to be nation-leading, that jobs can be created here and that we can give people the opportunities that they seek, no matter where they live, their circumstance or their background.

In recent weeks our record has been clearly demonstrated. We are securing Tasmania's future. Last week's data from February confirms this. There are now more than 265 600 Tasmanians in work, more than ever before. In February, employment grew by 2.4 per cent, the highest monthly growth rate in the country. There were 6200 jobs created. The number of women employed has hit a 127 700, almost 128 000 women now employed in the state. Another record high.

Our unemployment rate is at a record low: 3.9 per cent and below the national average. As more Tasmanians get to work the total number of hours worked in February hit just under 40 million, the highest number of hours worked on record. Our borders are open, our businesses have the confidence to hire and invest. Tasmania's participation rate grew 1.4 percentage points last month which demonstrates that people have the confidence to get out into the job market, to seek one of the many jobs that now exist. Our job vacancies are 86.4 per cent higher than they were before the pandemic. It is the second highest growth rate in the country and proof that we are delivering more opportunities for Tasmania.

With our borders open Tasmanians are also reconnecting with family and friends, and visitors are coming back to our shores. No wonder, because Tasmania has what the world wants. There is no stronger endorsement of this fact than at the Qantas Australian Tourism Awards, held on the Sunshine Coast last Friday night. Tasmanian tourism operators scooped the national pool again, bringing home eight gold, four silver and three bronze awards. Our small state won nearly a third of all the gold medals. In terms of overall medals, we won one in five, which is extraordinary for a state of this size.

I say a huge congratulations to all our award winners, gold, silver and bronze. I acknowledge our gold medal winners, Pennicott Wilderness Journeys, Gordon River Cruises, Pumphouse Point, The Wonders of Wynyard Exhibition and Visitor Information Centre. I encourage people to have a look at some of the fantastic vintage motor vehicles they have there. It is quite extraordinary.

Congratulations also to Mures of Tasmania, where I had the pleasure of being on Saturday morning, Saffire Freycinet, The Coal River Farm and Blue Derby Pod Rides, which is working in an area that demonstrates that tourism and forestry can coexist side by side and work together.

All these businesses are synonymous with Tasmania's reputation as a must-see destination. By April this year airline capacity, I am advised, will hit 112 per cent compared to pre-pandemic levels. The importance of this figure cannot be overstated. It is a great indicator of the confidence by both the airlines and visitors who want to come here in what we offer.

Our incredible tourism industry has weathered the storm. It has been a storm. The past two years have been very challenging. They are now changing gears. They are going from survival to revival, and a very strong revival it is. We are committed to supporting our industry to invest and enhance the incredible experiences they offer, to retain Tasmania's position as a national and international tourism leader.

That is why the Government recently announced the Tourism Innovation Grant Program. It has had an incredible response as businesses put forward ideas to innovate and provide new products. I look forward to providing a further update on that.

The tourism sector employs close to 40 000 Tasmanians, many of them in our regions. It contributes \$3 billion every year to our economy. It is fantastic that it is back on its feet. While we are getting on with the job of supporting industries, of supporting investment coming to Tasmania and supporting jobs, on the other side all we get is constant negativity.

At a time when the Opposition Leader seeks to ask a range of questions on certain matters, there are questions that the Opposition Leader needs to answer as well. Last week, Ben McGregor called into serious question her leadership. -

Ms O'CONNOR - Point of order, Mr Speaker, standing order 48. The Premier is now five-and-a-half minutes. This has nothing to do with the question he was asked. He is wasting the parliament's time.

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

Mr GUTWEIN - Mr Speaker, I will wind up, but I think I was asked about alternatives. I reiterate that Ms White has serious questions to answer. Mr McGregor's very pointed quote last week asked if they are fit and proper to sit in here. That is a question that needs answering.

Victim/Survivor - Call for Apology

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.21 a.m.]

Two of your most senior ministers have continued their refusal to apologise for what can only be described as unconscionable conduct. After hearing the groans from your ministers, the brave victim/survivor I asked the question on behalf of, Ms Skeggs, said that she was completely disgusted. She said, 'I expect a meaningful apology from each individual that responded in the way that they did'.

Why will your ministers, Mr Ferguson and Ms Archer, not listen to the request for an apology from Ms Skeggs. Have you asked them to apologise, or do you lack the authority to make them do the right thing?

ANSWER

Mr Speaker, I thank the member for that question. I again put on the record, without explanation or excuse, my apology to Ms Skeggs. I stood here and provided that apology at the first available opportunity as the Premier of this state and the person who leads the Government. I spoke on behalf of all members.

This challenging issue of child sexual abuse -

Ms White - It is not challenging; they should just apologise.

Mr SPEAKER - Order.

Mr GUTWEIN - It is a challenging issue and it is going to challenge this place. It is going to challenge our community and it is going to challenge our public sector leadership.

The commission of inquiry, which I commissioned on behalf of this Government, subjects this Government to that commission of inquiry. We do so willingly. It also commits those on that side who were in government over the period prior to our Government being in office. The commentary from the Leader of the Greens this morning, and her very pointed attack on the former Health minister, was both misguided and inappropriate.

In this place, we have a job to do. The commission of inquiry is doing a very big job. I say to those on the other side, and I say to Ms Skeggs, I have provided the sincerest apology on behalf of my Government that I can, without explanation or excuse. I am not going to step into that space and talk about the politics of the day. My Government, and the apology that I provided, stands. It is sincere and it is on behalf of all members on this side.

The Government intends to get on with the work that we have set in place, to allow the commission of inquiry to do its work, to inquire, to investigate and to ultimately provide recommendations, which I indicated last week that my Government will accept. We would not have put in a place a commission of inquiry and allow it to go through the processes and make recommendations without implementing them.

I want, my Government wants, and I am certain that every person in this House wants a framework that can ensure the circumstances of the past cannot be repeated. I have previously said that I cannot change the past. However, we can certainly frame the future, and that is exactly what we intend to do.

Victim/Survivor - Call for Apology

Ms WHITE to PREMIER, Mr GUTWEIN

[10.25 a.m.]

The appalling conduct of members of your Government in response to my question a fortnight ago caused devastation for many people. This has been compounded by the total lack of integrity shown by some of the most senior ministers in your Government, in refusing to apologise for this behaviour.

The message this sends to victims/survivors and the general public is that when your Cabinet is discussing child protection issues, there will be people sitting around that table who think what happened a fortnight ago is okay. Why should anyone have confidence in the integrity of your Government while senior ministers refuse to apologise and you fail to demonstrate the leadership to make them do the right thing and apologise?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for her question. I absolutely reject any suggestion that my Government lacks integrity on this matter.

Ms White - You have not apologised.

Mr SPEAKER - Order.

Mr GUTWEIN - The Government has apologised. As Premier, I have provided that apology for all members of the Government.

Ms White - The Attorney-General has not. The Leader of the House has not.

Mr GUTWEIN - The Government's focus is on ensuring that the steps that we have already taken are fully followed through, and that answers to questions asked are provided through the commission of inquiry. When those recommendations are to hand, we will take action on them. I absolutely reject that this Government lacks integrity in this space.

Ms White - They did not apologise, they are failing to apologise, they are refusing to apologise.

Mr SPEAKER - Ms White, Order.

Mr GUTWEIN - I am committed, as is this Government, to ensuring that we get to the bottom of the problem and find solutions. That is what this Government has set out to do. There is no-one more determined than me.

I say to Ms Skeggs that I have provided an apology on behalf of this Government, as Premier. That apology stands. I look forward to meeting with Ms Skeggs in the coming weeks and having a conversation.

I put on the record how thankful I am for the bravery of victims/survivors in bringing these matters forward and ensuring we can shine a light in the dark corners that no Government before has ever done.

COVID-19 - Risk for People with Disability

Ms O'CONNOR question to MINISTER for DISABILITY SERVICES, Ms OGILVIE

[10.28 a.m.]

As of today, we have total of 1825 reported COVID-19 cases in the wider Tasmanian community. Over the past fortnight, since mask protections were removed, an increasing

number of Tasmanians with disability have been infected with COVID-19. Do you agree that many people with disability are particularly vulnerable because they are reliant on in-home supports? They can choose to stay at home to protect themselves while community transmission is rampant and masks are removed, but they cannot protect themselves in their homes.

What steps are you as minister taking to make sure people with disability are not placed at higher risk for infection? Have you, for example, ensured they are receiving high quality advice on how to prevent infection from a virus that, on the evidence, has the potential to take their lives or disable them further as a result of long COVID-19?

ANSWER

Mr Speaker, I thank the member for the very important question. These are unprecedented times and I thank everyone for doing their bit to keep us safe. I also understand these times may be causing anxiety in our community, particularly for the disability sector.

Ms O'Connor - Terror, actually, for the disabled, not just anxiety.

Ms OGILVIE - I agree with you. It is a very important question.

I thank all Tasmanians with disability, carers and service providers for their assistance and understanding as we work together to ensure that we all stay safe.

The Tasmanian Government is committed, as am I, to supporting people with disability, their families, carers and support workers through the pandemic. I care deeply about this matter. We are continuing to work with the Australian Government, the National Disability Insurance Agency, the National Disability Insurance Scheme Quality and Safeguards Commission - that is important; the disability sector; and advocates, to ensure people with disability and their families continue to receive the information and support they need through the COVID-19 pandemic.

Ms O'CONNOR - Point of order Mr Speaker, standing order 45 - relevance. For people with disability, could the minister explain what information is being provided to them to help them keep safe?

Mr SPEAKER - Thank you for the point of order. As you know, I cannot tell the minister how to answer a question. It appears to me that she is answering along the line of the question that you put. I cannot put words into the minister's mouth.

Ms OGILVIE - Thank you. I have some more, which will help answer the question.

We are committed to ensuring that people with disability, particularly children at this stage of the rollout, their carers and support workers, are prioritised to receive the COVID-19 vaccine which is our best protection against COVID-19. It is still a requirement that people in Tasmania who are employed or engaged to provide high intensity supports for NDIS participants be fully vaccinated.

Ms O'Connor - That is not the only protection.

Mr SPEAKER - Order, Leader of the Greens.

Ms OGILVIE - That goes to what you are asking.

The National Disability Insurance Agency has put in place a suite of measures to help participants who may have been impacted by COVID-19 to ensure they continue to receive the essential disability supports they need. Participants can also contact the NDIA directly. The health, safety and wellbeing of Tasmanians is our number one priority. It is an important topic. Some people are clearly more vulnerable to serious impacts from COVID-19 and we have prioritised those groups for vaccination, including those with disability.

Our Tasmanian vaccination team has been working with disability peak bodies offering tailored information sessions to people with a disability, their families and carers. Additional support and quiet day clinics have been offered and additional support is available at clinics, if needed. A Disability Emergency Operation Centre, which is fantastic, continues to support providers and people living with disability to respond to COVID-19 outbreaks.

I thank the member for the question.

Ms O'CONNOR - Point of order, Mr Speaker. We cannot let the minister sit down. Standing order 45: relevance. People with disability want to know where is the information on preventing infection?

Mr SPEAKER - Before you start, minister, standing order 45 has been raised in this Chamber a number of times. Allowing considerable latitude in the content of the question has become an acceptable practice of the House and, therefore, it informs the practice of the House in relation to standing order 45 where the quid pro quo is when proportionate latitude is also given to the answer.

I also note the practice of the House of Representatives where, provided a minister is addressing the policy topic which is the subject of the question, the answer is deemed relevant. I ask the minister to stay relevant and, of course, continue or conclude your answer, please.

Ms OGILVIE - Thank you, Mr Speaker. I will wrap it up because I have taken some time to answer in detail.

A Public Health direction was signed on 11 March requiring that a person employed or engaged in providing high intensity support to an NDIS participant must have received a booster dose of the COVID-19 vaccine by 1 April, and if not yet eligible, have received the booster within four weeks of becoming eligible.

The disability sector is very close to my heart. I care about the people who participate in it, people living with disability, their carers and particularly families. The supports are there, they are in place, and there is information they can seek.

I hope that is a robust answer, but if there are individuals who are concerned or who want more, my door is open and I am always happy to respond.

Securing Tasmania's Future - Investment in Health

Mrs ALEXANDER question to MINISTER for HEALTH, Mr ROCKLIFF

[10.35 a.m.]

Can you please provide an update on the Tasmanian Liberal Government's investment in health infrastructure and the progress being made by this record investment? How is this securing important outcomes for Tasmania's future?

ANSWER

Mr Speaker, I thank the member for Bass for her question. We are securing Tasmania's future. We have developed a strong plan to forecast an investment of more than \$1 billion over 10 years into critical next-generation health infrastructure which improves patient care, amenity and increases capacity.

Before I get on to the health infrastructure we will deliver, I will reflect on the last 12 months of the projects we have completed and undertaken. They include refurbishments to enable the opening of additional bed spaces in wards 6A and 3A at the Royal Hobart Hospital and ward 3D at the Launceston General Hospital. We have finalised the developments of ward 4K and have completed the shell of the new women's and children's tower at the Launceston General Hospital. We have delivered the stage 2 redevelopment of the King Island District Hospital, which I had the pleasure of opening recently. We have upgraded the ambulance stations at Smithton and Dodges Ferry, and delivered improved accommodation for health professionals on Flinders Island and at Campbell Town. We are making progress on our commitments to deliver health facilities for the future.

Last week, the Government released the fully staged implementation program for the Launceston General Hospital which sets out a road map including time frames and staged development to deliver the LGH precinct redevelopment. Our LGH redevelopment master plan forecast capital investment of some \$580 million over 10 years and includes the development of a new mental health precinct due for completion in 2027, and a new tower on the current Northside site by 2031, which will enable us to expand and modernise inpatient and outpatient services. The 2020-21 Budget, contrary to Opposition claims, includes a \$12 million investment to progress the mental health precinct.

I am pleased to report that projects within stage 1 of the LGH redevelopment are nearing completion, with a fit-out of the women's and children's services tower to be fully complete before the end of the year, with the construction of additional negative pressure rooms in the acute medical unit to be finalised by mid this year.

I look forward to key achievements in stage 2 between 2022 and 2024, including planning for the purpose-built mental health precinct and decanting and demolition of buildings on the existing site, ready to begin construction in stage 3. Stage 3, to be delivered between 2024-27, will feature a series of major construction projects, including the new mental health services precinct, an expanded and redesigned acute care zone, a new medical inpatient unit for older persons and a new car park. The detailed planning for the construction of a new inpatient and outpatient tower will also begin ahead of construction in stage 4, 2027-34.

We also have exciting developments underway in southern Tasmania. We are delivering the expansion of stage 2 of the Royal Hobart Hospital redevelopment which represents over \$200 million in new facilities, including a fit-for-purpose older persons unit, an expanded ICU, expanded emergency department and new wards. The first stage of construction on our new \$50 million plans to supersize and modernise the ED will soon begin, which will ensure we have enough space to meet current and future emergency demand, which we all realise is increasing yearly. We are also redeveloping J Block to deliver a newly renovated 38-bed ward to provide an upgraded home for cardiology inpatient services, and enable a new sleep medicine service to be established. I am also pleased to see progress on the expansion of our intensive care unit to deliver 12 additional beds, with construction having begun in January this year.

These health infrastructure projects, together with many more, form the Tasmanian Government's plan to deliver health facilities that meet the current and future needs of the Tasmanian community. They are exciting projects. The many others we are getting on with around the state are all about building those modern health facilities so we can deliver better support, care and amenity for our patients.

This is securing Tasmania's future. We have a very positive plan for health, and we are delivering on it.

Victim/Survivor - Conduct of Minister

Ms WHITE question to MINISTER for JUSTICE, Ms ARCHER

[10.41 a.m.]

You caused deep offence to victims/survivors with your conduct during question time a fortnight ago. You have now compounded that offence by failing to listen to their calls and offer a personal apology. They are concerned your behaviour indicates an unwillingness to listen to victims/survivors, which will be essential in shaping the Government's response to the commission of inquiry. They are also concerned the message your behaviour sends to victims/survivors who may be considering speaking out for the first time is that they will not be taken seriously or, even worse, they will be mocked. In other words, they are concerned that the attitude of you and your Government to this very important matter could prevent victims/survivors and other witnesses from coming forward to participate in the commission of inquiry. How do you intend to remedy your wrongdoing, and if you cannot see what you did was wrong, are you the right person for the job?

ANSWER

Mr Speaker, I really have nothing to add to my previous answer. I covered it in great detail. My hard work over the many years since I have been Attorney-General, since early 2018, and Minister for Justice since the end of September 2017, and my record stands as my commitment.

I know that victims/survivors and their families know that they have my wholehearted support. They are in regular contact with me and have been in very recent times as well. I have nothing further to add. The Premier has made an unreserved apology on behalf of the entire Government.

Cost of Living - Government Assistance

Mr TUCKER question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[10.43 a.m.]

Can you update the House on the Tasmanian majority Liberal Government's latest initiative to help Tasmanians with the cost of living?

ANSWER

Mr Speaker, I thank the member for Lyons, Mr Tucker, for his question. The Tasmanian Liberal Government is focused on the matters that Tasmanians really care about: securing Tasmania's future. We have a strong plan and an aspirational vision for our state. We know there are Tasmanians who are doing it tough at the moment, and many of the cost-of-living pressures that families are experiencing right now can be sheeted straight home to Putin and the appalling incursion he is making in Ukraine, which has directly led to a massive increase in fuel prices right around the world, and that is affecting our families here in Tasmania.

To alleviate the impact of current higher fuel prices, the Gutwein Liberal Government is making a special incentive that all bus travel will be free for five weeks, starting next Monday through to the end of April. The Tasmanian Government will foot the bill for this special initiative. The initiative has the dual benefit -

Opposition members interjecting.

Mr SPEAKER - Order.

Mr FERGUSON - I am not sure what that was about, Mr Speaker, but we are very enthused. I did not catch the interjection but I sense that Ms Haddad is not happy with our free, fair incentive for five weeks, which surprises me, but then they are very good at being negative.

Ms HADDAD - Point of order, Mr Speaker, I was misrepresented. I was congratulating the member for Elwick, Josh Willie, for calling for this very policy.

Mr FERGUSON - That is funny. I believe Mr Willie called for an incentive for concession card holders, Mr Speaker, and a reference to off-peak services. That is interesting. We are going much further. We are doing it for all passengers: children, adults, concession card holders in city and country areas, in peak and off-peak periods. Thank you for the encouragement, but you have misfired.

The Government will foot the bill for this initiative. It has the dual benefit of supporting family budgets as well as encouraging commuters to give our buses a try to ultimately to make the switch, where they can, from private car travel to public transport. We understand the impact that higher fuel prices, due to the global fuel market uncertainty, is having on our families here in Tasmania. Free bus travel is one option this Government is activating to ease that pressure. It is something that we can do, while also encouraging Tasmanians to try the bus especially for families who might not be familiar with our bus services or familiar with having them as part of their daily lives. They can enjoy the convenience of reading on the bus, or catching up on some work, or social media or emails while somebody else is driving them to

work, school or university. Importantly, public transport mode shift provides the further benefit of reducing traffic congestion.

To be clear, our fares will be free across all operators. People often think of public transport and they think of Metro, but we want them also to think of the private providers that are publicly subsidised to provide general access public transport in Tasmania. Providers like Redline, Merseylink, Calow's, Manions', Tassielink, the whole host of them right around the state are doing a fantastic job. They are not branded as a government service but they are providing a government funded service.

The incentive will start on Monday 28 March, and will run until the end of April. The Tasmanian Government already heavily subsidises public transport in Tasmania. People are not always aware of this, but the Liberal Government is already funding more than \$100 million each year towards reducing the cost of fares.

Our fares are already attractive when you compare them to the cost of owning, running, insuring, maintaining and parking a car and, with this special incentive, people can expect some savings along those lines. In a metro urban zone 1, a return trip could save them \$5.60 a day. Travellers from Sorell to Hobart could expect to save \$15.20 return a day. Those travelling from Westbury to Launceston could pocket a benefit worth \$22.80 each day. On the north-west coast, adults travelling between Port Sorell to Devonport could save \$27.80 a day.

We expect this temporary, highly targeted and attractive special measure to be popular across the five weeks -

Ms O'Connor - Four and a half minutes.

Mr FERGUSON - We encourage travellers - and I hope the Greens will support this as it is public transport - to be patient if their preferred service is busy or at capacity, because we expect that numbers of people will respond. We will be working with all our public transport providers to monitor and assess this as it rolls out.

This Government is getting on with the job, with the things that are really important to Tasmanians, while the Labor Party is in chaos and their omnishambles continue. The revelations from Ben McGregor over the last week point directly to the Leader of the Opposition.

Mr WINTER - Point of order, Mr Speaker. I have questions about public transport.

Mr SPEAKER - As I have previously stated, there is always some leniency in the answer. I ask the minister if he could wind up.

Mr FERGUSON - The next leader of the opposition just went into fifth gear on this one, Mr Speaker, because he and Rebecca White, the Leader of the Opposition, were right in the thick of it on the Ben McGregor matter. There is a big question hanging over the head of the Leader of the Opposition. Did she manipulate the Ben McGregor scenario?

Ms O'CONNOR - Point of order, Mr Speaker. Before the minister rudely sat down, I was going to raise standing order 48. When someone takes a point of order, you are supposed to sit down and listen; but you did not, because you are so arrogant.

Victim/Survivor - Call for Apology

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.50 a.m.]

Given the failure of your ministers to listen to the call from a victim/survivor for a personal apology, and the distress their behaviour has caused, will you commit to ensuring all members of your Government take part in a training course for trauma-informed practice?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for that question. I am disappointed in the way Ms White is playing politics with this matter. This is a serious matter. I have provided an apology to Ms Skeggs, without explanation or excuse, on behalf of the Government. You obviously intend to work very hard to utilise this Chamber to attack individuals on this side of the House -

Ms O'Connor - Come on, you are not the victims.

Mr SPEAKER - Order.

Ms White - They should just apologise.

Mr SPEAKER - Order.

Mr GUTWEIN - when you know full well that there has never been a Government more committed than my Government to getting to the bottom of these matters.

Members interjecting.

Mr SPEAKER - Order.

Mr GUTWEIN - I completely reject the claims that my ministers are not as committed as I am. They are all as committed as I am to get to the bottom of this.

Regarding the commission of inquiry, questions will be asked about Labor's terms in government and what occurred under previous health ministers, and what they knew or understood at that time about of Mr Griffin -

Ms White - This is about the behaviour of your Government.

Mr SPEAKER - Order, Ms White.

Mr GUTWEIN - Those matters will all take their course through the commission of inquiry - and so they should. That commission of inquiry has far more power than this place. It has more power than a court of law, to follow the path to get to the bottom of these issues, to root out the truth, to understand what has happened in the past and ensure that it makes recommendations that it can never happen again in the future.

Ms White interjecting.

Mr SPEAKER - Order.

Mr GUTWEIN - The Leader of the Opposition has previously used this place and privilege to cast aspersions on the character of individuals.

Ms White - They just need to apologise. This is not about me.

Mr SPEAKER - Order, Ms White.

Ms DOW - Point of order, Mr Speaker, standing order 45, relevance. The Premier has been on his feet for a significant period of time and has not answered the question. It was a very important and sensible question.

Mr SPEAKER - As I have said regarding standing order 45, I cannot put words in any minister's mouth. All I can ask members to do is to stay relevant to the issue.

Mr GUTWEIN - Mr Speaker, that question goes to the heart of the commitment of my Government. I am answering that question because there has never been a government more committed to root out the evil that occurs when paedophiles are able to prey on children.

Ms White - But they will not apologise.

Mr SPEAKER - Order.

Mr GUTWEIN - There is no government more committed. That side had the opportunity. Even the Greens had the opportunity when they were in government to take the steps that we have.

I again say to Ms Skeggs and to all victims/survivors that we are going to do everything we can to root out this evil, to ensure that the framework that governments - not just mine, but those into the future - adopt are the very best in ensuring that these sorts of things cannot happen again.

I say to Ms Skeggs and to other victims/ survivors out there that my apology stands on behalf of me, personally. It stands on behalf of me, as Premier. It stands on behalf of this Government.

Family Violence Law Reform

Mr ELLIS question to ATTORNEY-GENERAL, Ms ARCHER

[10.55 a.m.]

Can you update the House on further family violence law reform that the Tasmanian Liberal Government is implementing to protect victims/survivors and vulnerable Tasmanians?

ANSWER

Mr Speaker, I thank the member for Braddon for his question. Our Government continues to be focused on delivering on matters that Tasmanians really care about. That is

why I am pleased to announce further action I am taking as Attorney-General and Minister for Justice to prevent and respond to family and sexual violence.

Today I will be introducing the Family Violence Reforms Bill 2022 which delivers on our Government's Safe Homes, Families, Communities next steps election commitment to create a new declaration for repeat family violence offenders. The serial family violence perpetrator (SFVP) declaration framework established by the bill is designed to identify perpetrators who repeatedly commit family violence offences against a single partner or multiple and successive partners.

This declaration framework is important as it recognises that serial family violence perpetrators present a high risk of repeat and escalating offending. This change will mean that our justice system can respond to this type of violence and criminal behaviour in an appropriate and proportionate manner, which takes into account the severity of the offending and assessed risk of future family violence offending.

Upon making such an SFVP declaration, the courts will now have the ability to impose certain restrictions, such as remove the ability to possess firearms, or to be considered by the parole board, or for high-risk offender orders, facilitate rehabilitation or provide for enhanced supervision of offenders through the use of family violence orders with electronic monitoring and/or behavioural change program participation conditions.

The bill also delivers on our commitment to be able to mandate participation in behaviour-change programs as part of the family violence order. Under this change the courts are to require that a rehabilitation program assessment be undertaken in respect of the offender and can attach conditions to family violence orders, such as requiring the participant to report to a person nominated by the Director of Corrective Services. This reform will mean that more family violence perpetrators will participate in behavioural change programs, which will go a long way in assisting to address recidivism. The bill also implements other miscellaneous legislative changes to further strengthen legal responses to family and sexual violence.

I am pleased that this bill will form part of the significant suite of legislative reforms I am progressing to further strengthen our laws to prevent and eliminate family violence in Tasmania together with my colleague, the Minister for Prevention of Family Violence, Jacquie Petrusma. This significant suite of family violence reforms confirms we are continuing to ensure our laws are strong and robust to protect victim survivors of family violence and to ensure perpetrators are appropriately punished for the severity of their crimes.

I am also pleased to announce that I will be tabling a further bill today to substantially reform the law applying to searches of children and young people in custodial facilities in Tasmania. The Youth Justice Amendment (Searches in Custody) Bill 2022 responds to the Commissioner for Children and Young People's May 2019 memorandum advice on searches of children. The reforms protect the wellbeing and best interests of children and young people in custodial facilities and are in line with well-established human rights standards and principles and contemporary best practice.

While the Government is committed to minimising the need for intrusive searches in our custodial facilities, some searches are required for safety and security reasons to prevent harmful items such as drugs and weapons entering custodial facilities. The practice of routine personal searches of youth has already ceased in all custodial facilities in Tasmania, including police watch houses, prisons and detention centres. Therefore this bill will support further

improvement, providing the least intrusive trauma-informed search requirements and safeguards across custodial facilities for youth.

It also introduces extra authorisations and requirements for unclothed searches. I am pleased that this bill, combined with other existing initiatives, will provide a best-practice framework for searching young people in custody.

Victim/Survivor - Actions of Ministers - Provision of Counselling and Support

Ms WHITE question to the PREMIER, Mr GUTWEIN

[11 a.m.]

Will you ensure that counselling or other support is available to people who were devastated by the actions of your ministers?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for that question. As part of the commission of inquiry a range of supports are provided to all victims/survivors and are accessible to people who require those supports. That will remain the case.

The Leader of the Opposition has attempted this morning to suggest that she is in some way, shape or form the bastion of respectability, the bastion of integrity. She is not. As the point has been made on a couple of occasions this morning, Ms White has serious questions to answer that go to the heart of her own -

Mr WINTER - Point of order, Mr Speaker, standing order 45. Earlier you made a ruling in relation to questions with a lot of brevity leading to answers which you would give more leniency. This is a very simple question. It is one single line. I ask you to answer the question directly.

Mr SPEAKER - I take your point of order. As I said, I cannot put words into any minister's mouth. The Premier has the opportunity to answer a question the way that he sees fit.

Mr GUTWEIN - Has the Labor leader apologised to Ben McGregor or to the woman whose confidential complaint was leaked for what appear to be obvious political purposes? Has the Leader of the Opposition had the integrity to make that apology?

Ms BUTLER - Point of order, Mr Speaker. I cite standing order 144. I find the Premier's assertions towards the Leader of the Opposition to be offensive and inciting. I ask him to withdraw those comments. They are not relevant.

Mr SPEAKER - It is personal offence. You cannot ask somebody else to apologise because it was not directed to you. It is up to each member to determine that.

Mr GUTWEIN - Thank you, Mr Speaker. The issue of integrity has been given a good hearing this morning. Regarding integrity, the Leader of the Opposition has some serious claims to answer. In terms of Mr McGregor -

Mr WINTER - Point of order, Mr Speaker, standing order 45. You made a ruling earlier today that talked about simple questions and simple answers. The question was, will you ensure counselling or other support is available for people who were devastated by the actions of the ministers?

Mr SPEAKER - On relevance, I will go back to the Premier and say to the Premier please be relevant to the question. The Premier was talking about integrity. The issue of integrity has been raised all morning. I will allow the Premier to continue his answer.

Mr GUTWEIN - This debate this morning has largely been about -

Ms O'BYRNE - Point of order, Mr Speaker. It goes to your ruling previously where you identified, first, that long questions can have long answers. However, you also referred to practice in the House of Representatives whereby the minister on their feet must be relevant to the topic that was raised in the question, which was counselling for people impacted by the actions of ministers. The Premier is providing nowhere near that.

Mr SPEAKER - I thank you for the point of order. You have made your point. I have also made my ruling. I also add to the whole debate that in the House of Representatives they only allow one point of order per question. This continually interrupting the Premier is not allowing us to get through question time. Please allow the Premier to conclude his answer.

Mr GUTWEIN - Mr Speaker, it does not surprise me that those on the other side would seek to defend the Leader of the Opposition under these circumstances, because I think there is a question of integrity in this place this morning and it fairly and squarely rests with the Leader of the Opposition. There are questions that the Leader of the Opposition needs to answer. We saw it in the last few weeks of this parliament, where both she and her deputy stooped to attempt to damage an individual who sits in the upper House, in terms of the rumour, smear and innuendo that they simply sprayed in this place, hoping that some of the mud would stick.

In terms of victims/survivors, as I said when I began when speaking about this particular matter, there is a range of supports through the commission of inquiry and I encourage any victim/survivor who needs those supports to reach out and utilise them. I know myself, a couple of weeks ago, that I felt I needed to speak with someone regarding my own circumstances and I sought some assistance.

I encourage anyone who has either been a victim/survivor or is affected by the discussion this morning, or the broader issue of when people come forward and are brave enough to raise these issues, to ensure that they do reach out to seek support, because those supports are available.

Time expired.

CONTAINER REFUND SCHEME BILL 2021 (No. 54)

Bill agreed to by the Legislative Council without amendment.

FAMILY VIOLENCE REFORMS BILL 2022 (No. 10)

**YOUTH JUSTICE AMENDMENT (SEARCHES IN CUSTODY) BILL 2022
(No. 9)**

ELECTRICITY SAFETY BILL 2022 (No. 11)

First Reading

Bills presented by Ms Archer and read the first time.

ROADS AND JETTIES AMENDMENT BILL 2022 (No. 12)

First Reading

Bill presented by Mr Ferguson and read the first time.

MOTION

Leave to Move Motion without Notice - Motion Negatived

[11.11 a.m.]

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

That so much of the Standing Orders be suspended to debate the following motion.

That this House:

- (1) condemns the conduct of government members who groaned when a question was asked on behalf of a victim/survivor in this parliament;
- (2) acknowledges the deep hurt this appalling behaviour caused victims/survivors;
- (3) notes that since that display of appalling behaviour there are still government members who have failed to apologise; and
- (4) calls on all remaining government members who are yet to apologise to do so without delay.

Mr Speaker, this is an urgency motion and must be debated immediately.

I am appalled that today when ministers Ferguson and Archer were given the opportunity to personally apologise for their groaning when a question was asked in this place on behalf of a victim/survivor, they refused to do so. They hid behind the apology of the Premier. They have failed to recognise that their colleague, Mr Jaensch, has personally apologised. For some reason they have different standards, and the Premier has allowed them to have different standards. I am not sure if there are other members of the government bench who also groaned,

but I definitely know minister Ferguson and minister Archer did, and those other members who are on the Government benches who have done nothing to call out this appalling behaviour, and in some instances I would argue defended it, should also apologise.

We are talking about a victim/survivor who has since gone public, who has said that she was distressed by this. I will quote what she said:

I felt there was complete disregard and an attempt to minimise it, like an, 'Oh here we go again'. It was treated like it was annoying and exasperating. I expect a meaningful apology from each individual that responded in the way they did.

She also went on to say:

... I expect the Premier to apologise on behalf of the Government that he's the head of.

We know the Premier has now done that, but what is missing is the personal apology from those individual ministers in this place to that victim/survivor and all other victims/survivors who were distressed, disgusted and deeply hurt by their behaviour on that day. It should not be so hard to say sorry. There is no reason why those members, on the day that this took place, could not have apologised.

I came into the Chamber on the adjournment after the Premier and I repeated the words of the victim/survivor who was quoted in the media that day saying that she was disgusted and was calling for a meaningful personal apology. The Premier was in the Chamber, as was minister Ferguson. No other member spoke to that on the adjournment that night. No other member apologised on that day. They had every opportunity to do so. I am stunned it has taken two weeks for us to get back to this point where the ministers were directly asked a question today and given the opportunity to apologise, and they refused to do so.

Saying sorry should not be so hard particularly when the victim/survivor who was most offended by their appalling behaviour has asked for an apology.

What does it take for ministers in Peter Gutwein's Government, front benchers, some who are critical in the role of the commission of inquiry, to apologise for remarks they made that caused offence? It should not take a motion in this parliament. It should not take the victim/survivor to call for an apology. The apology should have been unreservedly provided at the time, but it was not. It needs to be. The distress that their failure to apologise continues to cause can only be remedied with a meaningful personal apology.

This motion must be debated now on behalf of victims/survivors who are watching this, who have been left to feel diminished, distressed, devastated, who are asking for the simplest of things from this Government and that is for them to say sorry.

I am sorry on behalf of this parliament that it has come to this. It is a pretty low day in the Tasmanian parliament's history. We have a situation where a victim/survivor has repeatedly asked for a personal apology, and ministers have had the opportunity to provide one and they refuse to do so.

The motion is straightforward. It calls on all remaining Government members who are yet to apologise to do so without delay. Our expectation is that throughout the course of this motion's debate in this Chamber today, each of those individuals steps up to the lectern and offers a meaningful and unreserved personal apology. Anything less is offensive to victims/survivors and tarnishes this Government in a way that will be forever remembered by the victims/survivors who have witnessed this behaviour.

We all support the good work of the commission of inquiry. It is important work. It will look at actions of this Government and past governments, as it should. We fully support its work, because what it aims to do is to keep children safe.

Mr SPEAKER - I need to remind the member that we talking about seeking leave not about the motion.

Ms WHITE - Thank you, Mr Speaker. The seeking of leave is to allow the ministers the opportunity to immediately apologise. They have had previous opportunities and failed to take them. On behalf of the victims/survivors who are deeply hurt by their appalling behaviour they should now provide an immediate, meaningful personal apology without reservation and without delay.

[11.18 a.m.]

Mr GUTWEIN (Bass - Premier) - Mr Speaker, this motion seeks an apology that has already been given and provided by me, as Premier, on behalf of the Government. There is a responsibility that I have for this Government. I have acted on that responsibility and I have provided that apology, without explanation or excuse.

Regarding Ms Skeggs, I presume that she may be watching today as are others. My apology was sincere then and it is sincere now. It is on behalf of the Government for which I am responsible.

It does not surprise me that the Leader of the Opposition has got to this point. We will not be supporting the granting of leave to bring on this motion because the apology on behalf of the Government, every minister and member in it, has been provided. Every minister and member in my Government supports that apology.

As Premier, I know that others in this place understand that I speak on behalf of the Government and I provided that apology two weeks ago. I followed that up by reaching out to Ms Skeggs and I will do so again when I meet with Ms Skeggs in coming weeks. The apology stands. It has been provided sincerely, without explanation or excuse.

Today I do not intend to stray into the space of explanation or excuse because I believe that victims/survivors deserve us to be at our very best. I have said sorry and apologised on behalf of the Government for what occurred on that day and for any offence it may have caused.

Mr Speaker, this goes to the Opposition today attempting to question my and my Government's integrity on these matters.

Mr SPEAKER - Premier, we are dealing with the seeking of leave.

Mr GUTWEIN - I am explaining why I am not supporting the seeking of leave. In terms of what has occurred today and what the Leader of the Opposition is attempting to do, it goes fairly and squarely to my own personal integrity and the integrity of the Government. Anybody following today's question time would understand -

Ms O'CONNOR - Point of order, Mr Speaker. I note that the Minister for Resources, Mr Barnett, is not wearing a mask in the Chamber, which places other members and staff in this place at risk. Could you please ask him to put it on?

Mr SPEAKER - That is not a point of order.

Mr GUTWEIN - Mr Speaker, on this issue which is so personally important to me, as a government we are determined to carry through with our actions to see the commission of inquiry through and, importantly, as a government we are subjected to that commission of inquiry, as are other members in this place who held roles through previous governments. That commission of inquiry, long overdue, will now go about its work.

I know, as we work our way through this, that there will be a range of frustrations that will be brought to our attention from victims/survivors. 'Why is it taking so long? Why can't I have an answer to that?'. The simple fact is that we need to allow that process to take its course.

As I said this morning, the commission of inquiry has more power than this place. It has more power than a court of law. It needs to be able to get on with its work. The one thing I am not going to do is to run a shadow commission of inquiry in this place. That is something that we must refrain from entertaining. The aim of that commission of inquiry, separate from government, independent from government, inquiring into government, is it needs to take its course and the questions need to be posed and answers need to be provided.

Mr Speaker, I again say very clearly to all victims and survivors that this Government has at its heart integrity and a desire to get to the bottom of these matters. Whilst, unfortunately, we cannot change the past, as the commission of inquiry runs its course, we can certainly shape the future. That is exactly what I want to do and what this Government is determined to do.

For any victim/survivor who is concerned by the events of today, or saddened or angered by what happened the last time we were in this place, I would make this point: I offer an apology, without explanation or excuse, because that is what they deserve.

In terms of the discussion that has ensued today and the discussion that ensued the last time we were here, I sincerely apologise without explanation or excuse on behalf of myself and the Government I represent, an apology which is supported by all my ministers and members.

[11.26 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, we support the seeking of leave. In fact, we were about to move a motion of censure on the Minister for Infrastructure and Transport, Mr Ferguson, and the Minister for Justice, Ms Archer, for failing to apologise for their appalling conduct in the House towards victim/survivor Tiffany Skeggs.

Where the Premier's argument, and Mr Ferguson's and Ms Archer's argument, falls over is in the sincere and unqualified apology that came from minister Jaensch, who had the self-

reflection and the decency to acknowledge that what he had done in question time last Thursday morning was hurtful to someone who has been hurt enough by the State of Tasmania. Mr Jaensch's apology was thoughtful and, I thought, heartfelt. I believe what has happened here is that Mr Ferguson and Ms Archer have refused to apologise -

Mr SPEAKER - Leader of the Greens, I need to remind you that we are on the seeking of leave.

Ms O'CONNOR - Yes, thank you; I am making the case. On the urgency question, this is urgent for a woman who right now is watching this telecast. Her name is Tiffany Skeggs. She has asked for an apology. She got one from the Premier, and that was the right thing to do. She got one from Mr Jaensch, and that was the right thing to do. However, these two arrogant ministers here refuse to apologise to a young woman who was betrayed by the State of Tasmania and is still being let down.

For those of us in this place who are parents - well, some of us at least - we tell our children to acknowledge when they have done the wrong thing. We tell our children that it is noble to apologise if you have done wrong and have hurt someone. It is the decent and grown-up thing to do. What has happened here? Why is it that almost two weeks since that dreadful behaviour in here we still have not had an apology from these two ministers who were caught on tape? Everyone heard them. I have listened to the telecast at least a dozen times. We know at least who these two ministers are. What is so hard about saying sorry to someone who was wounded by what happened?

How did it come to this, that you have two ministers of the Crown, who swear to uphold a standard of ethical conduct, who sneer and groan when a victim's testimony is being read into this place and do not even have the decency to say sorry? It is disgusting. It disgusts people in this place who have real decency and who understand that that behaviour in question time that morning compounds the trauma of victims/survivors. Then it is compounded more by the failure to say, 'I was wrong, my behaviour was poor and I am so sorry for the hurt that it caused you'. It is not hard.

In fact, for Mr Ferguson and Ms Archer, their truculence and their arrogance, has made it harder for them, because clearly the Opposition is not going to let this go; we are not going to let this go. What is going on here? Does the Premier not have control over his Cabinet? Could he not say to Mr Ferguson and Ms Archer, please just do what Roger did, and apologise? Or has he been met with a firm refusal from these two ministers to do the right thing?

I acknowledge the sincerity of the apology that came from the Premier, on behalf of the Government. However, the Premier was not the one who was groaning and sneering when Tiffany Skeggs' words were read out in here, in question time, on the last sitting Thursday. The apology that Ms Skeggs needs to hear, and other victims/survivors who are affected by this need to hear, needs to come from Mr Ferguson and Ms Archer.

It is an urgent matter. There is a young woman now who is really suffering. This is extremely urgent. We have a responsibility in here to stand up for victims/survivors. We have a responsibility to model good behaviour. What does it say to young people and others who are watching, that ministers of the Crown can behave in such a disgusting manner, and harm someone, and not feel the decency to say sorry?

That is modelling the worst, most shallow, and disrespectful behaviour. I do not care if Mr Ferguson takes offence that I linked his time as health minister with Mr Griffin's time at the LGH. It places a particular responsibility on him to be mindful of victims/survivors, and to be mindful of what Tiffany Skeggs went through. Her courage puts Mr Ferguson and Ms Archer to shame. I am sick of listening to the hand-wringing and the hiding behind the commission of inquiry. They should just apologise.

Time expired.

[11.33 a.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I cannot believe that we could witness what we did a fortnight ago in this place, and then come back this week to question time and not have an apology forthcoming. I thought there may be a chance that they would have the courage to do that.

Yet, here we find ourselves putting this very important motion before the House; this very important motion that needs to be debated today. This is a sensitive and important matter. People have been hurt and let down. I know they are watching today and I know that they and Tasmanians expect much more of us in this place than what transpired on that Thursday.

I acknowledge that the Premier has come forward and made an apology on behalf of the Government. However, that does not excuse the fact that other ministers should have done the same. Mr Jaensch had the courage to apologise. As Ms O'Connor, we instil in our children the importance of apologising. It is a pretty simple thing. What makes this even more remarkable is that Ms Skeggs has publicly called for that apology. I repeat the words of Ms Skeggs, as reported in *The Examiner* newspaper:

I expect a meaningful apology from each individual that responded in the way that they did, and I also expect the Premier to apologise on behalf of the government that he's a head of.

Two people from the Government have done that - Mr Jaensch and the Premier - but there are others who refuse to do so, and that was on full display today in question time.

This motion is important. It is a simple motion that has a very simple request and calls for a simple undertaking by the Government. I cannot understand why you cannot do that.

There seems to be something missing. It is not clear why Ms Archer and Mr Ferguson will not apologise. It is not clear, and it has not been made clear by the Premier. Of course, that is the expectation of Ms Skeggs.

The motion says that the House condemns the conduct of Government members who groaned when a question was asked on behalf of a victim/survivor in this parliament. That is right: it was asked on behalf of that victim/survivor. Ms White was asking that question on behalf of that person who has been betrayed by the Tasmanian Government. It is unimaginable to me what she and others must have gone through.

I put on the record that Tasmanian Labor stands beside those victims/survivors and supports them. We want them to feel safe and supported to come forward and to share their lived experience. The behaviour that was on display here in this parliament did nothing to help that. In fact, the behaviour of those opposite does nothing to instil trust in that process. That is a shame because it is such an important process for healing in Tasmania. This Government has fallen short by not having those individuals who were responsible, apologise - which is what was sought by Ms Skeggs.

This motion also acknowledges the deep hurt that this appalling behaviour caused victims/survivors and notes that since that display of appalling behaviour, there are still Government members who have failed to apologise, and calls on all remaining Government members who are yet to apologise, to do so without delay. It is absolutely critical out of respect for people, for our fellow humans. This is not about politics. We are accused of playing politics all the time; but this is about people - people we are responsible for. There should be an apology forthcoming from those who made those remarks and those groans. Mr Jaensch has done it and the Premier has done it. It is time that those opposite who have not apologised, have the courage and the will to do so. That is what this motion is about.

Unfortunately, the Government has said it will not support the motion, and I am very disappointed about that. This is a serious matter. We do not seek to disrupt parliament and the order of business for the day on any matter of a frivolous nature. This is very important. As I have said, it is about people, it is about their mental health and wellbeing, and they deserve better from members in this place.

Out of respect for those people, this motion should be debated and those who were responsible for those remarks, those groans, that behaviour that demonstrated so much disrespect, should come forward and provide their apology. This cannot wait. It needs to be debated today. We need to see those members coming forward.

This goes to the heart of the integrity of this Government. I note that the Premier has deflected today to say that this is nothing about the integrity of his Government; but it is. Integrity is important. As I said at the beginning of my contribution on the suspension of standing orders, Tasmanians have the greatest expectations of us in this place. Those Tasmanians who are going to have the courage to come forward and share their lived experience through the commission of inquiry deserve nothing less than to know that they have the support and empathy of members of this place. They have that on our side of the House but it is not clear whether they have that fully on the other side of the House. That is what we want to clarify through debating this motion today.

Time expired.

[11.40 a.m.]

Mr FERGUSON (Bass - Leader of the House) - Mr Speaker, I am speaking to the motion seeking leave to subsequently suspend standing orders to bring on Ms White's motion forthwith.

There has been a lot of commentary already. There has been an exhaustive discussion in question time. The Premier has given a very thorough account of the Government's very considered position on this important matter.

From the outset, no-one on this side of the House will be saying the subject is not important. A case is not being made by Ms White, the Leader of the Opposition, as to why her particular motion ought to be debated today, when the Premier has been very clear -

Ms O'Connor - I beg your pardon?

Mr SPEAKER - Order.

Mr FERGUSON - There is a range of comments I will be making in response to the discussion that has already happened in the previous half hour.

Without a doubt, the Premier has apologised for any offence that was created. He did so in an unusual way because often apologies are offered with an excuse.

Dr Broad - Why can you not say, 'I am sorry for the offence'? It is as simple as that.

Mr SPEAKER - Member for Braddon, order.

Mr FERGUSON - Often apologies are offered with explanation because often the person apologising would like the recipient to understand the circumstances or what was going on at that time. The Premier avoided doing that. The Premier did so on behalf of every member of this side who may have been involved in the verbal response which has been described as a 'groan'. Like others I have listened to the tape numerous times -

A member - Listened to yourself groaning.

Mr FERGUSON - Mr Speaker, I would like the opportunity to respond.

Mr SPEAKER - And you deserve that.

Mr FERGUSON - Thank you, Mr Speaker. It is very clear that there was an audible response from members of our side of the House. I will make this point as delicately as I can. The assertions that have been made by a number of members of the other side of the House today I believe are without foundation. The Government is not exploring that. Nobody should just take on trust what Ms White and Ms O'Connor are alleging.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr FERGUSON - It is very clear that the Government has accepted that there has been a response. For that, the Leader of our Government has apologised on behalf of that side of the House - our side. We own it. I support the Premier in his apology offered without explanation or excuse. The Premier has also gone further. Rather than just make an apology in this Chamber, he has offered to meet with the individual, Ms Skeggs, in good faith. I am disappointed if people want to interfere in that, which should be a genuine interaction that is allowed to occur.

Politics has been brought into this today and Ms Dow has attempted to try to come across as all innocent on this. During the debate today it was stated that the reason that certain

members will not apologise is because they are refusing to, or because the Premier cannot control his Cabinet, or because there is a leadership question. That is all fiction but that is what has been said by members opposite, who dropped their guard and indicated they have been playing some politics today. Apart from everything else that has been said, those claims have been made, including by Ms White, who in the public media has made a claim that the Premier cannot control his Cabinet. That is false and that is politicking.

I agree that when people need to make an apology one should be forthcoming. I agree that people have felt hurt and let down. I agree with that and I respect that deeply. The Premier has done everything possible as Leader of our Government, and on behalf of our team, to offer in good faith a real apology, a genuine one, to make other people feel validated and accepted for their experiences and to further encourage them to feel comfortable, to receive support and to participate in the commission of inquiry. I endorse that. The Premier also said last week that there would not be further commentary on these matters, but to allow the commission of inquiry to do its important work.

I am a minister of the Premier's Government and I respect the leadership he has shown on that point, that we are not making further point on that matter. We want to not undermine the commission of inquiry process. We want to support the commission of inquiry process and take the politics away from this important subject.

As the Premier has made the strongest case this morning, no Tasmanian government, until now, has had the courage and the wherewithal to implement the strongest possible truth-finding commission that can be brought in in Tasmania, a commission of inquiry. In other words, a royal commission will allow the truth to be uncovered, the depths of the wickedness that has gone on, whether it is an isolated case or whether there was a broader problem, to uncover those truths and to get them out, and to allow victims of crimes to have their justice as well. That as much as anything is not just about punishment of the perpetrator but also having their experience agreed to, understood, accepted, endorsed and not fought against.

I very strongly stand for that commission of inquiry. I believe it is an important part of our journey as Tasmania deals with its bad past. For those reasons I ask members opposite not to continue to play the politics which is on display but to understand that the Premier has provided an apology.

Time expired.

Mr SPEAKER - The question is that leave be granted.

The House divided -

AYES 9

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

NOES 11

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Gutwein
Mr Jaensch

Ms White
Mr Winter

Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street

PAIRS

Ms Finlay

Mr Tucker

Motion negatived.

MOTION

Leave to Move Motion without Notice - Motion Negatived

[11.54 a.m.]

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

That so much of Standing Orders be suspended as would prevent a motion of censure in Mr Ferguson and the Attorney-General for failing to apologise for their appalling conduct.

Mr SPEAKER - You have to move for leave, not suspension of Standing Orders.

Ms O'CONNOR - I seek the leave of the House to move a motion for suspension of the Standing Orders to debate a censure motion on Mr Ferguson and Ms Archer for refusing to apologise to a person who has been wounded by their behaviour and further wounded by their refusal to act like decent grown-ups and apologise to Ms Skeggs.

The House should censure members who will not do the right thing by those who do not have a voice in here, apart from members today of the Opposition and of the Greens. Because Ms Skeggs cannot come in here and ask these disgraceful ministers for an apology, we have been doing that. The House should censure ministers who do the wrong thing.

The House should censor Mr Ferguson for that appalling, pathetic contribution he made on the Opposition's motion. There was no contrition whatsoever, no capacity for self-reflection, in fact, not quite but almost a denial of his own behaviour. He told us that he too had watched that segment a number of times. What was he trying to tell us? Was he trying to say that it was not him? We know it was; Mr Ferguson is clearly audible during Ms White's question. We know that he groaned in a dismissive way about the words that were being read by Ms White, but they were the words of Tiffany Skeggs, a victim/survivor, and instead of Ms Skeggs getting a response from the Premier on the substance of the question that day, what she got was the sound of ministers of the Crown dismissing her honest, heartfelt words.

This issue will not go away. It is a stain on these two ministers that they failed to do the decent thing, they failed to accept or understand the trauma and the retraumatisation that their conduct has caused. We did not get an explanation from the Premier as to why these two ministers have failed to do the right thing and I still think it is because they refuse to apologise.

The level of denial we heard from Mr Ferguson, who did not quite say so but sort of tried to pretend it was not him, reflected very poorly on him. It was very uncharitable behaviour.

I am always hesitating to go to someone's belief structures, but in this case I am going to cast that hesitation aside. It is the Christian thing to do to apologise to a damaged and traumatised woman. It is the decent thing to do, it is the right thing to do, it is the only thing to do. Yet, we still have these two ministers digging in. Ms Archer was not even here for the debate and is not here now.

I will simply say this to minister Ferguson and minister Archer: it is never too late to do the right thing. It is never too late to say, 'On reflection, I realise I caused harm through my behaviours and have compounded that harm through my failure to do the decent thing and apologise.'. Every excuse that has come from the Premier, every vague denial or obfuscation that has come from ministers Ferguson and Archer, should be viewed in the light of Mr Jaensch's sincere and unreserved apology, an apology that came quickly after his conduct. I cannot remember the timing but I believe Mr Jaensch apologised within a couple of hours of question time last Thursday, and it was sincere.

Mr Jaensch did the right thing; the Premier did the right thing. These two ministers stand alone in this place as having behaved in the most disgusting and disrespectful way in question time last Thursday. They failed to acknowledge it and accept responsibility. You are like children, and bad ones at that. Poorly raised. These two ministers will carry this - and we will make sure of it - until the moment they apologise to Ms Skeggs.

This House should censure them. I know that if Dr Woodruff was in here, she would be strongly backing the censure motion. I believe so too would Ms Johnston. But of course, because of this Government's let-it-rip approach to COVID-19, we have lost half the crossbench and Ms Finlay is not here either. I digress.

It is time for these ministers to apologise. I call on the House to support the seeking of leave to suspend -

Time expired.

[12.01 p.m.]

Mr GUTWEIN (Bass - Premier) - Mr Speaker, speaking to the motion seeking leave to suspend standing orders, we will not be supporting that motion.

I have made myself perfectly clear this morning. Regarding what occurred two weeks ago, I have acknowledged it. I have apologised without explanation or excuse. That apology is on behalf of my ministers, my backbench, my entire Government.

Whilst today you have constructed arguments against Mr Ferguson and Ms Archer, they stand with me and the remainder of my ministers and my backbench in respect of that apology that I have provided - without explanation or excuse. As Mr Ferguson indicated in his contribution, at times when providing an apology, you can reach to explain or excuse to provide context. I have chosen not to do that, on behalf of the entire Government, to ensure that Ms Skeggs understands that we are genuine in our apology to her, and that other victims/survivors understand that we are genuine in our commitment to them as well.

I again say to victims/survivors that what has occurred today, regarding my statements when parliament last sat, I am committed. My integrity is beyond question on this matter. I know better than anyone how important it is to get to the bottom of these matters. I know how important it is to treat victims/survivors with respect. That is why, at the earliest opportunity, I provided the sincerest apology that I could on behalf of myself and on behalf of the Government that I lead, without straying into explanation or excuse, or trying to explain a context about what had happened. That apology is supported by the entire Government.

There may be people in this place, or outside of it, who do not believe it goes far enough. There is no higher apology that a Government can provide than one from the Premier; and importantly, one from a Premier who is so invested in these issues. I will not stray into providing context, explanation or excuse. My apology stands. It is sincere, it comes from the bottom of my heart and it comes on behalf of myself, my ministers, Government members. It comes on behalf of the entire Government.

[12.05 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I can indicate we will be supporting the seeking of leave to move a censure motion on Ms Archer and Mr Ferguson given their refusal to apologise for their appalling behaviour in this place about two weeks ago. The ministers have had ample opportunity today to provide an apology. They had ample opportunity in question time, in a previous debate and now this one, to get up and speak. I hope that Ms Archer finds her way into the Chamber to provide a statement in response to the seeking of leave, as I hope Mr Ferguson does.

This is an urgent matter because there are people who have been deeply hurt by the groaning from Government members and have asked for a personal apology. It should not be so hard for ministers to say sorry and to acknowledge that they have caused hurt. Their failure to apologise is making it worse. When I asked that question on behalf of Ms Skeggs, and I quoted her directly, I was standing in a position where I could quite clearly see the response and the body language and the groans that came from Government members. I could see Ms Archer; I could see Mr Ferguson. Mr Jaensch was caught on the *Hansard*, and he has apologised.

I can see from where I am standing now and where I was standing when I asked that question on behalf of Ms Skeggs, who groaned on the Government benches. It is those people who have been asked, on behalf of Ms Skeggs, to apologise. She has been quoted in the media calling on them to personally apologise in a meaningful way. Their actions have caused deep hurt, trauma and harm to someone who has already endured too much. How hard is it to say sorry? Why will you not say sorry? Why can you not apologise?

On the day it would not have been too difficult for the ministers who groaned to get up and apologise. In the days between then and now, it would not have been impossible for them to speak publicly and apologise. It is becoming ridiculous that we are at this point where we are moving motions in this parliament giving them the space and the time to apologise because they have failed to do so. It is offensive, it is disrespectful, and it is a complete contravention of their responsibilities as ministers.

I was looking at the Code of Conduct for Ministers and will remind members that in it there is a section called respect for people, and there is guidance that says:

Ministers should have regard to community values and standards and, where possible, avoid giving unnecessary offence to groups in the community.

They have offended victims/survivors with their groaning. They have breached the Code of Conduct for Ministers and the guidelines that instruct them to have respect for people. Their continued resistance to do the right thing, to do the only thing, and say sorry is calling into question the integrity of this Government. It is calling into question the integrity of this Premier and his management of his Government. His apology was sincere, and it was heartfelt. That has been acknowledged by Ms Skeggs, but what she has called for is an apology from those ministers who groaned who, for whatever reason, I cannot explain it, continue to refuse to apologise.

They should be censured by this parliament. Ms Archer and Mr Ferguson should be censured by this parliament for their failure to do the right and only thing. That is to apologise. It is a motion that should be supported by this parliament. We should expect the highest standards from our ministers. The Code of Conduct calls on them to respect that higher standard at all times. They have failed.

I am appalled that the Attorney-General has not been in the parliament for this debate, or the last one. I am appalled that she has so little regard for victims/survivors that she is not here right now. This motion and the previous motion were moved on their behalves because they are the ones who have called for an apology. They are the ones who have been offended. They are the ones who have been hurt and traumatised and damaged. They are the ones who deserve more respect from this Government and the ministers who groaned: Mr Ferguson, Ms Archer, Mr Jaensch, who has apologised, and in doing so makes a mockery of the arguments that Mr Ferguson gave when he spoke earlier, that they can hide behind the Premier's apology and not have to apologise themselves. Mr Jaensch has demonstrated that it is possible to personally apologise. Why will you not apologise, Mr Ferguson? Why will Ms Archer not apologise? I honestly cannot understand it.

What I do understand is that with each day that passes and they fail to apologise, it is causing further hurt, it is further traumatising people who have been through enough. It is very simple to say sorry. What will be necessary now is that it is done in a meaningful way. The behaviour up until this point, their refusal to personally apologise can only be remedied with a meaningful personal apology. Not a glib one line. That will not cut it now. It has to mean something, it has to be sincere and it must be personal. It should be today. If it is not, then Ms Archer and Mr Ferguson should be censured by this parliament.

Time expired.

[12.13 p.m.]

Mr WINTER (Franklin) - Mr Speaker, standing orders should be suspended because this motion is very important. It is important to victims/survivors but it is also important for this House and the standing of this House that the behaviour caught on camera, that everyone knows about, is apologised for, not by the Premier but by those who undertook the behaviour, Ms Archer and Mr Ferguson.

Nowhere else in society can you rely on the boss to make the apology for you. We can go back to the example of schoolchildren mentioned by earlier speakers. We do not teach kids

that when they make a mistake they bring their parent in to make the apology for them. We do not tell workers when they make a mistake that the boss will make the apology for them.

What we teach kids, what we expect in society, is that when you make a mistake you own it, you apologise for it. We are only asking the ministers to uphold the standards that are upheld in Tasmanian society every single day: the standards that we teach our children. That is all we are asking for, nothing more or nothing less: that the standards of Tasmanian society be adhered to by ministers of the Crown in this place. I do not think that is an expectation that is too high for these ministers.

The question for the House is whether the behaviour of ministers Ferguson and Archer is behaviour that we are comfortable with as a collective, as a House? Is this behaviour in accordance with the values of members opposite?

The groaning at a question on behalf of a victim/survivor does not align with my values. It does not align with the values of this side of the House and it does not align with the values of most members opposite. For the Premier to say that he has apologised on behalf of his entire Government, I wonder what they are thinking, particularly in the back. Does Mrs Alexander think it is okay for the Premier to apologise on behalf of her as a member of this Government when clearly she did not partake in that behaviour? Ministers Ogilvie and Street did not partake in the behaviour -

Mr SPEAKER - I need to remind the member that we are talking about the seeking of leave, not about the motion.

Mr WINTER - I will continue to talk about the seeking of leave. It is very important that leave be granted because this is an important matter for the reputation of the House.

What we have seen today has been a protection racket. The Premier stood up on behalf of ministers, so he says, to make an apology that he has already made. He made a good apology. I have not heard anyone on this side of the House say that the apology was not a good one for him to make. We are pleased that he did.

The two ministers in question have had so many opportunities. The apology should have been made on adjournment almost two weeks ago. If it was not made then it could have been made in the first five minutes this morning. We are still here at 12.15 p.m. asking for an apology that should have been given two weeks ago. Why is it taking so long? Why is there such an aversion to making a simple apology from those ministers opposite? The longer it goes, as Ms White said, the worse this is going to get. If you are not going to apologise for groaning at a question on behalf of a victim/survivor, when will you ever apologise? What standards do you have if you do not think that you should apologise for that behaviour?

I am staggered that we are still here -

Mr SPEAKER - I remind the member that we are talking about the seeking of leave.

Mr WINTER - Of course, we are.

Mr SPEAKER - We should be.

Mr WINTER - The motion in seeking of leave is important. It is important that all members are present. If we were not seeking leave, I note that the first bill on the Government's list was an Attorney-General bill so I cannot imagine she had anything else in her calendar. Yet she does not appear in the Chamber for this. She does not appear to say sorry. She does not appear to listen to the debate. She does not appear to be prepared to show the respect to victims/survivors that we expected might have been the case this morning.

The seeking of leave by Ms O'Connor follows an earlier attempt to ask these ministers to apologise. This will not let up. There must be an apology from the two ministers in question. There has to be. For this House to have any standing with victims/survivors, this must occur.

The standards that we set here are important. They have been important for the entire history of this House. We are leaders in the Tasmanian community. If ministers of the Crown cannot apologise, and if the House will not hold them to account when they will not, what does it say about the House?

I hope that the members opposite will reconsider their position. We will do the right thing by victims/survivors and make the apology that was appropriate two weeks ago and remains as appropriate today.

Mr SPEAKER - As standing order 350 allows me I will now put the question. The question is that leave be granted for the purpose of moving the suspension of standing orders.

The House divided -

AYES 9

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

NOES 11

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Gutwein
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street

PAIRS

Ms Finlay

Mr Tucker

Motion negatived.

MATTER OF PUBLIC IMPORTANCE

Government Integrity

[12.25 p.m.]

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

That the House take note of the following matter: government integrity.

The matter of public importance today is government integrity, and is that not in short supply? What an appalling situation the Government finds itself in today, where it has backed itself into a corner by continuing to refuse to apologise to victims/survivors who were offended when minister Ferguson, who is now fleeing the Chamber, and the Attorney-General, Elise Archer, who does not even bother to show up, groaned when a question was asked in this place on behalf of a victim/survivor.

This Government no longer has any integrity, given its wilful choice to obstruct any proper scrutiny or take responsibility for its behaviour despite being called on to do by victims/survivors. How low can this Government get? What standard would you say this Government has met when they cannot even apologise to a victim/survivor who is deeply hurt and offended by their behaviour? They are really scraping the bottom of the barrel now when it comes to whether or not they have any integrity left down there, digging that hole deeper and deeper every day, trying to find a shred of integrity at the bottom of it. At the pace they are going I do not think there is any chance they are going to mine anything out of that hole.

The display of arrogance by this Government today, their lack of regard and respect for victims/survivors is utterly appalling, and those ministers on the front bench who refuse to apologise have dragged the entire Government down with them. They could have done the decent and right thing - the only thing, arguably - and they could have apologised for their poor behaviour when we were last in this Chamber, when the question was asked on behalf of a victim/survivor. They could have apologised on that day or first thing this morning, because obviously they chose not to apologise in the time in between.

Instead, they continue to treat victims/survivors with such little regard that they cannot even say sorry when it has been pointed out to them how much harm, hurt and trauma their actions have caused. Because minister Archer and minister Ferguson continue to arrogantly refuse to apologise, they have dragged the entire Government down with them, and the integrity of the Premier is called into question, when he has either not asked them to apologise, or he has asked them to apologise and they have told him they are not going to. Surely it cannot be anything else but that because it is very much a black-and-white issue here. They groaned, they were asked to apologise to the victim/survivor and they have not done so. At what point did Premier Peter Gutwein say, 'It's all right, you don't need to'? Maybe he did ask them to apologise and they have disregarded his authority.

What kind of government allows a situation like this to unravel so badly, that here we are at half past twelve on the first day of parliament since that terrible event occurred, and we are still waiting for an apology? The integrity of this Government is in tatters and it is unravelling before our very eyes in the parliament today. It is unravelling with the failure of ministers who have been given ample opportunity to apologise for their behaviour, to uphold integrity in government, to do the right thing, to uphold their own code of conduct that calls on them to

respect people. It is people who are at the heart of this: people who have been traumatised and offended by their behaviour; people they have let down. It is people who they are failing.

It is completely the fault of the Premier for failing to ask them to apologise, or telling them to if they were denying they had an obligation to. I cannot, for the life of me, understand how it can be so hard for them to say sorry. I saw what they did. Other members on this side of the Chamber saw what they did. It is caught on tape, Mr Deputy Speaker. The only person who was caught on *Hansard* was Mr Jaensch and he has apologised but the other members who groaned have not, and their continued refusal to apologise is dragging this Government further down. The Code of Conduct for Ministers makes it very clear that:

All people with whom a Minister has official dealings should be treated with respect and courtesy.

Ministers should have regard to community values and standards and, where possible, avoid giving unnecessary offence to groups in the community.

A very basic standard is that when you offend somebody and they ask you to apologise, you offer an apology - particularly when there is clear evidence on tape and witnesses in this Chamber who saw the offending behaviour.

The Government lacks integrity when it comes to their treatment of people in our community who deserve the utmost respect - victims/survivors who have been traumatised, who have been deeply hurt, who have had the courage to bring forth their questions to be asked in this place and who have had those questions met with groans by Government ministers.

The Government is not meeting the standards set out in the Code of Conduct for Ministers. It is lacking integrity to deal with a very serious issue now, by failing to require those ministers to apologise, which is the only thing they should do.

Time expired.

[12.32 p.m.]

Ms OGILVIE (Clark - Minister for Women) - Mr Deputy Speaker, I rise today to speak on the matter of integrity. I wholeheartedly agree that integrity is an important trait to have and is an essential part of any accountable transparent Government. As representatives of this community, it is extremely important for all of us in this place to have integrity. It is about being accountable, dependable, open, true to your word and exercising good judgment.

Integrity in public office is essential to ensure that all the democratic structures are not impaired or diminished by corruption or dishonesty, but remain trustworthy and trusted.

The Tasmanian Liberal Government is a principles-based Government. Not only do we exercise our roles to the highest level of our ability, we take the steps necessary to strengthen areas of public accountability. What I do have some concerns with, which I have raised in this place and am yet to have an answer provided, is that certain members continue to make serious and continued assertions that there are fundamental integrity issues that are not currently being addressed. I can only think that this is due to some self-reflection on the part of the Opposition.

If anybody had legitimate concerns, they should, and indeed must, report such behaviour to the Integrity Commission, to Tasmania Police or the Director of Public Prosecutions, as the appropriate and responsible authorities that have the capacity to investigate such misconduct or offences, to ensure any claim is investigated according to the law.

However, we have seen in this place, some use of parliamentary privilege, under which throwing around unfounded accusations and comments about the lack of integrity of MPs has occurred. More worryingly, there has been a history and some poor form in this House of members weaponising the Integrity Commission in a bid for political point scoring. On behalf of our Government, I value the work of the Integrity Commission, I respect its independence and I have absolute confidence in its ability to undertake its duties. Despite being cautioned last year, a member continued to insinuate that there are current or past members of this place who she suspected of not abiding by the obligations under the Integrity Commission Act 2009 and the various Codes of Conduct that are in place to cover off on expected behaviours of ministers and members of parliament.

This is a timely reminder that in this House we have a duty of care not to weaponise our independent commissioners or irresponsibly damage reputations. It is very important. The Labor leader should know this better than anyone else. Despite her best efforts to detract from the truth, we all know that the turmoil within Labor continues. There is division, there have been multiple leaders, they have promised unity and it has not occurred. The team is divided. She promised backgrounding and infighting would end; we have not seen that happen. Let us face facts. It has not stopped; it has worsened.

Since Ms White was elected, Dr Bastian Seidel resigned, citing a toxic environment; Mr O'Byrne was exiled to the crossbench, and the Labor Party secretary has forced the Labor Party president to go. There is factional infighting playing out for all to see on that side of the House. Some unions are even disaffiliating from Labor. There are questions that need to be answered. What is being done to address these concerns?

We have all signed the Members' Code of Conduct, and understand our obligations to adhere to them and to set the standard when it comes to integrity and positive workplace culture. We must all acknowledge that our duty as community leaders and our common values compel each of us to ensure that a parliament is a leading practice example for all Tasmanians - not a place for rumour-mongering under parliamentary privilege.

This is also why we have independent authorities such as the Integrity Commission and the Ombudsman to ensure appropriate assessment of current practices and which allow Government agencies to continually improve the standard of service delivery and public administration. I repeat my statements that the fact that there have been no cases of corruption found in Tasmania does not indicate that there is a fundamental flaw with the Integrity Commission or the legislative framework it operates within; rather it demonstrates that the commission is working and fulfilling its role well.

The Tasmanian Liberal Government is strongly committed to and has taken demonstrable action to appropriately resource and strengthen these important functions. We are getting on with the job of delivering our plan to secure Tasmania's future.

[12.38 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, that was a particularly vacuous contribution from Ms Ogilvie. All of it written down, none of it off the cuff, written for her and glossing over a number of really significant integrity challenges that this Liberal Government has. She completely ignored an evidence-based report by the Australia Institute which found there are significant problems with the Integrity Commission, that it has never bared its fangs, and that it is losing the trust of the Tasmanian people. That is a fact.

We had questions on the Integrity Commission in the last sitting and from the Premier on down, they said 'nothing to see here, no problem'. The integrity challenges that this Government has cannot be mitigated by four Dorothy Dix question times, a whole army of spin doctors. It is cultural, and the culture with this Government is to default to secrecy or to straight up lies. I have been around this place long enough to see Governments of various different colours come through here, and I have never seen such cultural dishonesty as I have from this Liberal Government since 2014 under two different Premiers.

I want to talk about a really glaring example of this Government's lack of integrity, its willingness to gaslight Tasmanians during a public health crisis. The Friday before last, the Government - not in line, I think, with the best of Public Health advice - removed all mask protections, fundamentally. Within 48 hours our case count had gone from around 900 to more than 1800 cases. It is a fact that community transmission here is so high that if Tasmania was a country it would be in the top 15 countries in the world for cases per million.

It is also a fact, if you listen to people like Professor Nancy Baxter, that masks protect us against infection and they protect other people against infection. What did we get from Mr Barnett, who by the way, I remind the House, sat in here for a period of time this morning without his mask on, showing complete disrespect for other members in this place and staff who work in this place, some of whom are significantly immunocompromised? We got an outright epidemiological lie, the lie being, 'Oh, this sudden doubling in reported case numbers has nothing to do with the removal of masks. It's all about the new sub-variant BA.2', or words to that effect.

Then that lie was compounded by the Premier himself, who restated it. They expected Tasmanians to believe that over the course of the weekend suddenly BA.2 had arrived, and it was just because of that that we saw a doubling in reported case numbers - an outright untruth on the public record. The BA.2 variant appeared in Denmark around 20 February, well before that weekend after the removal of mask mandates, and it was rampaging on the mainland well before the Premier bowed to the business sector and removed mask protections.

I have great faith in readers of the *Mercury* newspaper. I love this letter about Mr Barnett:

In under a week since the masks came off, Covid infections have doubled to the 1859 cases announced Wednesday - the new BA.2 variant 'sweeping' the state copping most of the blame. Minister Barnett assured the population the surge in numbers, though entirely expected, has nothing to do with no masks. How does he know that? Has the government vetted every new case to determine the number of mask-wearing infections?

If masks were the answer to previous virus upsurge being put into check, it stands to reason that taking them off would permit the virus, no matter what variant, to freely occupy its nasal and throat staging areas and then, when ready, strike out as usual.

Masks are effective - as proven over the past two years - so remove them under ministerial advice at your own risk. Mine is staying right where it has been since the start of the pandemic.

Noel Christensen, Punchbowl.

Another letter writer says:

Just when I thought that I'd heard the most ridiculous statements from some party politicians in the lead-up to the federal election, out comes a Tasmanian Liberal minister with the one that took the prize.

In a statement to the media concerning the recent spike in Tasmanian Covid cases, our minister bumbled out that it was not caused by dropping the state mask mandate, but rather that the variant was extremely infectious.

Really?

A person of minimal intelligence would assume that if there is an infectious virus rampant in our society then one way to minimise its spread would be to wear a mask, thereby dropping the chance of catching or passing it on by some 80 per cent.

If this is the best intellect that our state government can offer to our community, then we had all better pray to the fairies at the bottom of the garden for help.

Steve Willett, Spring Beach.

Mr Deputy Speaker, I lay on the record that today Tasmania recorded 1825 new cases of coronavirus. I also note that since 15 December some 20 000 Tasmanian young people under the age of 19 have contracted coronavirus. Right now, we have more than 10 000 active cases.

Congratulations, government, is this the duty of care that Ms Ogilvie was talking about in her vacuous contribution? This Government has failed in its duty of care to the people of Tasmania. It has failed people with disability who are contracting this virus in increased numbers because they cannot protect themselves. It fails on integrity, it fails on the decency to do the right thing and apologise to a victim/survivor and it fails on duty of care.

Time expired.

[12.45 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Deputy Speaker, I rise to speak on this matter of public importance because that is exactly what the integrity of our Government in Tasmania is and should be. The events of recent weeks in this place have seen

that integrity significantly deteriorate. That is not good for Tasmania, not good for Tasmanians and particularly not good for those who have asked for an apology from this Government, from the ministers who were responsible for making remarks, groaning, that caused tremendous stress and trauma for those people. They have not done that and I cannot understand why.

This goes to the heart of the integrity, or the lack of integrity, of this Government under the leadership of Premier Peter Gutwein.

Ms Ogilvie has talked a lot about principles. I thought a pretty simple principle was the ability to apologise when someone asks you to do so. That is a pretty simple principle. That is what has been asked of both minister Ferguson and minister Archer. For some reason unbeknownst to us they cannot find the intestinal fortitude to do that, and I do not understand why. The important point to make on this debate today is that this is just another example of the characterisation of this Government.

In my contribution today I want to make reference to a number of areas where the integrity of this Government has been seriously lacking and it is a continued pattern that has to end. The Government has had a number of opportunities to set the record straight. Last sitting week when we were here in this place we put forward a motion regarding a select committee to look at perceived or potential conflicts of interest when it comes to ministerial duties. They blocked that. Today they have failed to answer very important questions on behalf of others who they have a responsibility to respond to and they have not done it.

They have also blocked on two occasions now a censure motion and another motion around the pretty simple request to provide an apology when it is due. That has not been provided today and that is disgraceful. Tasmanians deserve better leadership than what they are getting from this Government right now. Culture starts at the top and so does integrity.

There are a number of systematic cultural issues that are confronting this Government. You do not have to look too closely at the large number of reviews they have done across the health sector to see culture being identified as one of the serious issues that needs to be dealt with across our healthcare sector.

You only have to look at our colleagues in local government and what they are experiencing right now around safe workplace culture and how this Government has had such a hands-off approach to that. What does that say about the integrity of this Government? It should be supporting people in local government, encouraging people who want to stand and be part of what is an amazing sphere of government to make a contribution to, and right now people are walking away because it is all too hard and they are not being well supported.

There is another issue of integrity that I want to raise. I note Ms Ogilvie referred to the Integrity Commission. Has she read the Integrity Commission report of 2018 regarding Adam Brooks and his conduct in this place? It is pretty damning and it goes further to the integrity of the Government that she stood with at the last state election as a candidate when she was alongside Mr Brooks as an endorsed candidate. What does that say about the integrity of this Government? Adam Brooks' preselection in Braddon raises serious questions about whether the Premier did or did not know about Mr Brooks' alleged activities. He dismissed concerns, stating Mr Brooks was a 'good-looking bloke' and questioned the integrity of a local journalist. I cannot fathom for the life of me why you preselected Adam Brooks. It is not clear whether

the Premier has even read that Integrity Commission report. Perhaps if he had, he would not have had such a glowing endorsement of Mr Brooks.

All of this has been swept under the carpet by your Government. It goes to the heart of the integrity of your Government with its 'nothing to see here' approach. Everything is fine.

Well, it is not fine. The people of Braddon deserve an apology from Mr Brooks and from the Premier and your Government about why you misled them and endorsed Adam Brooks to run for Braddon.

Ms O'Connor - They needed his money and his votes.

Ms DOW - And that goes to the heart of the integrity of this Government, Ms O'Connor.

I want to talk about the Burnie Court. There was no greater example last sitting week in this place when I asked a serious question of the Premier about meeting with the community that he should have been meeting with already, that the Minister for Justice should have been meeting with, that other members of the Liberal Braddon team should have been meeting with. He laughed.

I have had people from across the community stop me in the supermarket, come into my office, and make remarks to me in the street of how offended they were by that. What does that say about the integrity of this Government?

As a minister and as a member of parliament we have to respect our community. We are here to bring things on their behalf. We are here to listen to their concerns and to change our approach if it is not in the best interests of a community.

It was a simple question to the Premier. The response was woeful and inadequate. It goes to the heart of the issue of integrity. That is a clear example of how you treat the Tasmanian people: the election, Mr Brooks, laughing about that question last week, and what we have witnessed today in this place with a series of questions and no answers. It is disgraceful.

Time expired.

[12.52 p.m.]

Mr ELLIS (Braddon) - Mr Deputy Speaker, it is certainly a stunning exercise in a complete lack of self-awareness for the Labor Party to come into this place and talk about integrity. They have failed time and again on basic tests of integrity when it comes to their toxic workplace culture, when it comes to the failure of leadership from their so-called Leader and a range of matters. We will come to those soon enough.

In a range of matters this Government has brought new integrity to this place and government that was sadly lacking under the failed Labor-Greens disaster that was before 2014. This Government has acted on a number of measures around integrity since 2014. It is about enhancing transparency and accountability. This Government extended the routine disclosure of information across government departments. There was so much information that was held by governments, particularly the Labor-Greens one, that just simply failed to be released.

Ms O'Connor - It is straight up dishonesty.

Mr DEPUTY SPEAKER - Order, Ms O'Connor.

Mr ELLIS - So much of the information we routinely release now to the public was hidden under that government. You had to do a Right to Information (RTI) just to get hold of some of this stuff that appears as a basic part of our routine disclosure. That was hidden information under the last government.

This Government believes that that information should be public. We have done it routinely time and time again. We are the first government to introduce online disclosure of parliamentarians' Register of Members' interests. I spoke last time about the fact that we now know that Ms O'Connor is part of the property class of investors which she so routinely disparages in this place. It enhanced the publication of the Right to Information to disclosures following their issue.

We make access to information easier through a new government information gateway on the Department of Premier and Cabinet website to improve the functioning and resourcing of RTIs. We have regularly provided the Office of the Ombudsman with additional funding. They complain so much about the funding -

Ms Haddad - Who wrote this for you? It is so not true, it is so wrong. Who wrote this?

Mr DEPUTY SPEAKER - Order, Ms Haddad.

Mr ELLIS - If they are worried about it they should be curling up in shame from the amount of funding they delivered when they were in government. In 2019 there was an additional \$245 000 per year for that purpose. That was not money that was allocated under the failed Labor-Greens experiment. It is money that is allocated under a Government that believes in integrity and believes in proper resourcing of our public integrity bodies.

The Government passed the Right to Information Amendment (Applications for Review) Act 2019, which ensured applicants and external parties, could apply to the Ombudsman for review of certain decisions. That could not happen under the Labor-Greens disaster. We have acted to remove the ban on election day newspaper coverage, which has improved the media's ability to keep elected members accountable right up to the ballot box. That was not the case under the failed Labor-Greens government.

This Government has resourced and progressed crucial reviews. The Government created the commission of inquiry, which has been a subject of considerable interest in this place and across our community. It is given the scope and the powers it needs to fully investigate the evil that is child sexual abuse, particularly in government responses, where it happens in institutional settings. It is crucial and important work that will result in a safer community for vulnerable Tasmanians.

This Government has also put up legislation for guaranteed prison time for paedophiles. It has been voted against by the Labor Party. It has been voted against by the Greens. I really hope they come to their senses and put in place the kind of protection we have fought for time and time again and been blocked by those opposite.

We created the independent review into parliamentary practices and procedures, which I know has been welcomed by stakeholders across the board.

What do we have in contrast from this so-called Opposition? We saw the comments from former party president, Ben McGregor, last week. Can you imagine a party president taking the kind of extreme legal action against his own party, and people just seeming to wander past it? The Labor Party does not want to talk about the fact that the most senior member of the Labor Party in Tasmania has taken them to court. This is a guy who is a true believer in the cause that they apparently believe in themselves and he thinks that it is such a toxic environment, as Dr Siedel said, that he simply could not be a part of it and had to take legal action.

It calls into question Ms White's integrity and leadership. It lays bare the divided state of the Labor Party. The Leader of the Opposition remains silent, refusing to answer questions and her members refuse to defend her. We saw Ms O'Byrne refusing even to wear the red masks that have become a red-faced display of shame and division. I note the complainant's statement dated 3 March:

I met and spoke with senior members of the Tasmanian Labor Party. I consider this conversation and statutory declarations as confidential. I was disappointed, and surprised, that the details of my complaint were shared, against my understanding, with the broader community.

Was that a yawn Ms Butler? This is a complainant that has serious questions about the behaviour of your side.

It is clear that some of those in the Labor Party have benefited from these statements and not me.

Who were those people who benefited? What did Ms White know? What did the members of her caucus know? That is what the Tasmanian people want to know and find out.

Time expired.

Matter noted.

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

CRIMINAL CODE AMENDMENT BILL 2022 (No. 4)

Second Reading

Continued from 10 March 2022 (page 94).

Ms HADDAD (Clark) - Mr Deputy Speaker, at the beginning of my contribution last sitting week, I spoke about some of the community submissions that have been made on the consultation on this bill. I quoted from the submission made by Tasmanian Women Lawyers in the context of the family violence laws that were introduced in 2004 and the need for understanding and training around those laws, which I believe is a shared aim of the parliament.

When very necessary legal changes like the ones in this bill are made, they are only as good as their implementation, in terms of people understanding the intent of the laws and how to use them and for members of the public to understand the new obligations.

In that context, I spoke about one of the points made in the submission by Tasmanian Women Lawyers which was looking at those original 2004 Family Violence Laws, and recognising that if there was any failing in them, it was because there was insufficient training at that time. There was recognition across the board that, even though they were ground breaking and they remain some of the strongest family violence laws in the country, more public education could have been done in 2004, as well as training and education for people working in the police force across Tasmania; legal professionals; and others who people seek support from such as social workers, health workers and others working in the community services sector.

The laws were ground-breaking, but many of the new provisions of those laws have not been utilised as much as people may have expected when they were first introduced in 2004.

One of those areas is coercive control. As we have talked about in the context of non-fatal strangulation, nonphysical forms of family violence, such as coercive control, can and almost always do, precede physical forms of family violence. When you hear horrific stories of people being physically assaulted and even killed by their intimate partners, the community reaction is always one of shock, horror and dismay.

I am particularly referring to the brutal death of Hannah Clarke and her three children. The coronial inquest has just begun into those awful deaths in Queensland some years ago. I remember the media coverage of those deaths soon afterward. It is quite common that people hear these awful stories and the first reaction is one of shock and surprise that the offender could behave in that way. It is often a feeling that people did not see it coming; they did not see that person as a violent offender or as someone who engaged in family violence. In fact, in that horrifying case, over the following weeks and months, people did recognise that there were signs of coercion and economic control, isolation from friends and family, control over what Hannah Clarke was able to wear, where she was able to go, and what she was able to do.

Those are the classic signs of coercive control. Anyone working in the family violence sector is not shocked in the same way as members of the public might be, because they know that non-physical forms of family violence can, and often do, precede physical forms of family violence. People would know that Tasmania's laws allow for prosecutions and for arrests for non-physical forms of family violence. We were the first state to introduce laws that allowed for that. However, it is not commonly understood, even more than 10 years later, that there needs to be ongoing mandatory, and preferably annual training, for police officers at a minimum, in recognising signs of coercion and non-physical forms of family violence. I have talked about this matter in Estimates committees for a few years now.

In the time I have been a member of parliament, I have had multiple constituents come through my office describing very positive interactions with police sometimes, when they arrive at a police station with a family violence case, particularly one that is not a physical form of family violence. However, equally there are constituents - mostly women - who have visited my office who have not had positive experiences, have not been taken seriously, have been asked questions like 'what did you do to provoke him?', 'he has not hit you yet', 'just go back and be good to him, maybe it will not happen again'.

That is not meant to be a broad-scale criticism of people working in the police force. It is a sign that there needs to be consistent and ongoing family violence training for police so that there is a consistent understanding of those laws and particularly of non-physical forms of family violence. When it comes to these new provisions, it is very important the police are able to understand and be supported to assist victims of non-fatal strangulation so that those cases do not progress to more serious forms of physical violence and even death.

Last year, in my office, I had an intern - Abby Murphy - through UTAS and the Parliamentary Library intern program, who produced an outstanding paper specifically on coercive control and looking at Tasmania's family violence in the context of how often those provisions have been used. She noted that since their introduction, while they were groundbreaking, they have been considerably under-utilised. It is crucial to Tasmania's family violence response that more training is provided, particularly for non-physical forms of family violence. As I have said, non-physical forms of family violence are sometimes seen as less harmful but they are very harmful forms of family violence in and of themselves. They often lead to other forms of physical and worse forms of physical and family violence, potentially including non-fatal strangulation and others.

Tasmania remains the only Australian jurisdiction that directly criminalizes coercive controlling behaviours. Other states are now looking at replicating those laws, which is a positive step. I am sure all members of this place have been contacted in their capacity as local members by members of the public, asking us to legislate to criminalise coercive control. That is a sign that people do not realise that those laws are already on the statute books, albeit significantly under-utilised.

By the end of 2019, there had only been 198 charges laid under the two offences in the Family Violence Act that relate to coercive control. The majority of them - 186 charges - were for emotional abuse. Research suggests that successful conviction under those offences is a considerable challenge, with approximately only 40 successful convictions at the time that Abby was writing this paper, in May of last year. By contrast, Tasmania Police attended 3576 family violence incidents in that same period.

Abby went on to look at some of the other jurisdictions that have looked at coercive control legislation. I will highlight one, which is Scotland, and it is quite new. They looked at our laws, and other instances of those laws around the United Kingdom and other jurisdictions. They saw the low use and low success rates, particularly of the English, Welsh and Tasmanian legislation, so they implemented extensive training for police officers prior to the enactment of those laws. As a result they have now been described as a new gold standard and that is due to their recent implementation. The success of the act is hard to measure for that reason, but emerging statistics show that the Scottish legislation was not met with the same implementation issues as the Tasmanian experience, which led to there being no charges laid under our laws for the first three years. It could be seen that the Scottish legislation is a more successful example of criminalising coercive control and there has already been a number of charges and convictions under those laws in Scotland.

I also want to recognise, in looking at these new provisions in the bill, specifically those dealing with non-fatal strangulation but also the coercive control provisions that are already there, that often people do not necessarily seek support first from the justice system. Often when people are in a family violence relationship, their first port of call is not police because they do not feel safe to initially go to police or to a lawyer.

Often, the first support-seeking behaviour that people trying to escape family violence situations make is not with police or with lawyers. It might be with a health professional, a social worker, a housing support provider, or somebody they interact with through their work. That is all the more reason for there to be widespread training for people working in the social services sector as well as in police and the legal community but, in particular, those working in the community services support sector, community services, mental health and acute health settings.

In that context I want to talk about the value of health justice partnerships. There is a trial happening in Tasmania at the moment on a health justice partnership. It is a very new and emerging area of support for people seeking access for justice. There are several operating around Australia and just one trial that is relatively new happening in this state. Health justice partnerships form a collaboration to provide integrated responses to vulnerable clients facing intersectional and complex health and justice issues. Health justice partnerships physically co-locate health and legal personnel in a combined team to leverage trusted health relationships to facilitate early intervention, to address legal issues and to share knowledge to improve both legal and health outcomes. They have been established across several jurisdictions in Australia as well as in the United States, the United Kingdom and Canada.

I had an intern late last year who worked on a project looking at Health Justice Partnerships and making recommendations for their expansion in Tasmania. I was just reading from the paper produced by David MacLeod for the Tasmanian Parliamentary Library and UTAS internship program. Health Justice Partnerships are not limited to providing legal assistance for people facing family violence issues, they are much broader than that, but it is a recognition that often people have an unmet legal need that even they themselves might not recognise and, by the very nature of not recognising potential need for legal assistance, they will not necessarily seek that legal assistance from a lawyer or the police.

The value of Health Justice Partnerships is that it is a mechanism by which people can access justice through a setting they are already accessing; they might already be accessing a health service or a community service. The people working with them on that health or community service issue have been well trained in recognising unmet legal need and can refer that person to a legal professional who is working in that same physical location.

I can see enormous potential for the support of victims/survivors of family violence in establishing and promoting Health Justice Partnerships in Tasmania. I want to take the opportunity in discussing this bill today to put on the record my support for the trial that is happening in Tasmania. My hope is that it will lead to long-term Health Justice Partnerships being established throughout Tasmania in urban but also rural and regional settings, where access to both healthcare and legal assistance can be much harder to come by.

Mr Deputy Speaker, I have left a bit of time to talk about the other half of this bill. I probably went on a bit too long about family violence issues because I am very passionate about them. No less important is the other provision in this bill, which is dealing with stealthing and introducing a new provision to criminalise stealthing. We will support the inclusion of that dangerous and deceitful act into the Criminal Code and, in doing so, recognise that Tasmania already has affirmative consent laws. The Criminal Code already defines consent in section 2A in the code, saying that 'unless the contrary intention appears, consent means free agreement'. Then it gives some examples of when free agreement is clearly not provided. For example, a person cannot give free agreement or cannot give consent to intercourse if they do not do or

say anything to communicate consent, if they agree because of force or reasonable fear of force, if they agree because they have been unlawfully detained - and the examples go on.

I am sure other members have also had members of the public contact them to suggest we should introduce affirmative consent laws - they are happening in other parts of the country - not recognising that we already have affirmative consent laws on the books in Tasmania, which is a positive. Adding to that, it is right that stealthing is criminalised and that the law makes it clear that if consent is provided on the understanding that a condom will be used for intercourse and a party to that intercourse then removes or tampers with or pretends to use a condom, that consent is therefore deemed not to have been given. Of course, sex without consent is rape so the charge would be rape.

I know from the briefing I received a couple of weeks ago when we started debate on this bill that the interaction between the two parties and how stealthing fits into the existing consent framework was considered in the drafting of these new provisions and that the department considered things like accidental breakage or consensual non-condom use, which are not intended to be captured by this offence.

I want to ask the Attorney-General if, in her summing-up comments, she can respond to the concern that was raised by two of the stakeholders who contributed to the consultation - Scarlet Alliance and Full Stop Australia. When Full Stop Australia commented on the stealthing provision they said that the section focuses solely on what the complainant said or did to communicate to the other person that a condom must be used. In their view the subsection does not account for circumstances where, for example, a complainant engages in sexual activity having relied on the representation made by the accused rather than saying or doing anything herself - usually herself - to indicate that she wishes a condom to be used. Of course it can also apply to men, and I recognise that.

Similarly, Scarlet Alliance talked about a comparative provision in the ACT Crimes (Sentencing) Act 2005 and gave this example:

If person A represents that they intend to use a condom and person B relies on that representation without communication, and person A subsequently and intentionally fails to use, tampers with, or removes a condom without the knowledge of person B, then person A has intentionally misrepresented its use but may not be held liable under the language of the law as drafted here unless person B can be shown to have communicated their reliance.

I asked questions about that in the briefing and was given some explanation about the thinking that went into the drafting of that legislation and those provisions. For the purposes of *Hansard*, I invite the Attorney-General to explain that thinking, recognising that these laws are very important and we are supporting the implementation of them. It is really important that once they are on the statute books they can be used for their intended purpose which is, of course, to protect people from the actions of somebody engaging in stealthing behaviour.

I thank the Attorney-General's office for the briefing I was provided when we first began debate on this bill in the parliament.

I want to outline some of the commitments that have been made in the federal election campaign about age-appropriate consent-based respectful relationship programs that federal

Labor has committed to funding if it is successful. If successful, federal Labor will partner with states and territories and school systems to support the rollout of consent-based respectful relationships and protective behaviour programs with \$77.6 million in grants to help schools invest in teacher-training and partner with quality external providers. They will work with the Education Council to review how the existing minimum standards for consent and respectful relationships education in the national curriculum are being delivered in schools around Australia and identify opportunities for improvement.

If successful, Labor will start to rollout age-appropriate consent and respectful relationships education programs from kindergarten up. I have heard some of my federal Labor colleagues talk about the need to teach appropriate respectful relationship behaviour at all levels - teaching young people as young as kindergarten how to be good friends, how to play nicely with one another, how to take turns, how to resolve conflict without violence. When children grow older and you are talking to teenagers and they are entering into those early romantic relationships, it is vital that young people are given education about what a respectful and healthy relationship looks like, how to make sure that our relationships are respectful and equal, and that they do not involve sexual violence or coercive controlling behaviours.

There is evidence of what is working, but the statistics are still far too high. One in five Australian women will be a victim of sexual assault during her life. That is more than the number of women who are smokers or have been smokers in their life. One in three women in Australia will experience domestic or family violence in their lives. Changes like Labor has announced in its federal consent and respectful relationships education program is part of solving that crisis in family and domestic violence and sexual violence.

The changes that are contained in this bill are also very important contributions to our response to family and domestic violence and our response to sexual violence, particularly against women. For those reasons, I reiterate that Labor will support the provisions in this bill.

[2.53 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I now have carriage of this bill as Dr Woodruff cannot be in the House today.

The Greens strongly support the bill and the establishment of the new standalone criminal offence for strangulation under the code. We also strongly support the second key element in the bill which relates to the definition of consent, to expressly express conduct that is colloquially known as 'stealthing' which, as the Attorney General has made clear in her second reading speech, is another form of rape.

It is now almost two years since Coroner Olivia McTaggart handed down her report, which recommended that a standalone offence of non-fatal strangulation be enacted in Tasmania. I understand law reform can take some time but I note that it has been two years since the coroner's report was handed down. The Attorney-General would be aware that the Greens have been advocating for this law reform since July or August 2020 when we wrote to the Attorney-General in response to Coroner McTaggart's July 2019 report - it is nearly three years - and encouraged the Attorney-General to move on this as quickly as possible. Every day of delay is a day where another woman or child may suffer at the hands of a violent, abusive, coercive partner.

I want to take a moment to acknowledge, on behalf of the Greens, victims of domestic and family violence and sexual assault, survivors of harm at the hands, invariably, of men. I want to acknowledge with a heavy heart that in Australia about one woman a week dies at the hands of a violent partner and that not all victims are survivors.

We recognise that the Attorney-General took seriously the coroner's recommendation, and then referred the question of whether there should be a standalone offence to the Sentencing Advisory Council, which released its research paper *Sentencing for non-fatal strangulation* in May of last year. A number of recommendations made by the Sentencing Advisory Council have not yet been committed to or dealt with by this Government or the Attorney-General.

My first question to the Attorney-General relates to the recommendations on page 79 of the SAC report:

- (1) amend the *Sentencing Act 1997* (Tas) to provide that strangulation and suffocation are aggravating circumstances in relation to an offence;
- (2) amend the *Family Violence Act* (Tas) s13A to provide for recording of non-fatal strangulation as a particular of a family violence offence on a person's criminal record; and
- (3) amend the *Sentencing Act 1997* (Tas) to provide for the recording of non-fatal strangulation as a particular of the offence on a person's criminal record in cases other than family violence cases.

Legislation to amend the Family Violence Act was tabled in the House this morning. At first glance I can see no evidence that there is an amendment there that provides for the recording of non-fatal strangulation as a particular of a family violence offence on a person's criminal record.

Could the Attorney-General please update the House on the progress towards those three recommendations that were made by the Sentencing Advisory Council? Because these are interconnected issues, could the Attorney-General also update the House on amendments to the Working With Vulnerable People Registration Act, which are clearly needed? This is legislation that I pushed through the Labor-Greens cabinet to make sure that we had a framework for working with vulnerable people, and particularly children. At that point we were the only jurisdiction that did not have this framework in place.

The legislation was always intended to be regularly amended to encapsulate new cohorts of vulnerability. That is, people who as a result of age, homelessness, culturally and linguistically diverse background, disability, have a particular vulnerability, have a particular reliance on care workers and support workers. Those changes have not been made, so the Working With Vulnerable People Act remains insufficient to protect the vulnerable people it was always intended to protect, and certainly as minister it was my intention that those cohorts of people would also receive the protection of working with vulnerable people registration for those workers they came into contact with.

I note that with one notable exception there is strong support from stakeholder organisations for the reforms we are debating today. However, I am very disappointed in what I think is the dismissively brief feedback from Mr Luke Rheinberger of the Law Society of

Tasmania, who basically says that the Law Society, through him, does not support this reform. I will read into the *Hansard* the Law Society's feedback:

Thank you for the opportunity to comment on the bill, which inspired a good deal of discussion and debate amongst members of the Criminal Law Committee.

The committee is of quite a strong view that both the amendments to section 2A and the addition of the crime of strangulation are unnecessary. The committee considers that the code as it stands deals adequately with crimes involving strangulation, and that the current consent provisions are able to deal with the circumstances envisaged by the proposed amendments.

Assuming a bill reaches parliament, the committee's only comment with respect to the draft is whether the crime of strangulation is capable of clearer definition, in particular whether the consequences of the unlawful conduct ought to form part of the crime, as is the case in New South Wales.

I am not one of the esteemed people in here who has a law degree, but obviously our outstanding coroner, Olivia McTaggart, holds a very different view from that of the Law Society of Tasmania. I wonder, in passing, how many women are on the Criminal Law Committee of the Law Society of Tasmania. It would be interesting to know.

The Attorney-General and the Greens had some back and forth over when the reforms would be enacted. The last correspondence I received from the Attorney-General and Minister for Justice was dated 31 August 2020 - a good 18 months ago now. As I said earlier, I have no doubt the Attorney-General takes this issue very seriously because we have an amendment bill before us today. The Attorney-General tells us through this correspondence:

Further to Coroner Olivia McTaggart's recommendation, I referred the issue of non-fatal strangulation to the Sentencing Advisory Council earlier this year, with a focus on sentencing outcomes and factors considered for relevant offending and jurisdictions with a strangulation offence. In Tasmania the research will provide valuable information for considering the best response to the question of a new offence in Tasmania.

The Attorney-General reassures Dr Woodruff and me that she is doing all she can to ensure it is progressed as a matter of priority. She points out that:

When considering this issue, there are a number of factors that must be considered which have been raised by some within the legal profession; namely, that indictable offences in the Tasmanian Criminal Code can already capture non-fatal strangulation, choking or suffocation, and carry a maximum imprisonment term of 21 years.

Further, the creation of a separate offence may result in complainants being required to give evidence multiple times. Choking and strangulation really occurs without other serious and brutal conduct, where all acts can be covered in one offence. The creation of a separate offence could create more trials, causing further delays to complainants, witnesses and accused persons alike.

I appreciate that this correspondence is in part the Attorney-General fleshing out some of the issues that have been raised, and not at that point in time necessarily committing to the reform. I am interested in the Attorney-General's response to the issue raised by the Law Society, as well as this particular issue which has been raised in her correspondence to us, and that is that the creation of separate offences could create more trials, causing further delays for complainants, witnesses and accused persons alike. I personally do not see how that could be the case but I am interested in the Attorney-General's response to that question.

In response to the matter raised by the Law Society, I note that the amendment bill itself does not provide a definition of strangulation or non-fatal strangulation, unless it is earlier in the Criminal Code and I have missed it, although the bill does say that a person who intentionally and unlawfully chokes, suffocates or strangles another person is guilty of a crime and the charge is strangulation. I ask the Attorney-General if that is contained within that clause and does she believe that is the definition?

A further amendment to the Criminal Code is to insert section 333A, attempted murder:

Upon an indictment for attempting to commit murder, the accused person may be convicted of:

- (a) an unlawful act intended to cause bodily harm; or
- (b) strangulation.

I believe this legislation is strong and necessary and enables Tasmania to catch up with the rest of the country because, yet again, as it was with working with vulnerable people legislation, we are the laggards. We are, for example, also one of the few jurisdictions that does not have an offence of misconduct in public office, which has been called for by the Integrity Commission at least twice and I think three times.

The Women's Legal Service, in its submission, stated that it supports the new standalone offence of non-fatal strangulation, saying:

The seriousness of this type of offending has not been, to date, adequately captured in existing legislation. Victims of non-fatal strangulation are seven times more likely to be killed by their partner, when compared to victims of family violence where non-fatal strangulation has not occurred. It is a warning sign of escalating violence, and women are 13 times more likely to be the victim of it than men, making it a gendered issue, and one of great importance to us at the Women's Legal Service of Tasmania.

The Women's Legal Service in some detail highlights why the current legal framework is insufficient to adequately protect victims of domestic and family violence who are assaulted or subject to non-fatal strangulation.

Women's Health Tasmania also strongly supports the introduction of non-fatal strangulation as a separate offence and the new consent provisions. Women's Health Tasmania states that:

The creation of a standalone offence in its current form:

- Recognises the voices of survivors of non-fatal strangulation and the advocacy of specialist family violence services
- Demonstrates to the community, the judiciary and police the seriousness of non-fatal strangulation
- Increases awareness of NFS as a 'red flag' for future homicide or serious injury
- Codifies what is already recognised in sentencing guidelines and judicial rulings as a dangerous tactic of family violence.

I want to briefly pick up on a comment made by Ms Haddad. We too in the Greens' office have heard from a number of survivors of domestic and family violence and sexual assault. It is true to say that depending on where they live and which Tasmania Police station or officer they first report to, it can very much affect their capacity to be safe and to secure justice. I know of one young woman who lived in regional Tasmania in the south of the state who was subject to repeated acts of violence and sexual assault. There were threats to her and threats to her children. She would report it to the local Tasmania Police officer. To be fair, this is going back seven or eight years. She was basically told, when she had been in for the third time, that she was a trouble-maker and she was probably inflaming things at home with her violent partner. She just did not feel heard. By the time I was having this conversation with her, that awareness that she could not go to Tasmania Police in her community to be safe, and make sure her children were safe, traumatised her to the extent that she lost all trust in the institutions of government. As it turned out, so serious was her ex-partner's violent offending, that he has done a stint in Risdon Prison as a result. She was right to be scared. She was at risk of her life, and her children's lives, and she was not heard when she looked for help.

I acknowledge the outstanding community organisations that so often are there to provide that safe harbour for these women and their children. In this instance it was the Hobart Women's Shelter which provided this really impressive young mum that sense of security and capacity to start to trust again.

There does need to be ongoing work with Tasmania Police to educate new and long-standing officers. You can teach old dogs new tricks about changes to the law, the importance of listening to victims who come forward, and the importance of responding to any person who comes forward and says, my partner is repeatedly violent with me; my partner tried to strangle me last night, and the like. That work, that I know Commissioner Darren Hine does take very seriously, must continue - because, in my professional experience in dealing with some constituents, the response to women who come forward seeking intervention and safety can still be patchy and variable.

The Scarlet Alliance of Tasmania also supports the inclusion of a separate crime of strangulation, and has this to say on the second amendment:

Scarlet Alliance welcomes the introduction of a stealthing provision into the Criminal Code Act of 1924. We support the clarification provided by Section (2A) subsections (a) to (c). However we are concerned about the wording of 'if the person says or does anything to communicate to the other person that a condom must be used'. This appears to place the onus of communication

on the person being stealthed, rather than on the person committing the stealthing.

Perhaps the Attorney General could respond to that concern by the Scarlet Alliance. There was a suggestion that the amendment bill be further amended to provide more clarity. The provisions that have been inserted - (2A) - there appears to have been some adjustment, and I ask the minister to clarify whether this is in response to the concern raised by the Scarlet Alliance. The amendment bill states:

(2A) Without limiting the application of subsection (2) to an act of sexual intercourse, a person does not freely agree to an act of sexual intercourse with another person if the person says or does anything to communicate to the other person that a condom must be used for that sexual intercourse and the other person intentionally -

- (a) does not use a condom; or
- (b) tampers with the condom; or
- (c) removes the condom -

before or during the sexual intercourse.

The Scarlet Alliance also requests that law enforcement, social services, and legal services receive training about how to best support the sex workers who are reporting sexual violence. Perhaps the Attorney-General could address those questions that have arisen out of the Scarlet Alliance submission. All of these submissions came in during February this year in response to the draft bill, and I feel that the Attorney-General has accommodated a number of the recommendations and some of the feedback. However, perhaps she could talk through that process and how concerns raised by key stakeholders in this area were incorporated.

Engender Equality, that outstanding Tasmanian organisation, has strongly recommended the introduction of the Criminal Code amendments be accompanied by training for all relevant personnel within the Department of Justice, to ensure it is equal and consistent in its application across Tasmania.

The Tasmanian Community Legal Centre, again, strongly supports the reforms that parliament will undoubtedly pass today and, on the issue of non-fatal strangulation, says:

International research has found that non-fatal strangulation is a relatively common form of abuse among women who experience intimate partner violence with studies finding that around 10 per cent of women who experience intimate partner violence have also experienced non-fatal strangulation. For example, in a study of 656 protection order applications submitted to a Queensland court between 2008-10 the authors found that 12 per cent of women who applied for a protection order alleged an incident of non-fatal strangulation in their application.

Non-fatal strangulation is associated with many forms of non-fatal injury including difficulty swallowing, bruising, miscarriage and voice changes and in more serious cases can cause oxygen deficiency which may lead to a brain injury.

And in conclusion from this submission:

The research demonstrates the inherent danger of strangulation and its potential for significant harm. Strangulation may be fatal, causing unconsciousness within seconds and death within minutes. Tragically, survivors of non-fatal strangulation are over seven times more likely to be a murder victim or victim of serious injury in the future with the Australian Institute of Criminology recently reporting that around 9 per cent of family homicide deaths of women in Australia are caused by strangulation and or suffocation.

The Community Legal Centres also, of course, support the bill's intention to amend the definition of consent in relation to stealthing.

The outstanding Sexual Assault Support Service of Tasmania strongly supports this reform, and summarises the potential physical and psychological impacts of non-fatal strangulation as:

Immediate physical impacts can include loss of consciousness, strokes, seizures, and incontinence, other physical impacts can include neck pain, bruising and swelling, burst blood vessels in the eyes and under the skin, difficulty breathing and swallowing, and changes to the voice. Ongoing psychological impacts can include post-traumatic stress disorder, fear, anxiety, depression, memory loss, nightmares, and dizziness.

Again, the Sexual Assault Support Service calls for clear messaging, education to Tasmanians that non-fatal strangulation is harmful and unlawful. Although we are talking about two discrete amendments here, they are connected. When you live in a society that has such structural gender inequality, a society where we have not yet been able to educate all boys and men about respectful relationships, the inherent right of women and girls to live their lives in safety, where we have not yet been able to fully educate boys and men about the true meaning of consent, then you have a culture where family violence, sexual assault, and rape are enabled.

We live in an unequal society and I am not sure it is getting better. That is a real worry to women and girls and good men and policymakers everywhere. While there have been some strides forward for equality, there is still a woman being murdered every week or so in this country at the hands of a man. I still overhear conversations between young men in the mall which are demeaning towards women and girls.

There are very significant cultural challenges here. It is not helped by having people leading this country who clearly do not get it or do not care enough to try to get it. That goes straight to the top because we have had one reported rape in Parliament House in the past two years. We have clear deficiencies on the part of the Prime Minister and his Cabinet to take seriously the need for legal change, for investment in education, to reverse the funding cuts to organisations that pick up the human pieces, who are working at the frontline of family

violence. You are not going to have the cultural change at the grassroots of society to the extent that it needs to be if at the top of the tree you have a Prime Minister who was untruthful in the Australian Parliament about what he knew and when about the rape of Brittany Higgins.

These amendments most certainly are connected. They are connected by a culture in this country which remains in too many places toxic to the wellbeing of women and girls.

The Tasmanian Aboriginal Legal Service in its submission agrees that a strong and clear -

Time expired.

[3.23 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, I was just explaining to a group of school students that when people come to the parliament they originally start saying, 'There's no way I could speak for 30 minutes'. Most of the debates we have is nowhere near enough time to get through the detail of things that you want to do.

I will start by notifying anyone who is listening today that I intend to deal with some sensitive material and read in some stories from people. If that could be something that causes someone any distress or trauma, they should take the opportunity now to maybe stop listening. We do have the help and advice line 1800RESPECT, which is 1800 737 732; the women's crisis line, 1800 811 811; Kids Helpline, 1800 551 800; the Men's Referral Service, 1300 766 491; Relationships Australia, 1300 364 277; or Lifeline, 131 114. People should always avail themselves of support when dealing with significant or traumatic matters before us.

My colleague, Ms Haddad, has already said that Labor will support this bill. We have supported and welcomed the Attorney-General announcing that these changes would be coming before parliament. In her opening comments, Ms Haddad referenced the work that precedes these types of initiatives, not just by the agency. I appreciate all the work the department has done, but it has been the foundation of so much of our work over the last 20 years or so in Tasmania, which has led the nation in family violence reforms. The work that Tasmania has done was historically held up by the Australian Domestic & Family Violence Clearinghouse as being some of the best and most progressive legislation.

It is often said as we progress our work that we stand on the shoulders of giants. As Ms Haddad said, and I will also pay tribute, that the one such giant in Tasmania was the former Attorney-General, Judy Jackson. The Safe at Home legislation that was introduced by Ms Jackson was nation-leading and remains world-leading in many cases. We have some of the best and strongest laws in the country to deal with family violence. I note that this does not mean that we do not have family violence. We continue to build on this legacy. I know from my own time as minister and in my work with women's organisations, other jurisdictions have looked to our laws as a model for their own changes. The Attorney-General would be aware that they continue to do so.

Successive ministers have built on this work and we are all grateful for Judy Jackson's initiatives in this space. It is fitting that we acknowledge her as we take another step forward with Ms Archer's bill that is before the House today. I am pleased that we are debating this bill. I look forward to its passage in the other place to provide a safer environment for women.

Women's Legal Service Tasmania gave a concise definition of the matters before us today when it supported the new standalone offence of non-fatal strangulation being introduced. Women's Legal Service Tasmania said:

The seriousness of this type offending has not been, to date, adequately captured in existing legislation. Victims of non-fatal strangulation are seven times more likely to be killed by their partner when compared to victims of family violence where non-fatal strangulation has not occurred. It is a warning sign of escalating violence that women are 13 times more likely to be the victim of it than men, making it very clearly a gendered issue and one of great importance to the Women's Legal Service Tasmania.

Non-fatal strangulation is a form of asphyxia where blood vessels and/or airways are closed due to external pressure to the neck. This can be achieved through hanging, use of ligatures or manual application of force (most often with the use of hands). Immediate physical impacts can include loss of consciousness, stroke, seizures and incontinence. Other physical impacts can include neck pain, bruising, swelling, burst blood vessels in the eyes and under the skin, difficulty breathing and swallowing, and changes to the voice. Ongoing psychological impacts can include PTSD, fear, anxiety, depression, memory loss, nightmares and dizziness.

I want to talk about the case that I believe has led us to where we are today. Jodi Eaton was strangled by Darren Dobson in 2014. It has taken eight years since the death of Ms Dobson to get to where we can now finally take some action. The coronial report that has been referred to by other members already recommended that the Tasmanian Government consider making choking, strangling or suffocation a specific criminal offence, as it was at that stage in Queensland, South Australia, the ACT and New South Wales. This was heavily backed by Ms Eaton's family and women's organisations. Ms Eaton's sister, Sandra, has supported this initiative. She said it was something that we would like to see happen and would support because if anything could come out of Jodi's death, anything like this, it can help stop somebody else from being killed then that's a good thing.

Ms McTaggart's report pointed to a growing body of evidence back then, in 2019, that strangulation was associated with greater risk of future homicide. The report into Ms Eaton's death recommended this action because Dobson, who was sentenced to life imprisonment after pleading guilty to Ms Eaton's murder in 2014, had a history of non-fatally choking women before he killed Ms Eaton, including in 1997, 2006, 2012, 2013 and again on another occasion in 2014. Ms McTaggart said:

There is increasing awareness that non-fatal strangulation, particularly in the domestic violence context, is associated with future serious abuse and fatality and that increased awareness and targeted responses to the issue are necessary from the medical, policing, counselling and law reform sectors.

The current law requires proof that strangling, suffocation, or choking is perpetrated with the intent to harm or help the offender. It does make it very difficult to pursue. I will touch a little on some of the elements of the law fraternity around that. We know that in the case of Ms Eaton one of the things that was identified was that it is really hard to prove because you have to prove intent. If we have charges of attempted murder already and grievous bodily harm

charges, Ms Cehtel from the Women's Legal Service said at that stage it is the intention that is really difficult to substantiate.

I want to talk a little about the devastating effects, and this is from an article by Alexandra Humphries from August 2020. I will read it into the *Hansard*, because I believe this storytelling probably gives the best understanding as to why we are having to do the work we are doing today:

Disability worker Lyne Lehmann was at work when a client jumped on top of her in a "split second", strangling her and cutting off her airway. Ms Lehmann fell unconscious, before coming-to 'slumped over' and gasping for breath. It was an experience she described as horrifying.

'I will never ever, ever forget somebody so close to you with that look in their eyes like they're going to kill you. The most devastating thing about strangulation is that you have to sustain that. It's not a quick thing. That gives you nightmares. That's horrible. That's what strangulation is about and that's what makes it such a hideous crime,' Ms Lehmann said.

Burnie's Deborah Thomson was repeatedly strangled by someone she knew. 'He tried to strangle her to the point of unconsciousness a couple of times. He choked me and he suffocated me'. After one attack, Ms Thomson - who has a neurological condition called Friedreich's ataxia - required brain surgery. The surgery exacerbated some symptoms of the genetic disease. I ended up with two aneurysms in the front of my head, and that resulted in neurosurgery and left me more disabled than I already was,' she said.

Both women pushed very heavily for the Government to introduce a standalone offence for non-fatal choking, strangulation, or suffocation, which Coroner Olivia McTaggart had recommended a year before.

I support the comments of my colleague, Ms Haddad, in recognising that some people in the legal community do not see the need for a standalone offence, and I disagree but do so respectfully. There are those practitioners who feel that, because the charges of assault already exist in the Police Offences Act and the Criminal Code, there is significant legal protection to identify and respond to the crime. Whilst it is true that those assault laws do exist, they are currently used to charge people for violent acts, including acts of family violence and acts of non-fatal strangulation. The use of those charges of assault does not allow the law to adequately recognise the very nature of family violence, and the fact that non-fatal strangulation, which can happen inside or outside an intimate partnership, takes on a different meaning and a different effect altogether when inflicted in the context of an intimate relationship and in any other context.

In her second reading contribution, the Attorney-General did go into the fact that the Sentencing Advisory Council found that 70 per cent of the charges for non-fatal strangulation were in fact family violence cases. At the moment it can be looked at as an aggravating factor, but having a standalone offence allows the law to adequately recognise that particular kind of offending in the context of a family violence relationship. This charge will also be used in instances of non-fatal strangulation that occur generally in the community outside of an intimate partner relationship, and this distinction is an important one.

It is also important to note that the intent that will need to be made out in this charge will be the intent to strangle or cause choking, rather than a higher bar of having to prove an intent to stop breath or further. I think the way this has been drafted gives appropriate reflection to that. Expert organisations such as the Sexual Assault Support Service (SASS) and Women's Legal Service believe the introduction of the new specific offence would, when coupled with education and training, highlight the dangers of non-fatal strangulation to police, first responders, those working within our court systems, and members of the public more generally.

The Sentencing Advisory Council said:

In sentencing cases, clear statements have been made in Tasmanian courts in relation to the heightened risk of future and escalated violence and its prevalence in family violence. It has been recognised by sentencing courts as a serious form of violence. However, conduct involving non-fatal strangulation is a particular of a general offence such as assault, and so the prevalence of non-fatal strangulation is not readily captured in the statistical data or recorded on an offender's criminal record. There is no 'red flag' created to allow for better risk assessment and increased protection for family violence and other victims.

This legislative change will address that concern raised by the Advisory Council and in the contribution to this new bill made by the Sexual Assault Support Service.

The minister's second reading speech also makes clear one of the fundamental challenges in this space, and that is that changing the law is only one part of the reform that is needed. Whilst this legislative change is much needed and welcomed, it alone cannot change the prevailing culture that gives rise to such acts. We need a significant shift in our understanding of family violence; there is much that needs to change, not only about the violent acts themselves but the pervasive diminution of women and their role in society that underpins the violence that we see played out.

I again in this place refer to the undermining of the agency of women and the pervasive use of language to control and diminish women's autonomy. There needs to be a societal shift in the public understanding and the understanding of professionals working in the field who deal with people who have suffered family violence. Education is absolutely the key, and training, but ongoing training. I have said many times in this place, if you are genuinely trying to unpick generations of social messaging and learned patterns of behavior about women, then you cannot do just one course and expect that attitudes have changed.

We will be asking that the Attorney-General address the rollout of the education campaign. In her answer perhaps she could give some information around how she thinks the education and information campaign might be rolled out subsequent to this bill passing both Houses, the content of that, the timing and whether or not there will be specific funding allocated and which agencies might be leading that information and distribution. It is important that we all recognise our own families. We have all made judgments, we have all made mistakes, we have all said things that we look back on and realise that we may have been part of a pervasive culture that promotes violence and accepts that women can be treated as lesser creatures and therefore different.

We know there are pathways for all of us to be better at not only responding to the outcomes of violence but recognising our own tacit acceptance of language and the environments that lead to that. I have said before that from the moment they are very little we tell little boys and little girls different things. A little girl gets pushed over in the playground or the backyard and we usher her in and say, 'Don't play with those rough boys', and we let him keep playing. Those kinds of messages play out all the time in society. Whilst they themselves do not sound like a bad thing to say, they are reinforcing to the little girl that it was her fault that she got hurt, and they are reinforcing to the boy that he was okay to play the way he was and he was without blame. We need to look at our language and the environments that produce the acceptance of that language.

Once again I encourage members to look at the work of Our Watch. The Tasmanian Government has an excellent partnership with Our Watch that fundamentally deals with how we approach violence and violence against women by dealing with those cultural norms that we create in our conversations with children in our community.

As Ms Haddad said, people also need to be equipped with the skills to recognise the signs of family violence and to recognise that their client, their friend, their patient, their family member or someone they work with might be in a dangerous relationship, might be suffering from a family violence relationship, and how to deal with that and how to recognise those flags. There needs to be constantly changing and evolving understanding within those professions and within the community more generally about how to recognise red flags of family violence. There also needs to be ongoing training for police, lawyers, social workers, doctors, prosecution departments and police on that recognition.

I am speaking as the shadow minister for women and prevention of family violence today but in my other portfolio of responsibilities which I share with the relevant minister, I have raised this issue with the minister for Police and the commissioner, which is that we still hear some really quite frightening responses when women report family violence or violence against them. It is a significant cultural change. I appreciate when we raised this with the former minister that they said all new recruits get training. That is fantastic; that is really good. However, if we are fundamentally going to unpick an engrained culture then we need to do more than just one course. We should be ensuring that that training happens all the time because attitudes take a long time to change.

I still hear stories from women who are asked, 'What did you do to provoke him?'. I still get stories, such as the one I have raised in this place before, where the woman has been told, 'Well, that's really not enough for us to take any action. Why don't you provoke him a little bit more and then when he hits you we can do something?'. That is vastly not the response of every police officer, but if that is the response that a woman gets when she makes a complaint, even just once, that is bad enough.

Whilst I recognise the great work that Commissioner Hine has done in cultural change, we have a lot further to go than just doing that one-off course. I believe you also get a course when you get a particular promotion, or if you have been found to require the training because something has occurred that you may not have dealt with well. I know it is not the issue for the Attorney-General who is responding, but we really want to continue having the discussion around the appropriate level of training.

Going on to the other significant part of this legislation, I will address the issue of stealthing. Interestingly, when I was writing some notes for this speech my computer did not recognise the word 'stealthing'. I suggest that is because culturally we are not dealing with the issue of stealthing anywhere enough. This is from the Full Stop Australia submission:

By way of background stealthing occurs when an individual removes or otherwise tampers with a condom or other device to prevent an STI or pregnancy during sexual intercourse without the other person's knowledge or consent. In a stealthing scenario, an individual has consented to 'protected' sex and typically only becomes aware of the device's removal or tampering *after* the intercourse has ended.

A study conducted by Monash University in 2018 found that one in three women and one in five men said they had been stealthed. Despite the prevalence of stealthing, it remains largely unreported, with only 1 per cent of respondents in the Monash University study having reported the incident to police.

The Women's Legal Service also provides a really good understanding of how this works:

Stealthing is the non-consensual removal of a condom where sexual intercourse has only been agreed to with the use of a condom. Women who have consented to have sex with someone with a condom, who learn that one has either not been used or removed, are exposed to the risk of pregnancy and sexually transmitted infection, along with a violation of their bodily autonomy.

It is currently unlawful to have sexual intercourse with someone without their consent. Consent is interpreted in section 2A of the Criminal Code Act 1924 to mean free agreement. Although it is arguable that the crime of stealthing is already captured in the definition of consent, removing any ambiguity around this is crucial, as there is no precedent in the Tasmanian community where stealthing has been successfully prosecuted - unless the minister is aware of anything else.

Clients of Women's Legal Service Tasmania have relayed that when they attempted to make complaints to Tasmania Police about stealthing they have been told there were no criminal options available to them. Clearly setting out that removing, tampering or not wearing the condom without consent is a crime, will give options to women who have experienced this violation. Again, education is the key. The benefit of clarifying stealthing in law also plays an educative function and should be coupled with investment in education and training, especially for young people. The Women's Legal Service already does some work with Laurel House, which does some fantastic work to deliver training regarding consent and aims to do so through a gendered lens, highlighting the gendered drivers of sexual violence and abuse. Programs like these are integral to changing community biases and attitudes, as law reform alone cannot solve these complex issues.

Although I have raised a number of things that make me concerned about education, I commend the work that is before the House. It would be great to have it earlier; I know there would be many people who may have had a different legal avenue provided to them, had we been able to do this earlier. We certainly could have made some grounds in the significant

education and training work that we need to do to ensure that people understand what their rights are, and that people understand what their legal recourse is.

That comes with significant investment. Quite often when we do these kinds of initiatives, we expect agencies to roll it into work that they are already doing. We have led the nation on domestic and family law changes, and we have created such a great standard; however, we are still at the rate of roughly one woman dying at the hands of an intimate partner or former partner per week in Australia.

I am sure everyone is aware that there have been numerous recent cases in Tasmania. We do not seem to be making it safer for women. There is a view that the more reports we have is fantastic because that means more people are reporting, but it is not indicating a diminution of the rates of violence against women. I have also raised with the Commissioner of Police that even the reporting we do have, that says we have not seen an increase in reportable family violence crimes, underplays what we know to be happening. Anyone who is in the first response area is seeing significant increases in violent behaviours and controlling behaviours. The two issues that we are dealing with in this legislation, both non-fatal strangulation and stealthing, are absolutely about those controlling behaviours. They can happen gradually in relationships, so that people find themselves subjected to this kind of behaviour without understanding that they have every right to have that not occur to them in the first place, but also to take legal recourse.

I commend the bill. I would have loved to have seen it presented earlier, and I encourage its passage through both Houses. I note again that if we do not significantly invest in education campaigns we will not see the change we are hoping that this legislation will deliver and that every person in this House, and this sector, and Tasmanian women, want to see enacted.

[3.45 p.m]

Mrs PETRUSMA (Franklin - Minister for Police, Fire and Emergency Management) - Mr Speaker, I rise in support of the Criminal Code Amendment Bill 2022 which will introduce the new standalone criminal offence of non-fatal strangulation, choking and suffocation, and will amend the definition of consent in relation to stealthing.

I commend the Attorney-General, the department and all the stakeholders and the public who made submissions to this bill, and for all they have done in bringing this bill into this parliament. I know how passionate and committed the Attorney-General is in bringing forward this bill, as well as her commitment to ensuring that our family and sexual violence laws are contemporary and best practice.

I also acknowledge and pay tribute to the courage of all victims/survivors of family and sexual violence, especially those who have lived through non-fatal strangulation, choking, suffocation and stealthing. This bill is for them. I also thank all those in our Government and in our NGOs, who assist victims/survivors of family and sexual violence and help them in their most vulnerable time of need, and for their strong dedication and ongoing efforts to support Tasmanians impacted by family and sexual violence.

Every Tasmanian has the right to live free from all forms of violence and abuse. That is why eliminating violence, especially family and sexual violence, is a top priority for the Attorney-General, for me, for our Government and indeed, for this parliament. Violence against anyone in any form is unacceptable, but the harm caused by family and sexual violence

is particularly devastating. This is why, since 2015, this Government has undertaken significant legislative reform, including legislation to hold perpetrators of family and sexual violence to account and provide access to specialist legal support services.

The Criminal Code Amendment Bill 2022 recognises that non-fatal strangulation, choking or suffocation is a significant form of violence which can be a precursor for escalation in the severity of family and domestic violence. Tasmania Police has advised that there are approximately 16 family violence incidents per month that involve an element of non-fatal strangulation or choking. This represents around one in every 20 family violence incidents reported to Tasmania Police. Male perpetrators are more likely than females to attempt to strangle their victim, with Tasmania Police advising that 5.7 per cent of family violence incidents with male perpetrators involved attempted strangulation, versus 1.2 per cent of incidents with female perpetrators. Non-fatal strangulation or choking is also regarded as a high-risk factor for family violence offending, and therefore evidence of non-fatal strangulation is considered by police when assessing the risk level of each incident.

I am also advised that more than one in five incidents that were categorised as high-risk last year involved non-fatal strangulation or choking. This demonstrates that there is a definite need for the standalone offence of non-fatal strangulation in Tasmania. These statistics are also why our Government wants to ensure that incidents of non-fatal strangulation are recorded on a person's criminal record, by ensuring that perpetrators are charged and prosecuted for a specific criminal offence in recognition of the utmost seriousness of this form of violence.

Non-fatal strangulation is never acceptable. Therefore, recognising it as a specific indictable offence in its own right recognises the seriousness of this behaviour and will enhance the safety of victims of family violence. Importantly, it will carry a statutory and maximum penalty of 21 years imprisonment, consistent with most offences under the Criminal Code.

I note that the bill also amends the definition of consent in relation to stealthing, which has been the subject of legislative reform in other states. Stealthing refers to the situation in which the person consented to sexual activity on the basis that a condom would be used and the other person then deliberately does not use, damages or removes the condom before or during the sexual activity, without the agreement of the other person.

From attending meetings with other jurisdictions regarding women's safety, our consent laws are seen as nation-leading. This is because section 2A of our Criminal Code already provides that a person does not freely agree to a sexual act if the person does not say or do anything to communicate consent. This is akin to the concept of affirmative consent, which is considered by many to be best practice. An expanded definition of consent through this bill will therefore make it plain that there is no free agreement to an act of sexual intercourse if a person says or does anything to communicate to the other person that a condom must be used and the other person intentionally does not use, tampers with, or removes the condom before or during the sexual intercourse.

Ordinarily, stealthing would vitiate consent under our nation-leading laws. However, our strong reforms for the inclusion of a specific provision for stealthing are designed to avoid any doubt, will help with education efforts towards the prevention of violence against women, will hopefully discourage would-be offenders, and will also support the making of complaints and prosecutions for sexual offences such as rape.

Stealthing is an emerging issue for the criminal law. This is why law reform alongside education regarding consent is so important as it helps to change behaviours and attitudes in our society.

I have listened to Ms O'Connor's contribution and a little of Ms Haddad's contribution, and I hear what they have said about consistency in police response. I want to assure them that both me as minister and the Commissioner of Police are very determined that any victim/survivor will have a consistent response across Tasmania. I will speak about MDCs later on in my contribution. The MDCs are about ensuring that we have a one-stop place where people can go to get the best service provision they need at the time when they report. At any time, if a member has any concerns about the police response, I ask you to please contact me. I assure you that I will follow it up. Now that police have body-worn cameras we have the date, the time, and where it happened, so we can follow it up. I ask members to bring it forward. Tasmania Police want to make sure our victims/survivors get the best response they can.

Regarding training, Tasmania Police officers receive training on family and sexual violence during their recruitment course and then constantly through their service. This includes regular training days, which occur every five weeks, and through in-service courses. These amendments will be included as part of this training to ensure that our police officers know how to assist victims/survivors and how to apply this important legislation to prosecute offenders.

The senior investigators also have a forum where they meet regularly to discuss changes to legislation and investigative procedures. This will inform how police are taught to apply this legislation, including these amendments.

As well as these formal methods of training, police officers are continually undergoing on-the-job training and coaching in relation to family violence responses. Every family violence incident is reviewed by a supervisor and feedback provided, meaning there is a constant training loop in this area. In Tasmania, family violence is the only crime type that requires supervisor validation, demonstrating the importance that Tasmania Police places on its response to family violence.

To further strengthen our legislative reform agenda, I am pleased to note that this week the Attorney-General has introduced the Family Violence Reforms Bill to create a new declaration for repeat family violence offenders and introduce the ability to mandate participation and behaviour change programs as part of a family violence order. These amendments are also part of Action 30 of our second family and sexual violence action plan Safe Homes, Families, Communities, which commits to the implementation of legislative reform to strengthen legal responses to family and sexual violence and builds on the amendments already implemented, including:

- introducing a declaration scheme under the Dangerous Criminals and High-Risk Offenders Act 2020 for high-risk serious sex or violent offenders, enabling them to be monitored after their release from prison.
- amending the Evidence Act 2001 to allow victims of sexual offences the right to speak out publicly and to identify themselves.
- changing the language used in the Criminal Code relating to sexual crimes against children to reflect the gravity of such acts.

- introducing the new crime of persistent family violence and enabling courts to impose electronic monitoring on a person as a condition of a family violence order.

The Government takes its role very seriously. This is why, since the launch of our first nation-leading action plan in 2015 and under our second action plan launched in 2019, the Government has continued to build upon its commitment, investment and scope, in preventing and responding to family and sexual violence in Tasmania. We do not apologise for sending the strongest message to offenders that harmful and violent acts will not be tolerated and that the Tasmanian Government is committed to supporting victims of domestic, family and sexual violence. This is why we have invested over \$300 million in direct and indirect services in responding to family and sexual violence, including \$63 million for specific measures under our first and second action plans.

As a result of our significant investment through our action plans over the past seven years, we have implemented a wide range of reforms and measures aimed at primary prevention of family and sexual violence, response and recovery supports and initiatives to strengthen the service system.

This includes delivering a range of programs designed to reduce offending by family violence perpetrators and having early interventions available for low-risk perpetrators and men who have self-identified the need to change their behaviours, such as the Men's Referral Service. This service provides a point of contact for men taking responsibility for their violent behaviour as well as support and referrals for women and men seeking information on behalf of their male partners, friends or family members, and support services seeking assistance for their clients. No to Violence has delivered the Men's Referral Service in Tasmania since December 2015. In addition to self-referrals, the Men's Referral Service delivers the early intervention response, where perpetrators are called within 48 hours of a family violence incident attended by police and offered counselling and referral to appropriate services.

In 2021, there was a 208 per cent increase in inbound calls to the Men's Referral Service from the previous year. The significant increase in calls, both self referrals and return calls to the early intervention response, indicates a really positive uptake in men seeking help for behaviour change and increased awareness of the service. Access to rehabilitative services and programs for family violence perpetrators, like the Men's Referral Service is essential if we are to achieve long-term change in offending rates. Therefore, it is pleasing to see that the early intervention response is having a clear impact on engaging men to take steps to end violent behaviours.

For high risk perpetrators, the Government is providing ongoing funding for electronic monitoring following the outcomes of our trial that showed a 76 per cent decrease in high-risk incidents, a 75 per cent reduction in assaults, an 81 per cent reduction of threats, a 74 per cent decrease in property damage, 100 per cent decrease in reports of stalking, and 80 per cent of offenders did not reoffend in the six months following the removal of the electronic monitoring device.

These extraordinary results are why Project Vigilance won a silver award in November last year at the 2021 Australian Crime and Violence Prevention Awards.

On 18 March 2022, the Australian Government introduced a further \$150 million funding into a range of measures to deliver on its commitment to end family, domestic and sexual abuse. This additional funding includes a \$104 million technology-focused package to keep women and children safe and to prevent devices being used to perpetrate or facilitate family, domestic and sexual violence. This includes establishing a \$20 million fund for states and territories to trial electronic monitoring of high-risk and persistent domestic violence offenders based on Tasmania's award-winning Project Vigilance.

It is fantastic for Tasmania to again be acknowledged for all its great work, especially the nation-leading efforts in that regard.

In recent years there have been a significant increase in the reporting of sexual violence which comes amid unprecedented public disclosure, media attention and awareness around sexual violence and consent, including non-fatal strangulation, choking, suffocation and consent in relation to stealthing.

The Government also recognises that this increased demand, together with the unique challenges provided during the COVID-19 pandemic, has required an increased investment in family and sexual violence support services. This is why since the onset of the COVID-19 pandemic, we have invested an extra \$10.8 million in state and national partnership funding for additional responses to family and sexual violence. This includes \$6.1 million additional funding across nine specialist family and sexual violence services to increase operational capacity and to respond to demand.

Our community-based family violence services do an inspirational job of delivering confidential specialised family violence responses for individuals and groups. This includes therapeutic counselling, referral and information support to establish safety, restore confidence and support personal recovery goals. Specialist community-based services also play a very important role in primary prevention and early intervention through the provision of information, education and training to members of the community, and other service providers, including non-fatal strangulation, choking, suffocation and stealthing.

To further assist victims and survivors of non-fatal strangulation, choking, suffocation and stealthing, in his state of the state address the Premier announced that we will be establishing multidisciplinary centres in Tasmania. These centres will ensure we are providing a best-practice sexual and family violence response in Tasmania that puts victims/survivors at the centre, including victims/survivors of the offences we are talking about today. Multidisciplinary centres are a proven model in other jurisdictions, both nationally and internationally, as they ensure that victims/survivors of family and sexual violence receive immediate and integrated wraparound support in a safe place from a range of services. This is a landmark outcome for victims/survivors who will be the centre of this new support model.

In addition, this will be the most significant change in how we respond to family and sexual violence since we came to government in 2014. These new facilities will be a place where victims/survivors can access the support and services that they need and, if they are ready, to formally report these offences to specialist police investigators through the provision of multidisciplinary support teams, including family and sexual support and counselling services, witness intermediaries, police and other related services. In addition, these new centres will recognise the intersection between sexual and family violence by expanding the capabilities and resourcing of the Safe Families Coordination Unit to include sexual violence

more broadly, therefore creating a multi-agency response and intelligence hub with more effective working relationships between agencies for both sexual and family violence.

The provision of multidisciplinary centres will address the increasing need for services for both adult and children victims/survivors, and I am pleased to note that funding will be included in this year's Budget for the first of these centres, with planning work already commenced which will be coordinated alongside the development and release of our Government's next family and sexual violence action plan.

The Tasmanian Government is a strong supporter of primary prevention research and education, because this is key to challenging attitudes and behaviours that contribute to non-fatal strangulation, choking, suffocation and stealthing. This is why Tasmania is a foundation member of Australia's National Research Organisation for Women's Safety, or ANROWS, with our ongoing membership a dedicated action under Safe Homes, Families, Communities. Our continued support for ANROWS recognises the very important work that they do towards ensuring evidence-based approaches underpin all family and sexual violence priorities, programs and services. ANROWS commissions research by expert academics and practitioners and conducts its own research. Research published or in development includes *Defining and Responding to Coercive Control*, while another one is titled *Chuck Her on a Lie Detector: Investigating Australia's Mistrust in Women's Report of Sexual Assault*.

On 26 February 2022 ANROWS released two reports on intimate partner homicides which are relevant to the bill before us today. The first was *Australian Domestic and Family Violence Death Review Network Data Report: Intimate Partner Violence Homicides 2010-2018*. This report found that in regard to fatal assaults, where a male homicide offender killed a female intimate partner, in 31 cases the cause of death was suffocation or strangulation. In 29 cases, death was due to multiple assaultive behaviours from the homicide offender, for example, suffocation or strangulation and assault with a blunt weapon. Of the male homicide offenders who killed their male intimate partner, only one suffocated the victim. Furthermore, physical violence including non-fatal strangulation was used in 169 of 212 cases where a male primary domestic violence abuser killed a female domestic violence victim.

The second report is *Pathways to Intimate Partner Homicide Project: Key Stages and Events in Male-Perpetrated Intimate Partner Homicide in Australia*. This report discussed three pathways to intimate partner homicide in offenders - fixated threat, persistent and disorderly, and deterioration acute stressor. The persistent and disorderly type is the most common pathway to intimate partner homicide, with relationships characterised by persistent intimate partner violence and frequent criminal justice contact.

Looking at the nature of intimate partner violence within a relationship, there was evidence that 79 per cent of persistent and disorderly offenders were abusive towards their victim during their relationship. Primarily, abuse was physical, including slapping, hitting, punching, assaults with a weapon, and non-fatal strangulation. This evidence graphically shows us that eliminating family sexual violence will only occur if we stop it at the start and address the underlying drivers of gendered violence to drive the long-term change needed.

This is why our Government has also been a proud member of Our Watch since 2015, and why in 2020 we commenced our nation-leading partnership which established the role of Our Watch as senior adviser in Tasmania to support and drive change in Tasmanian communities and settings.

On 6 March 2022 I was pleased to know that the Australian Government announced additional funding of \$189 million over five years to strengthen prevention and early intervention efforts in family sexual violence. The funding package includes \$104 million over five years for Our Watch, the largest investment ever made to this outstanding organisation, to help expand its role as a trusted source of training and advice and a national centre of excellence on prevention, including helping to drive change in the corporate sector, providing campaigns and resources that raise awareness around gendered violence, and developing safety programs to be used in key settings such as TAFEs, universities, the media, workplaces and sports organisations. Our Watch will also boost its efforts in prevention for LGBTIQ+ Australians, Australians with disability, and migrant women, and will develop further resources to educate young people about consent.

These resources on consent will also assist with the respectful relationships education being delivered in Tasmanian government schools, and I am also pleased to see the recent announcement about embedding consent education in the Australian school curriculum from early next year. The Australian Government has also committed \$48 million for a new campaign that focuses on confronting the attitudes and expectations of some men which condones or excuses family violence; \$32 million for a consent campaign focused on young people 12 and older and their parents; and \$5 million to develop a survey of secondary school students on issues related to consent. I was also pleased to note that on 18 March, as part of the Australian Government's announcement of a further \$150 million funding, the government is also committing an additional \$46 million to roll out two further phases of the Stop It at the Start campaign to help drive change in people's attitudes towards violence, including sexual violence, and to raise awareness of new and emerging issues such as technology-facilitated abuse.

Under action 4 of Safe Homes, Families, Communities, we also continue to support the Australian Government's national campaign Stop It At the Start, as well as the development of new activities to raise community awareness of sexual violence, which will also help support the reforms we are doing in this bill, and the community awareness campaign that will be developed will help ensure that we send a clear and strong statement about the seriousness of the harmful act of non-fatal strangulation.

Sadly, often without realising, adults play down boys disrespectful behaviour, blame girls by questioning their role, and empathise with males. These words and actions can unintentionally shape young people's views about more serious behaviour such as non-fatal strangulation and stealthing, and this is why the national Stop It at the Start campaign is helping to break this cycle of violence by supporting adults to have conversations with young people about respect, encouraging adults to reflect on their attitudes and behaviours, and providing bystander strategies for both adults and young people to intervene where they see disrespectful behaviours.

This campaign will also now run alongside the other new national campaigns to be developed and delivered, with an additional \$91 million Australian Government funding, which will run across mass media channels including television, cinema, social media and bus stops. This campaign will help ensure that crucial messages about consent are heard in every home around Australia so that we are all empowered to have conversations with young people, our family and friends about this important issue. These campaigns will also be drawing on the success of campaigns such as Scotland's Don't Be That Guy, as well as a second campaign

that will ask men to consider how they hold each other to account, because sexual violence should not be considered a woman's problem to solve.

Recent national conversations have highlighted the importance of hearing from people with lived experience, which is why we are putting the voices of victims/survivors at the centre of our consultation approach in developing our next family and sexual violence action plan to be released in July 2020. To inform the development of our next action plan, we have already commenced a comprehensive consultation process that engages with people with lived and diverse experience, the community, and key stakeholders. This consultation process will help us to develop a range of new evidence-based initiatives based on feedback from those who are most impacted, which is why we would really welcome hearing from victims/survivors of non-fatal strangulation, choking, suffocation and stealthing.

I was pleased to recently launch the public consultation process to inform the development of our next family and sexual violence action plan, and I am very grateful that Mayor Mary Knowles OAM, as a victim/survivor herself, has kindly agreed to be our consultation ambassador to encourage other victims/survivors to share with us their own personal experiences. There are five key elements of our community consultation, including the Hearing Lived Experience survey 2022; establishing a victim/survivor advisory council; and partnering with Tasmanian Aboriginal people. There will also be targeted workshops with stakeholders, especially those with diverse lived experience, including people with disability, women from CALD communities, women from rural and regional communities and LGBTIQ+ Tasmanians, which will be held before and after Easter, as well as public written submissions, which will be called for very soon.

The Hearing Lived Experience survey 2022 is an online public survey for adult victim/survivors with lived experience of family and sexual violence. It will be providing an opportunity for victim/survivors to share their experiences. The survey will also build upon our previous survey that was conducted in 2018 by also including people's experiences of sexual violence in addition to family violence and, importantly, provides people with the opportunity to share their story anonymously. The survey is being promoted to family and sexual violence service providers and a statewide advertising campaign and can be accessed through the QR code on promotional posters from the Tasmanian Government Safe from Violence website. I thank all members in this parliament who have put up these posters in their electorate offices to increase awareness and to encourage responses.

The survey is open for 12 months, giving people a chance to have their say at a time that is safe for them. We understand that relating a person's experiences can be traumatic. For people who cannot access the internet, the survey is now available as a hardcopy booklet at all Service Tasmania outlets, as well as local Neighbourhood Houses.

Information about the booklets is also being circulated to local councils through the Local Government Association in Tasmania. For those councils who wish to participate, posters and booklets were also made available for collection at the recent Local Government Association of Tasmania conference on 18 March 2022.

I am pleased to note that as of yesterday we have already received 519 completed survey responses in just over five weeks. Given that the 2018 Hearing Lived Experience survey received 500 responses in total, this is a fantastic level of take-up in such a short period of time.

Our awareness-raising advertising campaign is also achieving a fantastic reach with, as of yesterday, ads on social media generating over one million impressions and over 12 500 link clicks and swipe ups. On Facebook, this has reached more than 80 000 unique users; on TikTok it has reached more than 72 000 unique users and on Snapchat it has reached more than 30 000 distinct users.

In Tasmania we also have our Safe from Violence website, which is designed to increase community awareness about family violence and its underlying drivers; provide family sexual violence service contact information and pathways to seeking support.

In February our Safe from Violence website had a 535 per cent increase in monthly page views because of the launch of the Hearing Lived Experience survey. It has also had 400 daily page views since the launch of the survey. This is fantastic because it means that more people are going to the website and seeing how it provides clear and targeted information. It also provides online resources and links about family and sexual violence for a range of people, including victim/survivors, perpetrators, family and friends, children and young people, service providers and the broader community. The website also provides targeted information for groups that are at increased risk of experiencing violence or who may experience additional barriers to seeking support, including children and young people and culturally and linguistically diverse communities.

The Safe from Violence website has had significantly increased traffic due to the launch of the survey and the information and the resources that it offers the community about family and sexual violence is fantastic. As part of our awareness-raising campaign on non-fatal strangulation, choking, suffocation and stealthing, the website will be updated with this information and resources produced to further increase awareness about these offences.

Development of the action plan will involve collaboration across government. We will also be working with the Family and Sexual Violence Community Consultative Group, our Victim Survivor Advisory Council, as well as with a large number of government and non-government stakeholders and service providers. To cement the success of the next action plan, I am also looking forward to working collaboratively with all of my parliamentary colleagues.

As I wrap up today, I commend my colleague, the Attorney-General, on this bill and thank her for her outstanding dedication and commitment to introducing a new standalone criminal offence of strangulation, choking and suffocation, and to amend the definition of consent in relation to stealthing. This builds on the work that this Government and previous governments have already done. It will underpin our efforts to hold perpetrators to account and will help deliver on our shared aim of eliminating family and sexual violence.

I also thank the department for all that they have done in drafting this bill.

I commend this bill to the House.

[4.15 p.m.]

Mr ELLIS (Braddon) - Mr Speaker, it is a real honour to contribute to this bill. I congratulate the Attorney-General and her department on their hard work. Personally, I have been contacted by quite a number of victims/survivors, particularly -

Ms O'Connor - Demanding that your colleagues apologise!

Mr SPEAKER - Order.

Mr ELLIS - I hoped this would be the kind of thing we could all agree on without interjections, but I will continue anyway.

I have been contacted by a range of victims/survivors, particularly people who have been subjected to these kinds of disgusting and disgraceful behaviours. It is amazing how close to home these kinds of things can strike, and how many people have it as part of their story, even if it is something that they have walked past many years ago, and thought that nothing could be done about it particularly at a legislative level; or they did not go to the police or tell anybody. In a similar type of situation that has been told to me over and over, people just told close girlfriends about what happened and moved past it. A lot of us, particularly men, do not realise just how common some of this stuff is. It happens to women of all walks of life, at all different ages and stages.

It is heartening that we as a community can come together to try to stamp out this kind of behaviour, and to put in place legal mechanisms that are clear and understandable; to send a message to those in the community who thought this behaviour was something they could get away with, that it is a really serious, terrible thing to do to a person. It violates their bodily autonomy in quite profound ways. All society has an obligation to step into that intimate space that might happen in a family or in an intimate partner relationship and say that this is simply not okay. There will be mechanisms to bring those people to justice.

It is clear that there is strong community support for these important laws to be passed in Tasmania. It is evidenced by the support our Government is receiving for our 'supporting women and girls' 2021 election policy, where our clear commitment to strengthen non-fatal strangulation rules received significant report. I believe we have bipartisan and multipartisan support.

Non-fatal strangulation, as has been spoken about today, is where a person has survived having pressure applied over the neck by any means. This pressure might be applied by one or two hands, a forearm, a chokehold, a knee, a foot, or by having something put around the neck and tightened - such as a belt, cord, scarf, necklace, or strap. There is a range of different ways that it can be done. It may look different in different circumstances, but the effect is the same. Non-fatal strangulation is one of the most lethal types of domestic and family violence. It is an abhorrent form of power and control.

As has been stated in this debate, whether the act itself is lethal, or even when it is not, what is truly horrifying is that non-fatal strangulation typically leads to more fatal outcomes by other means. People who have been strangled by an intimate partner like a husband, boyfriend, girlfriend, de-facto, or ex are at a significantly greater risk of severe violence or even being killed by a partner. There have been multiple research studies done that establish it is as one of the strongest increased risks of homicide. I have heard from people who left relationships based on incidents of strangulation. The community is starting to really understand now that it does lead somewhere. Even if it does not leave a bruise, the person involved in that situation, the victim/survivor, is at profound and extraordinary risk once an act like that has been carried out. While they may have survived that moment, we should all have deep concerns about that

person's future and how we can wrap our arms around them and extricate them from those situations.

We know the importance of making this form of behaviour a standalone offence, which is why I am pleased to support the bill.

The Attorney-General explained that the bill introduces a standalone offence for non-fatal strangulation in Tasmania which will recognise the seriousness of this behaviour by allowing it to be charged and prosecuted as a specific criminal offence. It also sends a specific message that it is a crime, that it is deeply serious, and for those people who are victims and survive those acts they know where it sits in the sadly long list of ways in which family violence can occur. That is towards the top of the list.

We will take on board the extensive work of the Sentencing Advisory Council. We thank them for that work as outlined in its report released last year, particularly regarding the various laws that operate in many other states and territories. It is heartening to see that the Australian community, regardless of what state and territory they live in, are really getting behind these kinds of reforms.

To support this reform, we will also progress the further suggestion of the Sentencing Advisory Council to develop a community education and awareness campaign to ensure that we send a clear and strong statement about the seriousness of the harmful act of non-fatal strangulation. We can educate with the laws in this place but we can also reach out into the community and make it something that sits within the consciousness, particularly of the people who know the perpetrator so they can step in and influence that kind of behaviour before it happens.

The resources we put into that at an opportune time is money well-spent because it can prevent truly heinous acts of family violence. In addition to the strengthening of our family violence laws that this bill delivers, there are the improvements to our definition of 'consent' to include the actions of stealthing. The bill is the latest to add to our Government's strong record in progressing legislative reform aimed at preventing domestic and family violence while strengthening penalties against perpetrators. We need to be tough on these people so that we can protect the people who suffer from the violence they perpetrate and to send a strong message of deterrence for anyone considering such an act.

To name just a few of the legislative reforms, the Tasmanian Government has introduced the following legislation since 2014:

- the Family Violence Amendment Act 2015;
- the Family Violence Reforms Act 2017;
- the Domestic Violence Orders (National Recognition) Act 2016;
- the Family Violence Amendment Act 2017;
- the Family Violence Reforms Act 2018;
- the Residential Tenancy Amendment Act 2018, which amended the Family Violence Act 2004 to broaden the provisions for terminating residential leases;
- the Criminal Code Amendment (Bullying) Act 2019;

- the Evidence Amendment Act 2020 to reform Section 194 (k) of the Evidence Act to allow victims of sexual crimes to consent to the publication of their identity in the media or otherwise, if they choose to. We know that has become a very high-profile reform through the courageous LetHerSpeak campaign, which has done so much to put the broader issue of family violence front and centre of the national conversation and the Australian public's consciousness.
- the Criminal Code Amendment (Sexual Abuse Terminology) Act 2020; and
- the Dangerous Criminals and High-Risk Offenders Act 2021 which created the high-risk offender declaration mechanism for perpetrators of serious family and sexual violence offences.

This work directly addresses one of the actions under our Safe Homes, Families, Communities, Tasmania's action plan for family and sexual violence 2019-22 to strengthen the legislative framework to address family and sexual violence.

Another important action under this plan that supports our legislative reform program is that relating to Action 25 requiring participants in the court's mandated behaviour change program as part of the family violence order. Our Government recognises that access to rehabilitative services and programs for family violence perpetrators is essential if we are to achieve long-term change in family violence offending rates.

So many victims/survivors find their way back into close proximity and even relationships with the people who committed these heinous acts. We need to continue to work to protect those people but we also need to continue our push to reform and educate people who have committed such terrible acts. We all have a part to play in preventing family violence whether we are friends of the victim/survivor and their network's family or even the perpetrators themselves. It is a heavy task but an important one in which we should all be playing a part.

Through the Safe Homes, Families, Communities program, \$471 000 over three years has been committed to introduce the ability to require mandated behaviour change program participation as part of a family violence order. Other programs available through community corrections include a dedicated high-risk program, the Family Violence Offender Intervention program and the community based low- and medium-risk programs, EQUIPS, which stands for Explore, Question, Understand, Investigate, Practice, Succeed.

There is also a dedicated Men Engaging New Strategies program. We should not ever forget that, sadly, men are the main perpetrators of these acts. As men we have a responsibility to do the right thing and expect among other men that they would do the same. This is in addition to the Men's Referral Service which was expanded in 2017 to include an early intervention response. If we can prevent something before it occurs that is a far better outcome for everyone. The No to Violence program has been provided with more than \$579 000 over three years in funding to deliver this important telephone and counselling service which ensures that men who have been involved in a family violence incident are contacted within 48 hours and offered information, counselling and referral to appropriate services.

As the Attorney-General said, this important work will be supported by another bill that will be tabled shortly by the Attorney-General, namely the Family Violence Amendment Bill.

Ms Archer - Tabled today.

Mr ELLIS -Tabled today. It will specifically deliver on our commitments under the Safe Home, Families, Communities action plan. Among a suite of amendments, the bill, if passed, and I am optimistic from the discussion we are having today on this bill, will empower the court to engage a perpetrator in a rehabilitation program earlier, enabling a targeted intervention that addresses the perpetrator's behaviour.

It will also overcome an existing barrier where a court cannot order rehabilitation program participation until a conviction is recorded. There is a time lag on that and a very critical moment for that family in that process. I look forward to discussing this bill when it brought on for debate. To conclude, I am pleased to support the Criminal Code Amendment Bill 2022. This latest and significant suite of family violence reforms confirms that our Government is continuing to ensure laws are strong and robust to protect victims/survivors of family violence, and to ensure perpetrators are appropriately held to account for the severity of their crimes.

[4.29 p.m]

Mrs ALEXANDER (Bass) - Mr Speaker, I feel honoured to be here today and have the privilege to add my words to what has already been said about the Criminal Code Amendment Bill 2022.

As all members have already said in their contributions on this bill, there is a clear need for action to prevent and respond to sexual and family violence. There is no place for this sort of violence to occur in our society and we are demonstrating clear forward thinking in Tasmania by taking this approach, which is a very good step in the right direction. I am proud to be adding my voice to the other members in support of this important reform, which further demonstrates that strengthening Tasmania's family violence laws is an absolute priority of our Government.

This matter is important to me particularly from my previous roles within the community sector in Tasmania. Many times over the last few years, through the work I have been involved with, I have heard terrible stories of women who have been forced to seek help following violence from their partners. Sadly, many times that form of violence, such as non-fatal strangulation, was described as a form of love: 'it is how I demonstrate that I love you and that is why I am driven to behaving in such a way'; or the victims are made to feel that it is their fault for triggering a particular reaction in their partner. It is very sad to believe the sort of emotional harm, not only the physical scars, but also the emotional blackmail that occurs in such instances.

I know the Attorney-General has championed this issue and I am pleased to see the bill before the House. We want to ensure we do everything we possibly can to make sure that all Tasmanian women, as well as the broader community - men in some instances - remain safe and protected. This includes a number of dedicated services across government, in particular, our Safe at Home service as Tasmania's integrated and dedicated criminal justice response to family violence. The Safe at Home service system is designed to meet the needs of victims both adult and children, while holding perpetrators accountable for their behaviour. The four objectives of Safe at Home are:

- to improve the safety of adult and child victims of family violence in the short and long term.
- ensure that perpetrators are held accountable for family violence as a public crime and change their offending behaviour.
- reduce the incidence and severity of family violence in the longer term.
- minimise the negative impacts of contact with the criminal justice system on adult and child victims.

There is a strong negative impact every time the adult or the child victim has to come back in contact with the justice system and relive their experiences and share their experiences. That emotional burden and emotional exposure, time and time again, can take a severe toll on a person's mental health. That is a very important part of this program.

The legislation that underpins the Safe at Home response has also been reviewed as part of the *Safe Homes, Families, Communities: Family and Sexual Violence Action Plan*. We have also provided significant funding to support this very important service. This has provided the following:

- increased resources for the flagship Safe at Home Coordination Unit to address significant increases in demand;
- an additional specialist Safe at Home legal aid lawyer;
- an additional Safe at Home police prosecutor;
- an additional court support and liaison officer in the south of the state; and
- additional staffing and extended hours for the Family Violence Counselling and Support service.

This is in addition to the \$1.9 million to go towards the continuation of a number of initiatives, such as the Safe at Home Coordination Unit, including an additional part-time senior policy officer; the additional specialist Safe at Home legal aid lawyer and Safe at Home police prosecutors; and extended hours that are being provided for counselling and support services.

The counselling and support service is paramount. Quite often some of the victims may find it very hard to express what they are going through. The importance of counselling and support services cannot be underestimated. Helping them support and express their feeling is very much part of this journey that unfortunately, they have to walk through. They have to be totally supported in that process.

Safe at Home has continued to be a leading model of an integrated criminal justice response to family violence in Australia. While this is a significant success, we acknowledge that there is always more that can be done. This is why it is fantastic to see that an incredible amount of work is currently under way right across the public service and government agencies to further achieve our Government's clear aim to prevent and respond to sexual and family violence. This includes the work underway to deliver our Government's third *Family and Sexual Violence Action Plan*, and a significant announcement to establish multidisciplinary centres in Tasmania to provide immediate and integrated support services for victims/survivors of sexual and family violence, as outlined by the Minister for the Prevention of Family Violence.

As the Attorney-General has stated, our Government has a clear law reform agenda to strengthen our family violence laws. Accordingly, I am pleased to support this bill as it is another important step in progressing our Government's plan to protect the Tasmanian community.

Mr Speaker, I commend this bill to the House.

[4.38 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Speaker, I thank all members for their contribution to this extremely important bill. A very detailed body of work has been conducted. I note that there were some comments made by Ms O'Connor about the delay. I note that no amendments to the Criminal Code Act can be made lightly, without extensive consultation.

My consideration of the issue emanated from the coroner's comments in 2019. It became evident to me that it would be helpful to get some research and advice from the Sentencing Advisory Council, which we did. We commenced drafting a bill on which there has been extensive consultation. I take the opportunity to thank all stakeholders and the community who made submissions to that consultation. Much of what was provided by way of input has been the subject of further amendments of our original draft bill. Also, when amending Criminal Code Act, we worked closely with the Director of Public Prosecutions. I also invited the Chief Justice and Chief Magistrate to make comments, as well as other legal profession representative bodies, in the Law Society, Tasmanian Bar Association, Women's Legal Service, and so on. It is quite an extensive list that we send out, inviting comments. I appreciate that there are some different views on this, particularly within the legal profession.

I am by no means downplaying how serious this crime of non-fatal strangulation is, but because of the time this took I also want to ensure there was no deficiency in terms of perpetrators being able to be charged with assault, or if it was bodily harm, attempted murder. This sends a clear message that our Government - and if it passes parliament, the parliament - takes this very seriously and it deservedly has the right to be recognised as an indictable offence in its own right as a standalone offence. That is what I am committed to do. That is what this bill does.

Before I make other general summing up comments, I will address some of the questions or issues raised by members.

Ms Haddad asked whether I could respond to the submissions by the Scarlet Alliance, and Full Stop Australia. Ms O'Connor also asked that same question so I will address that together. It is about the issue of stealthing, and why the bill puts the responsibility on the complainant to indicate a condom must be used. I acknowledge that two stakeholders raised the issue.

The bill refers to a person communicating to the other person that a condom must be used. The new provision uses the wording, 'the person says or does anything to communicate to the other person that a condom must be used'. For example, a rape charge might arise later if a complainant said or did anything to communicate to their sexual partner that a condom must be used, but their partner did not use a condom or tampered with it or removed it. Full Stop Australia's concern was that this focuses the inquiry solely on what the complainant said or did, rather than looking holistically at what both parties said or did. Scarlet Alliance,

the Australian sex workers association, was concerned that the onus of communicating about and representing condom use should be placed on the perpetrator.

After consideration, it was not necessary to amend the bill in relation to this point, the reason being that sexual intercourse between consenting adults often does not involve condom use. This bill's framework is addressing the scenario that arises in the criminal law where one adult was only consenting on the basis they communicated a condom should be used, and the other adult did not do so. The provision as drafted also allows consideration of the interaction between the parties regarding condom use, whether verbal or through body language. The provision also works in tandem with the existing requirements in section 2A(2) of the code. For example, there is no free agreement if the person agrees because of force or threat, or being overborne by the position of another person. To put the onus on the person using the condom would mean that every act of sexual intercourse in Tasmania would have to start with that person asking their partner about condom use. Given that this provision is expected to mostly found rape charges because stealthing is rape, which is profoundly serious, it is important the provision is clear as to what amounts to lack of free agreement to sexual intercourse.

Also having carefully considered the bill's approach with the Director of Public Prosecutions and the Office of Parliamentary Counsel, my department advises that the code as amended will clearly address stealthing scenarios, particularly the most common condom scenario. The new provision provides for the scenario where the person says or does anything to communicate that a condom must be used. There is no consent if the other person then does not use a condom or removes or tampers with it.

In relation to this amendment, the scenarios range from where the victim actively asks for a condom to be used, to where the offender represents to the victim that a condom will be used and the victim, through their actions, consents on that basis, that a condom must be used. The amendment provides scope for the court to consider holistically for what both parties said and did. The broader code allows for other less common scenarios, such as dental dams. The amendment explicitly does not limit our existing progressive consent provision, which refers to there being no consent if there is fraud by the other person or use of force or threats.

Section 129 of the code also provides an offence related to false pretence or false representation in relation to unlawful sexual intercourse.

By confining the specific amendment to condoms, the bill follows all other Australian jurisdictions that deal with stealthing. Stealthing with condoms by men is by far the most common form of this behaviour that we have found in the media and the literature.

Dealing with the questions asked by Ms O'Connor, I am not sure if she was able to hear but I have addressed number 4 because it was the same question asked by Ms Haddad.

I will start with the first question and that was in relation to the Sentencing Advisory Council's recommendations. The extensive work of the Sentencing Advisory Council regarding the various laws that operate in other states and territories has informed the development of the amendments. I take this opportunity to thank the Sentencing Advisory Council for its work in providing this detailed research to me as Attorney-General for consideration.

It is considered that the amendments in the bill sufficiently cover the issues raised by the Sentencing Advisory Council in its 2021 research paper on sentencing for non-fatal strangulation. It is important to note that the terms of reference of the Sentencing Advisory Council review did not include discussion on the creation of a standalone offence. The Sentencing Advisory Council did provide three suggested reforms to sentencing laws in Tasmania, which I know Ms O'Connor read out. I will just repeat it for my response.

- (1) amend the Sentencing Act 1997 to provide that strangulation and suffocation are aggravating circumstances in relation to an offence.
- (2) amend the Family Violence Act section 13A to provide for recording of non-fatal strangulation as a particular of a family violence offence on a person's criminal record.
- (3) amend the Sentencing Act 1997 to provide for the recording of non-fatal strangulation as a particular of the offence on a person's criminal record in cases other than family violence cases.

In deciding to introduce a standalone offence, which applies to all offenders consistent with the coronial recommendations of 2019, I am pleased to say strangulation charges will now clearly be on an offender's criminal record. In consideration of the council's report, I am also satisfied that strangulation can already be treated as an aggravating factor, but a standalone offence goes further and delivers on the important objective of identifying and denouncing this conduct as a serious crime in its own right.

The Sentencing Advisory Council also noted the importance of delivering broad community education and awareness on these matters, which will ensure that the Government sends a clear and strong statement about the seriousness of these crimes. I am pleased that this recommendation will be acted upon as part of the implementation phase of this bill. Ms O'Byrne asked a question about that and I will come back to that.

Ms O'Connor asked about the registration of Working with Vulnerable People legislation, and whether any reforms are planned. I am not currently advised of any matters that have come before the registrar or evidence that the current framework is deficient or lacking. There is not a review currently under way although I will state that as minister for Consumer Affairs, I am looking to extend to more categories and the department is currently working on that now.

Ms O'Connor - That would be good.

Ms ARCHER - I am actively pursuing that; I agree that would be good.

I also point out that when an applicant applies for a Working with Vulnerable People registration that a national criminal history check is sought from the Australian Criminal Intelligence Commission. This is every single application. Unfortunately, this causes delays sometimes, but it is necessary for obvious reasons. The purpose of this check is to ensure that the registrar has information about all relevant offences committed by the applicant in order to conduct the risk assessment. It is important to note that the unit responsible for the registration to work with vulnerable people is not an investigative body. Instead, the registrar makes an assessment on the information held and supplied by other bodies. In doing this, the registrar

relies on information from Tasmania Police, provided through the ACIC, information from Children and Youth Services or from other state service bodies. Registrants are continually monitored through the period of registration. Through the provision of reportable behaviour the registrar can commence an additional risk assessment on a person's suitability to remain registered.

As I said, I covered number four in relation to stealthing. There was also Ms O'Connor's query about the Law Society, and whether to have definitions. Some state coroners and the Law Society from South Australia asked if aspects of the New South Wales Strangulation Offence Provision should be used in Tasmania.

I note that the Law Society commented with a query rather than a recommendation as to whether the consequences of strangulation, such as rendering the person unconscious, should form part of the crime, as is the case in two of the three New South Wales strangulation offences. Full Stop Australia made a different point as they perceived that the New South Wales approach is broader in scope than the proposed bill. However, having carefully reviewed the submissions, it is clear that the amendments to the code as proposed in our bill will capture the scope of the approach in New South Wales and is also consistent with the criminal code framework in Tasmania that crimes have a maximum imprisonment penalty of 21 years. That is, of course, restricted in some other states. It is my view, also based on clear DPP advice that requiring prosecution to prove a person intended to cause unconsciousness, rather than focusing on the intent to strangle the person, inappropriately narrows the offence. It was that advice that we relied on.

Ms O'Byrne asked broadly about the education campaign and for some details around that. Obviously we have recognised that there needs to be quite significant cultural change and that education and awareness will assist with that. It leads to positive flow-on effects regarding reporting and prosecuting offences, therefore providing further support to victim-survivors. Accordingly, to support this important reform we will also be rolling out a community education and awareness campaign to ensure that we send a clear and strong statement about the seriousness of these crimes. Of course, if this passes the parliament, the very fact that we have created a standalone offence will do exactly that as well.

I look forward to being able to provide more details around this campaign as we commence the implementation phase of the new offence and amendments, pending the successful passage through parliament.

I can indicate that funding will be considered through the usual budget mechanisms in addition to funding that may be available through our Safe Homes, Families, Communities Action Plan with the next plan currently being developed by Mrs Petrusma. She went into quite a bit of detail. I thank her for her contribution on this bill. We also have put significant funding in that so I will be in a position to provide further detail in the implementation phase, as I said.

In summing up, I again thank stakeholders and the community for their significant input in this work. I thank my department and particularly our newest addition to the SLP division who has done a sterling job on this very significant body of work. I am sure it has been a very rewarding personal experience for the department as well.

I thank Mr Ellis for detailing much of the reform that we have done around family violence and family and sexual violence because it demonstrates the significant body of work that our Government has done through my department.

I would like to be able to introduce everything immediately when I indicate that I will but there is a process to go through. We need to make sure that with significant law reform like this we get it right. I have always said that when we make amendments to either the Criminal Code or the Evidence Act in particular that we need to do an even more thorough job than my department does on other legislation because those two pieces of legislation really guide not only our criminal justice system but also how trials are conducted and fairness to both parties and that we remain innocent until proven guilty.

This bill also delivers on our 2020-21 election commitment to the Tasmanian community and appropriately recognises that non-fatal strangulation, choking or suffocation is a significant form of violence, which can be a precursor for escalation in the severity of family violence. We know that that can unfortunately can lead and does lead to one fatality a week in Australia. That is simply unacceptable.

Our Government is committed to ensuring that all Tasmanians feel safe and supported in their home, at work and in the community and that perpetrators are held to account. To achieve this aim, I have had a clear focus on progressing an extensive law reform agenda to further protect and support survivors and victims of crime.

In progressing these important reforms we are taking on board the extensive work of the Sentencing Advisory Council regarding the various laws that operate in most other states and territories.

The bill also addresses actions under our *Safe Homes, Families, Communities: Tasmania's Action Plan for Family and Sexual Violence 2019-22* which commits to implementing legislative reform to ensure that our laws are strong and robust, to protect victims/survivors of family violence and ensure perpetrators are appropriately punished for the severity of their crimes.

We have listened to our stakeholders and the community and members of this House which is why we introduced this standalone offence, as we said we would at the election, and strengthen our laws to benefit everyone in the community. Violence in any form is never acceptable and this legislation strengthens our laws and sends a strong, clear message that it will not be tolerated in Tasmania. This is why this bill is being closely followed by further amendments to our Family Violence Act which I tabled in parliament today. This significant suite of family violence reforms confirms we are continuing to ensure our laws are strong and robust to protect victims/survivors of family violence and ensure perpetrators are appropriately held to account for the severity of their crimes.

A standalone offence goes further than existing laws whereby strangulation is already considered an aggravating factor, and delivers on the important objective of identifying this conduct as a serious crime in its own right. This is also in response, as I said earlier, to community calls for the strengthening of our laws since the coroner's 2019 recommendation that the Government consider creating the strangulation offence. In that case, the coroner was responding to the tragic homicide of a Tasmanian woman where it was noted that non-fatal strangulation was a risk factor for homicide and that increased awareness and a targeted

response to the issue are necessary from the medical, policing, counselling and law reform sectors.

The coroner was concerned that an existing criminal offence involving choking was limited to circumstances where the choking is done with intent to facilitate other offences and would likely not apply to a variety of situations, including family violence. In addition, the extensive work of the Sentencing Advisory Council regarding the various laws that operate in other states and territories has informed the development of these amendments. This bill further strengthens our consent laws which are, I believe, the strongest in the nation, and we now introduce stealthing, which is a form of rape.

Accordingly, Mr Deputy Speaker, I am very pleased to commend the bill to the House.

Members - Hear, hear.

Bill read the second time.

Bill read the third time.

LAND TAX RATING AMENDMENT BILL 2022 (No. 6)

Second Reading

[5.04 p.m.]

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

That the bill be read the second time.

On 1 March 2022, the Premier delivered the state of the state address in which he outlined the Government's road map to secure Tasmania's future. In that address the Government promised to double the land value at which land tax becomes payable from \$50 000 to \$100 000; increase the maximum land value threshold by \$100 000 from \$400 000 to \$500 000; and decrease the rate of land tax on land values under \$500 000 to 0.45 per cent. This bill delivers on our state of the state address commitment to reset the land tax rates and thresholds.

Last year, the Government acted to relieve some of the costs of rental properties and put downwards pressures on rents by resetting the land tax thresholds. There is no doubt that Tasmania's strong economy and desirable lifestyle has meant that more people want to live, work and raise a family in Tasmania. To ease the cost of living for Tasmanian families and continue adding downward pressure on rents, the Government is taking further action on land tax rates and thresholds. By increasing the tax-free threshold and the maximum land value threshold, and reducing the rate of tax on land under \$500 000, it is estimated that approximately 70 000 landowners will benefit, with an average saving of around \$600 on their land tax bill. It will also mean approximately 7800 landowners will no longer pay land tax from 1 July 2022.

This bill gives effect to the Government's land tax relief as announced in the state of the state address. The bill, together with the Government's other housing relief measures, shows

our continued support for Tasmanian families and provides more sustainable housing outcomes across the state.

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

Ms O'Connor - I have never heard a more garbage, propagandistic second reading speech in my life.

Mr SPEAKER - Order, Ms O'Connor.

[5.05 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I rise to indicate Labor's support for the Land Tax Amendment Bill. We will be supporting this bill. We have earlier proposed the lifting of the threshold up to \$100 000 and also changing the rates as they apply, as the minister has outlined.

While we are supporting this, I have to draw the attention of the House to the comments in the second reading speech. I agree with Ms O'Connor who, via interjection, pointed out that this second reading speech - the spin in this - is complete garbage. For a number of reasons, it absolutely denies reality.

What we have here is a very simple bill that changes the thresholds and decreases the rate applied in some of the bands. In the second reading speech, the minister, once again doing the Premier's job in taking this bill through, says that this will reduce, relieve costs of rental properties, and put downward pressure on rents by resetting tax thresholds. To quote it:

To ease the cost of living for Tasmanian families and continue adding downward pressure on rents, the Government is taking further action on land tax rates and thresholds.

That is not true. If that actually worked, then the action they have already taken on the land tax thresholds would be driving rents down.

Mr Tucker - They did. Have a look at what has happened in Hobart -

Dr BROAD - They did not. Absolutely, they did not. On any measure across the state -

Ms O'Connor - Stop gaslighting us, it is absolute lies.

Mr Tucker - It is not a lie, look at the price of houses -

Dr BROAD - Mr Deputy Speaker, the interjections from the member are outrageous. Hobart is now the most unaffordable place in Australia for rents. If the Government's strategy had any impact on rents, then why is Hobart now the most unaffordable city in Australia? It is garbage. If you look at the work compiled by the Tenants' Union, you can see that the quarterly rate of change is up 3.6 per cent on the last figures. For the year, it is up 11.2 per cent.

If the Government was serious, they would not be dismissing the rental stress by simply saying, 'Look, we're taking action.' That is what the Government is saying. We have heard Mr Ferguson in this place defend the thought that lifting thresholds on land tax is going to have

a big impact on rents. It is just not true. What evidence is that based on? Is he relying on an anecdote from someone he bumped into down the street or something? The data does not show that.

This will save people money. According to the second reading speech a total of 70 000 landowners will benefit, on average saving \$600 on their land tax bill. What are you saying? That 70 000 people - if some of those are actually landlords and it is not their shack - are going to reduce their rent by an average of \$600 across the year. Come on. How can you be serious? Even if they did, how is that putting downward pressure on rents? Across a whole year - \$600. This is just a nonsense argument by the minister. It is spin at the worst.

No doubt when people talk to the minister or indeed, members of the Liberal Party, about rental stress, the minister and members will say, 'We are taking action. We are saving landlords, whose property happens to be less than \$500 000, we are going to save them \$600 across their land tax bill'. That is the action that this Government is pretending to take to put downward pressure on rents.

That is not the only furphy in this second reading speech. It has a lack of a reality check. I hope that the backbenchers who speak on this have updated their speeches and do not simply pump out a carbon copy - as with just about every second reading speech contribution from backbenchers that I have heard since I have been in this place. We saw it again in this second rate second reading speech. The bit that says:

There is no doubt that Tasmania's strong economy and desirable lifestyle has meant more and more people want to live, work and raise a family in Tasmania.

There is a bit of a problem with that because for the last two quarters there have been more people leaving Tasmania than coming to Tasmania. We have to ask ourselves: why is that happening? If you look at the data we see a huge number of Tasmanians who are leaving. There are record numbers of people who are deciding that they no longer can live in Tasmania. In the September quarter a record 4359 Tasmanians moved to the mainland, and not for a holiday. We are talking about a permanent move or a long-term move.

The record in the September quarter was beaten in the December quarter when the latest figures show that 5243 Tasmanians left. That was the migration to the mainland. Two records in a row. Some of that is offset by people coming into the state; but still, in the last quarter there was a net loss of 173. Our population went backwards by 173, so the balance is still more people leaving.

This quarter 476 people left Tasmania. Our population declined by 476. What is happening here? Why are so many Tasmanians choosing to leave? Is it because they cannot find a place to rent? Is it because they cannot afford a house now? These mainlanders who are coming in are people who could be investors, or people who are at the end of their career; they have sold a house in Sydney or Melbourne or somewhere like that and are moving to Tasmania, which is pushing up house prices. This could be a vicious cycle, pricing out Tasmanian families and young Tasmanians who have no choice but to move to the mainland.

I ask the minister the rhetorical question: you may have just finished university or your apprenticeship and you want to move out of home - maybe you have been living with your

parents because of cost of living pressures or because your parents happen to live close to the university or your workplace. You want to move out of home. Maybe you have found a partner; maybe you do not want to live in your parents' place anymore. Where are you going to go? Where are you going to find a rental? If you do find a rental, are you going to be able to afford it?

I believe that Tasmanians are making the choice. They are being forced to the mainland. You can go to Adelaide, you can go to the outskirts of Melbourne and you can get cheaper rent than you can in Hobart. How can that be? Yet the minister, in his second reading speech, talks about people wanting to live, work and raise a family here. He does not recognise the other side of the coin: that people are leaving this state in record numbers. The population decline in the last quarter is 476 Tasmanians migrated out of Tasmania. That is the third-worst result since 1981, which is as far back as the ABS records go. The September quarter: minus 476. That was the third worst in history, going all the way back to 1981. The worst was June 1988 when our population declined by 552. The next worst is June 1997 when our population declined by 536. They are the two worst. The third worst is last quarter.

Ms O'Connor - All under Liberal governments.

Dr BROAD - Exactly. What is the fourth worst? The fourth worst was when our population declined by 380. That was in September 1997. When was the next worst? What was the fifth worst? What is the top five? Minus 313 was in the December quarter of 1997. Yes, that is right. The top five population declines were all Liberal governments.

The backbenchers are no doubt going to talk about how wonderful it is here; how people want to move to Tasmania, and how our population is booming -

Mr Tucker - You are cherrypicking figures. You are cherrypicking.

Dr BROAD - I am not picking figures. No, I am not. That is the top five. They are the five worst.

Mr Tucker - What about the increase in population? Since 2005 -

Dr BROAD - Okay, let us talk about it. I have a little bit more detail here for the benefit of the member for Lyons. The data goes back to 1981. I have compared Labor governments to Liberal governments across the whole record. The Liberals are saying, 'Aren't the Liberals great for population in Tasmania?' The average increase in populations, per quarter under a Liberal government, is 670 over the entire record. What is it under Labor governments? It is 742. The population increases per quarter, on average, about 152 people greater under a Labor government.

The top five worst results are under a Liberal government, and the third worst has just occurred. Yet the minister thinks that everything is fine, and all he needs to do to reduce stress on Tasmanians is to play around with land tax and save people \$600, that this will fix this.

We are in a population decline right now. Technically, it is a population recession: two quarters of negative growth. The bigger concern is the record number of Tasmanians who are migrating to the mainland: 5243. That is almost one in 100 Tasmanians left the state last quarter. Is that not a concern? That is the change that we are seeing. The Government should

really have a look at it and determine what is going on. Why are those numbers so high? Why are so many Tasmanians choosing to leave?

It is good that people want to come to the state but that has an impact on young Tasmanians, especially. What does that do to the demographics? If I am right, and it is young families leaving and the older demographic with more money coming in, what does that do to people's ability to find the right staff members when young people with skills are leaving the state? What does that mean if you want to hire an engineer or hire a decent office manager, or a hairdresser, or an apprentice or a plumber? This is the reality of Tasmania.

This second reading speech beggars belief. I hope the backbenchers update their rhetoric. There is a lot of talk about the last Labor government from the backbench but the current figures are worse. The population decline is worse. Under a Labor government there has never been 476 people leave the state. That has not happened under a Labor government. That is happening under your watch. The cost of living is skyrocketing. The Government is just pretending to deal with cost of living pressures.

We saw the latest inflation data. Hobart is up 4.5 per cent, well above the average rate of wage growth which is 3 per cent. This means that under your watch every Tasmanian effectively accepted a 1.5 per cent pay cut, according to the latest inflation results. Hobart is now the least-affordable capital city for rent. House prices have jumped 30 per cent in one year. That is great if you have a house or you want to re-mortgage and maybe use some of that equity to do something, but young people are being priced out.

What is happening? Is it those people who are leaving? I argue that it is; more than 5000 of them. That will have a significant economic impact. Almost 10 000 have left Tasmania in the past six months. Almost 10 000 Tasmanians have decided that their future lies in mainland Australia. That is a record. That is 1400 people worse than the worst figure under the last Labor government and you are pretending that everything is fine.

The Premier picks the best statistic on economic performance. Things are turning around and you are turning a blind eye to it. It beggars belief. The cost of living is going up and you are doing nothing about it. People cannot afford rents. People cannot afford to leave home. Even if they could, they cannot find places. Everybody who goes to a rental property finds there are dozens vying for the same property. People are making offers like paying 12 months' rent in advance, trying to pay more than the asking 12 months in advance. They are the levels of desperation that people are turning to.

I have heard of professional people who came to Tasmania and had to turn around and move back to the mainland because they could not find somewhere to live. They come to Tasmania, park themselves in a motel for months and then give up and move to the mainland. Changes to the land tax thresholds are going to drive down rents? It is a complete joke.

Ms O'Connor - It is a lie.

Dr BROAD - At worst it is, yes. It is a complete joke. We have a brain drain. Unaffordable rents, even for people who earn a lot of money. It is not about land tax. It is about supply and demand. The Government is not doing anything about the supply and demand side. Supply is the only fix.

The Government promised 10 000 houses within a decade. That is a rate of almost three houses a day from the announcement. How are you going with that? There will need to be a massive catch-up at some stage.

It is very embarrassing for the Government. When it had its eight-year achievements list, there was very little of note that was actually all the Government's. It did not mention all the stuff that was promised and not delivered, like the underground bus mall. The Government's achievement list was so weak it had to pad it out with stuff it has announced, as if an announcement is an achievement in the last eight years. The 10 000 houses were there as an achievement in eight years. You have announced that you are going to build 10 000 houses. It has taken you eight years to do it but you are banking that like it is a success. It is such a stupid Liberal thing to do to make the announcement and bank it like it has just happened. We know that announcements are cheap because it does not cost you anything to make the announcement.

You go on about building 10 000 houses in the next however many years as an achievement from your last eight years of government. What an absolute joke.

It is not only professional people who cannot find places to rent, even if they can afford it. What about people at the other end of the spectrum? What about the people who come into my office fleeing family violence who have nowhere to go? They have run out of options. What about them? Is reducing \$600 off a landlord's land tax bill going to fix that? No. It is just head-in-the-sand stuff.

How is the economy going? The Premier talked about business investment. It is down 10 per cent in the last figures. Consumer confidence is down. The latest figures out today for household spending are down. The January quarter was down 17.5 per cent. We have not seen figures like that since the start of the pandemic.

January was going to be when the Tasmanian economy took off, remember? Instead, we saw the mismanagement of the border reopening result in that shadow lockdown. The figures prove the point that consumers stayed home and spent 17.5 per cent less. Hotels, cafes and restaurants were down 14.6 per cent; miscellaneous goods and services down 15 per cent. That was the shadow lockdown. Clothing and footwear retailers in the January quarter were down 41 per cent. That is the worst I can see in this column that goes back to February 2019. No wonder the retailers were talking to us about how desperate they were to make ends meet. Clothing and footwear purchases are down 41 per cent, but the economy is booming.

Everything is going to plan. You are aspirational, you are looking after the future and all of that other garbage you talk about. In the meantime, we are talking to the retailers, watching them cry in front of us. The figures prove it. What did the Government say? 'We have given them \$5000'. We were talking to people who had lost \$150 000 in a week. We heard from restaurants that had to throw out food because on a Saturday night only three people showed up. Retailers desperate, not knowing how they were going to get through.

The figures from the ABS today prove the point, yet saving landlords \$600 is going to solve the problems. For those retailers who are affected by the 41 per cent less spending in clothing and footwear, is that \$600, if it is passed on from the landlords, going to keep them in business? When spending is down 41.7 per cent, is the Government acknowledging that they have a problem here? No, they just say we are negative. What about the retailers? We raised

this, we got dismissed, the figures do not lie. The money that the Government was putting into it was not enough. The support? Not enough. Maybe they should listen to us a little bit more.

Business investment down 10 per cent. The Government has its head in the sand. Things are not shaping up well. The last state final demand went backwards 1.5 per cent. The state's economy shrank last quarter by 1.5 per cent, worst of any state. Did we hear the Premier talking about more to do? No, he says, 'Everything is fine. Isn't it great?' It is all sunshine and good times. I can tell you, for retailers, it is not. January, imagine that. Clothing - expecting that bounce; down 41 per cent. Goodness me. It is not just COVID-19 -

Ms O'Connor - It significantly is though, if you look at the mobility data.

Dr BROAD - But you look at it through COVID-19 - there have been ups and downs but it has never been as bad as it was in January.

Ms O'Connor - Because that is when the infection arrived.

Dr BROAD - And people stayed home. People made their choices. They stayed home.

Where is this Government leading us? Last year the Government took action to relieve the cost of rental properties and put downward pressure on rents by setting the land tax thresholds.

A member - Have you read your own election policy lately?

Dr BROAD - That is yours. These are your comments. You just said it a minute ago. It is just not true. It did not put downward pressure on rents. There is no doubt that Tasmania's strong economy - have we got a strong economy? The economy has just gone backwards 1.5 per cent. Is going backwards 1.5 per cent a strong economy? How do you define a strong economy? A growing economy would be nice - that would be a strong economy, not one that is going backwards. What happens next quarter: that State Final Demand, that was the December quarter?

The next figures are going to include that spending from January, which across the board is down 17.5 per cent. You are going to have to hope that in February and March there was a big upswing, otherwise we are going to have two negative quarters in a row, which is a recession. Is that a strong economy? You are teetering on the edge of a recession and yet, here you are in your second reading speech talking about Tasmania's strong economy.

We know you talk a lot about CommSec but what about other data, like ANZ? What do they say about the Tasmanian economy? What does Roy Morgan say about the Tasmanian economy? We know that CommSec is pretty heavily weighted towards housing finance and housing starts. What about the other data points? It has to be a concern when the state economy goes backwards 1.5 per cent and then the next month spending declines so rapidly across the board. Every sector down in January. Food - down 9.5 per cent; alcohol, beverage and tobacco - down 33.7 per cent; food and clothing, as I have said - down 41.7 per cent; furnishings and household equipment - down 19.7 per cent; health - down 15.6 per cent; transport - down 11.6 per cent; recreation and culture - down 16.9 per cent; hotels, cafes and restaurants - down 14.6 per cent; miscellaneous goods and services - down 15.1 per cent; for a total across the economy of down 17.5 per cent. Is that a strong economy?

This is what we have. This Government has to start getting real and has to start taking real action, not spin. Spin does not put food on the table. Spin does not get people into retail stores. The reality is, this state is facing economic headwinds on a number of measures and yet this Government comes up with this sort of garbage in a second reading speech.

On top of that, this Government is putting up the cost of living. They want to put a bin tax on everybody. Every time you take your garbage bin out, it is going to cost you and there is no incentive. This is a blunt force instrument. There is no incentive to reduce your waste at an individual level. Absolutely not. You are going to pay the same no matter what your neighbours do. It is an inefficient tax because there are no incentives built into it for the individual. It is regressive. TasWater is going to jack up their bills by \$395 over the next four years. What are landlords going to do with that? They are definitely not going to be handing that over in rent savings. If you wanted to get up here and talk about the land tax and what this bill would actually achieve - fine.

If you got up here and said this is going to save 70 000 landowners an average of \$600, which is, if the minister will confirm it, \$42 million annually. If the minister had stood up and said that - fine, that is the truth. That is the reality - 70 000 landowners will benefit with the average savings of \$600 on their land tax bill. Why do you have to get up and say the garbage about putting downward pressure on rents? Who wrote that? Did you write that, minister? I am not getting up on a second reading speech and talking like that. Putting it on the parliamentary record that it is going to put downward pressure on rents. If you cut that section out, we would not have had a problem, but instead you have to put the spin on it. Why can you not put the facts on the table and sit down instead of always having to put spin on it? It beggars belief.

Other housing relief measures: what are they? Is this the 10 000 houses you are pretending to build? Fancy that. I cannot believe that your eight-year achievement is making an announcement. In your eight years you have made an announcement about building 10 000 houses. That is aspiration. You are aspiring to actually do something. You have been in eight years. You compare that to the first eight years of the last Labor government and the changes that were made to the state, the policies that were implemented: the new TT-Line vessels, deregulating shop trading hours. Big reforms. What has this Government got? They have to pad it out with things they have only announced. What a joke.

The big question: is this Government getting the basics right? They are not getting the basics right. They are not listening to people. They are listening to their own spin in their own little echo chamber, regurgitating stuff that is written by others, no doubt. The member for Lyons will no doubt get up and talk in glowing terms about how well the economy is going, with absolutely no regard to the fact that we are in a people recession; no regard to the economic figures collapsing, or the state economy going backwards; investment down. Just be a bit dismissive. You have to put plans in place that make a difference, that are there for everyone to see, to actually change the headwinds we are now facing.

Mr Ferguson - Name a policy. Go on.

Dr BROAD - What a joke. That is your return? You are in Government for eight years and it is our fault? You have no good ideas, so you have to take all ours, like public transport. You do not know what to do. 'Okay, we are going to do what Mr Willie from the upper House suggested'. You guys have no ideas. You are in spin city. It does not work. Two quarters of

population decline, business investment down, the state economy is going backwards, but saving landlords and landowners \$600 is going to save a rental crisis that is driving Tasmanians to move to the mainland. What a joke.

[5.39 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Dr Broad, I thoroughly enjoyed your contribution. I think you absolutely demolished this woeful excuse for a government on housing and on population. Although I disagree with you on many matters, including supporting this legislation, I thought it was a sterling effort that laid out the facts. The pleasant thing about it was is that it kept our colleagues on the Government benches very quiet, with their heads down, for the best part of half an hour until someone over their finally woke up and belatedly started heckling you.

Mr Deputy Speaker, as I said, by way of interjection, after the minister had sat down from speaking for about four minutes, it was the most pathetic dishonest second reading speech I have ever heard here - and I am not exaggerating. It was an unbecoming second reading speech from the Minister for Finance. His brief and dishonest contribution was effectively a media release. There was no context, no rationale, no detail of any assessment on the impacts that this will have beyond the headline populous numbers this Government wants Tasmanians to focus on.

Dr Broad is right in one sense; it is a joke, but it is also a human tragedy because we have a government that consistently gaslights the people of Tasmania, which is so immersed in its own self-love that it cannot get out into the community and listen to what is happening in people's lives. It feeds Tasmanians buckets of bulldust every day. The most recent example of it, and I have mentioned it in here before, was the Minister for Resources telling a bare-faced lie about the connection between the removal of masks and the doubling of case numbers.

Mr Ferguson - That is unparliamentary. The member should not even have to say he is offended.

Mr DEPUTY SPEAKER - The member knows that it is an unparliamentary term.

Mr Barnett - That is grossly unparliamentary.

Ms O'CONNOR - Okay, but it is true. If he takes offence to the word, I will call it an untruth.

Mr DEPUTY SPEAKER - Ms O'Connor, can you please withdraw.

Ms O'CONNOR - I did; I withdrew it.

Mr Jaensch - It is also contrary to what Public Health says so you are doubly wrong.

Ms O'CONNOR - Actually, because you have never tabled the Public Health advice on masks we have no idea, and because your form is to be thoroughly dishonest all the time, we do not trust you.

Mr Jaensch - Watch the television. They are on the television every day talking about it.

Mr DEPUTY SPEAKER - Order, Mr Jaensch.

Ms O'CONNOR - Here are some numbers, other than the numbers in this bill, that we should be focusing on: \$14 million; \$55 million; and \$83 million. Fourteen million dollars is the annual revenue forgone from 2021's land tax adjustment; \$55 million will be the average annual revenue forgone from this round of land tax cuts; \$83 million is the projected annual loss from GST revenue when the 'no worse off' guarantee ends in 2026. This is a total of \$153 million a year. The total budget for the Department of Premier and Cabinet this year is \$90 million; the Department of Treasury and Finance, \$66 million. The lost revenue that we are looking at as a state is about the same as the cost of two significant government departments. The cost of the land tax cuts alone is the cost of the Department of Treasury and Finance.

For at least a decade, the Department of Treasury and Finance as well as independent economists have warned that Tasmania's own source revenue is too low. This leaves us deeply vulnerable to changes in our GST revenue. What do you know? We are going to see these fears come to fruition after the expiration of the 'no worse off' GST guarantee in 2026.

How has this self-loving Government responded to these concerns over the past eight budgets? Own source revenue has declined from 39 per cent of overall revenue in 2014-15, when they came to office, to 35.9 per cent in 2021-22. Now the Government wants to introduce further cuts to Tasmania's second largest revenue source, cuts somewhere in the region of 30 per cent. What will we achieve with these cuts? The benefit of these cuts is being delivered to those lucky enough to have a property other than a principal residence. Largely, this will be investment properties and, arguably, luxury properties like shacks.

There are many of us in here, as you have tried to remind me a number of times, who are members of the propertied class. These land tax cuts benefit the propertied class, not people who cannot afford to buy a home or rent a home and, as Dr Broad detailed, are leaving this beautiful island state, their home, in droves because they cannot find a place to live.

It is incumbent on government not to shove propaganda and untruths down our throats while pushing a bill like this to argue for why this massive land tax cut, this gift to the propertied class, is reasonable. The minister and, indeed, the Premier have claimed these land tax cuts will reduce rents. They have not and they will not.

I refer the House to the Code of Conduct for Ministers, which is very clear about dishonesty for ministers - not that it is ever upheld because there are no standards here, apparently - but it is very clear:

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

We have a minister of the Crown in here being dishonest with the parliament, being dishonest with the historical record and, indeed, should any case come before a court that relates to this legislation, being dishonest with the justice system. This is a clear breach of the ministerial Code of Conduct.

Cutting land tax will not put downward pressure on rents. Of course, we will not hear that confession from the minister because the Premier himself has dug in on the dishonesty. One of the reasons land tax exists is because it reduces land speculation and, therefore, increases supply and reduces rents. It is a tax that is paid by the wealthy and cannot be passed on to tenants because rents are largely a function of demand and supply. As we know, rents in Hobart have gone up, on average, 11 per cent in the past year. Some people, of course, are getting rent hikes of 20 to 25 per cent on their weekly rental bill. This demand-supply principle underpins the economic assessments of land tax from Adam Smith's famous 1776 book, *The Wealth of Nations*, through to contemporary examples such as acclaimed economist, Saul Eslake, who stated, exposing the lie:

It's a myth propagated by the property industry that land taxes affect rents. They don't. Rents are determined by the interaction of demand and supply in the land market in the rental housing market.

I would be very surprised if many landlords, having received a lower land tax bill decided to reduce the rents they charge their tenants. To be frank, I would be utterly shocked because there is no evidence, and there has never been any evidence, that if you cut land tax the propertied class, the landlords, will pass on their savings to their tenants. This has also been acknowledged in the 2010 Australia's *Future Tax System Review Final Report*, commonly known as the Henry Tax Review, as well as the Directorate-General for Economic and Financial Affairs in the European Commission. This is a well-established economic fact; cutting land tax does not reduce rents. The minister's second reading speech contains an unvarnished lie.

Indeed, Tasmanians have lived through this in practice as rents have only increased since the last round of tax cuts just last year. However, if the Government knows better than expert economists, a literal two-and-a-half centuries of economic axiom and the statistical reality present after their last land tax change, they are welcome to come into this place and provide actual evidence rather than bold claims that this will bring down rents for the people of Tasmania. The reason they will not do that, other than the fact that no such evidence exists, is because they know it will not reduce rents. It is not intended to. This is about the property class. It is not about people who have joined the housing underclass because they cannot find a place to live that they can afford.

The intent of this bill is to garner political support, largely from wealthy people, by giving them a tax break. Like cowards, they refuse to come into this place and tell the truth. It is much easier for them to pursue this agenda under a false pretence of putting a downward pressure on rents. As if this is not bad enough, the tedious right-wing ideologues in this place, like Mr Ellis, choose to make petty and weak illusions to socialism in lieu of any credible evidence. Hating socialism - that is governments that provide services to people and look after people - is not a suitable substitute for actual evidence when it comes to informing policy. This is consistently the strategy of the hard right, to smear the views of the, broadly speaking, political left without proffering much in the way of their own view.

It is trolling in lieu of genuine opinion and evidence-based assertions. Housing approvals is a good example of this trolling. Right-wing trolls like Mr Ellis and his colleague on council, Mr Simon Behrakis, like to take aim at the Hobart City Council for its failure to approve every single dwelling that comes before it. What they fail to acknowledge is that council is required

to apply the planning scheme. If one were to contend that council does not do that correctly, well RMPAT has the final say.

Mr Jaensch - Not anymore. It is TASCAT. Catch up.

Ms O'CONNOR - Or TASCAT, whatever. What is the solution put forward by these trolls? Is it that the planning scheme, as established by their Liberal colleagues, should be ignored and 100 per cent of dwellings approved regardless of their conformity with it? Is it that this Government's planning scheme is flawed and should be changed?

We of course get no details or solutions from these trolls. That is not their purpose. Their purpose, as is the purpose of all trolls, is simply to incite hatred and division. They do not care about solutions. We get the same sort of nonsense from Senator Abetz; the senator who lobbied against forgiving Tasmania's housing debt, but attacked the Hobart City Council for offering aid to 30 refugees on the grounds of Hobart's homelessness crisis.

These far-right Liberal ideologues fling more faeces than chimps at a zoo and have about as much to offer in the way of constructive policy dialogue. This is the quality of contributions we get from the Liberals on an issue causing serious harm to thousands of Tasmanians. Soaring rents and house prices are destroying lives. They are driving Tasmanians to the mainland in search of an affordable home. Even when these trolls acknowledge the problem, it is with some trite spin, diminishing the deep, permeating housing stress in this state to 'growing pains'. It is nothing to do with eight years of underinvesting in the supply of affordable housing. No, it is 'growing pains' says the self-loving Government. Or they insinuate that those suffering from housing stress are like that because they are simply not aspirational enough. As if aspiration could change the fact that house prices are increasing at an astronomical rate.

Wage growth is suppressed and rents are increasing, squeezing people's capacity to save and crushing people's aspirations. As if aspiration could save them from the fact that their Government will not introduce any meaningful reforms to address one of Tasmania's worst crises, the crisis in housing and homelessness. As if aspiration could save them from the fact that their Government will not only insult them by giving a tax cut to the wealthy but will then turn around and pretend that they are actually trying to help renters.

We also cannot discuss this bill without discussing the context in which it is being introduced, that is, lobbying largely initiated and championed by property magnate and Hobart City Council candidate, apparently, Louise Elliot. Louise Elliot, who owns multiple rental properties and is also the beneficiary of a \$100 000 Government grant as she runs for Hobart City Council, has claimed that Tasmania has the highest land tax rate in the country. That is apparently the basis on which our land tax should be reduced. 'In a horse race, back self-interest', as your predecessor Mr Polley once said to me. 'It will come home for you every time'. That is what we are seeing here from the likes of Louise Elliot and the Property Council.

The truth is more complicated than that. At lower combined property values it is true that Tasmania has the most expensive land tax rate of any state. However, we also have the lowest maximum rate. This means that at about \$2.1 million in value, South Australia becomes more expensive than Tasmania. At \$6 million in value, Tasmania's land tax bill is cheaper than every state other than Queensland. At \$8.5 million, Tasmania's land tax bill becomes the cheapest out of every state. Of the territories, the Northern Territory stands alone as having no

land tax, the Australian Capital Territory has an inverse trend which is more expensive at lower values and cheaper at higher values, relative to Tasmania.

The point is, if this was really a conversation about coming into line with other jurisdictions, discussion of higher maximum land tax rates would also be on the table. If it was, we might be having a very different conversation right now. We might be having an honest, frank and evidence-based conversation. We might be having a conversation that does not insult the intelligence of this House and the Tasmanian people. This is not about Tasmania being out of step with other jurisdictions. This is opportunism from wealthy landowners, like Louise Elliot, who are happy to benefit from increasing property values and rents but are not willing to pay the increased land tax costs that come with these windfalls. They are apparently happy for health, education and the construction of new, affordable housing to be underfunded or paid for out of the pockets of Australian workers, rather than their own bulging pockets.

We do not support this bill. It is based on a lie. It rips off public services. It is a disgraceful piece of legislation that I am sure in their quiet moments, people in Treasury are tearing their hair out about, if they have any.

[5.59 p.m.]

Mr TUCKER (Lyons) - Mr Speaker, I have to correct the record with Dr Broad. He is only looking at one side of the ledger, not the net figures. Also of note, there are some data issues that are acknowledged by the ABS, Dr Broad. Number one, the Medicare residential data is used to estimate the residential population. Given the vaccine rollout throughout the country varied, Australians were updating their Medicare addresses at various times.

Debate adjourned.

ADJOURNMENT

Harmony Week Ukraine Territorial Sovereignty

[6.00 p.m.]

Mr STREET (Franklin - Minister for Community Services and Development) - Mr Speaker, I rise tonight to acknowledge Harmony Week 2022: an annual week encouraging celebrations of diversity, inclusion, respect and a sense of belonging for everyone.

It was fantastic to be invited to join the Multicultural Council of Tasmania (MCOT) and other service providers two Sundays ago in Launceston to meet some of the community members and hear their life stories. At that time, it was also great to meet the new CEO of MCOT, Lee Wilson, who is looking to bring his enthusiasm from community sports to the multicultural peak body in Tasmania. I also took the opportunity, while in the north of the state, to visit the Multicultural Resource Centre North and chat with the CEO Ella Dixon about the services and supports they provide in the north.

Multicultural issues are deep and varied but one of the best ways to celebrate communities and to encourage an initial connection is through food. When meeting with MCOT at Moonah last week, I timed my visit with the reopening of their social food enterprise Muticultural Resource Centre (MRC) Catering. While meeting with their CEO Gillian Long

I was treated to, and thoroughly enjoyed, the delights from their commercial kitchen. The colours and flavours were amazing, although I have to say I have very simple tastebuds, so some of the food was a little more outside what I would normally have. I also want to spruik their takeaway and delivery service for the Hobart area while I am on my feet.

I encourage people to learn more about Tasmania's diverse culture through food and to find out what the service offers by heading to MRC Catering's website. Importantly, MRC Catering provides participants in the kitchen with skills and workplace experience. This program is a win-win. The service provides a pathway to employment for people from migrant and refugee backgrounds while also giving back socially and economically by bringing communities together.

While I am on my feet tonight, I also want to say that we stand as a Government, and I am sure as a parliament, with Ukraine, and its right to peace, freedom, and democratic rule. It gave me great joy last Friday to welcome back to Tasmania Rachel Lehmann-Ware and Duncan Ware on behalf of all Tasmanians. I am very glad to see them home safe on Tasmanian soil, and I thank everyone in the Tasmanian Government who worked with them to organise a flight to repatriate the couple back to Australia. Whilst I should not individualise, I am going to, and particularly thank the Deputy Secretary of the Department of Premier and Cabinet Craig Limkin who I know held a number of phone conversations with Rachel, one of which was interrupted by bombing outside the building she was making the call from.

I acknowledge that the events in Ukraine have deeply impacted both the Wares and other Tasmanians who have friends and family in Ukraine, and the personal stress that this has caused. We are glad to hear that the Australian Government is progressing outstanding visa application from Ukrainian nationals as a priority across all visa categories.

There is no doubt that our state is a much richer place to live, work, study, and raise children because of its people, and their cultural, social, and economic contribution to our communities. Harmony Week is a week for us all to reflect on what brings us together and unites us as Tasmanians, and to celebrate our multicultural diversity, which contributes to Tasmania's social, cultural, and economic wellbeing, enriches communities and enhances every aspect of our day-to-day lives. I acknowledge and thank all community service providers I have already met with, and the ones I continue to meet with, who support and advocate for our multicultural communities across the state. I also thank them very much for being so welcoming to me as their newly-appointed minister.

Derwent Valley Mayor and Deputy Mayor
New Norfolk Hospital - Petition regarding Nurse Practitioners

[6.04 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, first, I would like to acknowledge the newly-elected Mayor of the Derwent Valley, Michelle Dracoulis, and Deputy Mayor Jessica Cosgrove, who are joining us in the parliament today. Welcome.

On 25 March 2021 I presented a petition from approximately 804 residents of Tasmania requesting that the House call on the Tasmanian Liberal Government to introduce nurse practitioners at the New Norfolk hospital, and to advocate to their federal counterparts to reschedule New Norfolk under Medicare and the modified Monash model to a level 5.

On 2 March 2022, the Government finally provided a response. It took nearly a year for those 804 residents who signed a petition calling for better healthcare services in their community to finally get a response. I do not think this Government could show any more disrespect to our regional communities if they tried. It takes a special kind of neglect to take nearly 12 months to respond to a petition that has been tabled on behalf more than 800 members of the Tasmanian community. It is incredibly disrespectful, and not only was the length of time the Tasmanian Government took to respond to this petition in breach of standing order 63, which requires a response to a petition to be tabled within 15 sitting days of its communication to the premier, but it is a total affront to the members of the Derwent Valley community who deserve to be treated better by their government when they raise serious questions about how their lives could be made better through improved access to local health care. The government is failing to get the basics right.

I want to acknowledge Bill Dermody, who collected those 804 signatures on the petition, a man of integrity, a man of wisdom, who stood for hours each week at the New Norfolk market to speak to with the community about how health services could be improved, and invited them to sign the petition to call on the government to enhance services at the New Norfolk Hospital. Bill has been a tireless advocate for his community, and his extensive experience in healthcare gave enormous credibility to the petition. Sadly, this government has treated him and the people of the Derwent Valley with disdain. Not only has it taken them nearly a whole year to bother replying to the petition signed by 804 community members, they have done all they can to ignore Bill and his advocacy. Members might remember that when I spoke about the failure of the government to respond to this petition late last year, I outlined the efforts that Bill had made to speak with members of government about the need to improve health services in the Derwent Valley.

From the time I presented this petition to the parliament on 25 March 2021, Bill had been in contact with the Government on no less than nine occasions to ask for meetings, to discuss issues relating to the petition and the lack of healthcare services in the Derwent Valley and Central Highlands community. He did not get responses to those requests, just glib responses acknowledging receipt of email. He contacted the former minister for health, Sarah Courtney, on five occasions with no luck, and he then contacted Guy Barnett, the Liberal member for Lyons, on four occasions. He did not even get a response from Mr Barnett until the last occasion, when he was told his request would be forwarded to the minister for health. The minister still had not responded.

Mr Barnett - I met with Bill Dermody.

Ms WHITE - I am unaware of what contact has happened between the Government and Bill since late last year, but I do know -

Mr BARNETT - Point of order, Mr Speaker. I met with Bill Dermody. The member is misleading the parliament, so put it on the record, please.

Ms WHITE - I am quoting from Bill, and you should be very careful when you say such things.

These were two matters that were dealt with last year in the parliament. I am unaware of what contact you have had since I raised this last year, Mr Barnett, but I do know that the minister for health promised to be in touch with Bill Dermody when that petition response was

tabled. To my understanding, no one from the Government has been in touch with Bill Dermody since the Government finally got around to tabling a response to that petition in March this year. Had I not been in touch with Bill he still would be unaware of the Government's response to that petition.

I cannot understand why this Government has such little regard for the concerns raised by a member of the community who has a legitimate worry about health services in this state, and who also worked very hard to identify solutions. I want to remind this House why it is so important that, and why regional healthcare deserves closer attention, and that people living in regional Tasmania deserve better services. The provision of appropriate and safe primary healthcare services close to where people live can take pressure off our acute hospital system, but can also afford better outcomes for people's health. The need to have access to adequate healthcare is a fundamental right, and right now, this government cannot even get this right because in the government's response to the petition signed by 804 community members, they ignore the request for the New Norfolk Hospital to employ nurse practitioners to provide access to healthcare 24 hours a day, 7 days a week.

The New Norfolk Hospital already provides some support to the operations of the Royal by taking the overflow patients, and this does help alleviate the pressure at the Royal, but it denies beds to the residents of the Derwent Valley community. The minister for health would understand this makes it very difficult for GPs to admit their own patients to the New Norfolk Hospital, and it was the reason for the introduction of the nurse practitioner Monday to Friday on dayshift but the requirement to extend this service to seven days and after hours will further enhance the opportunity for residents in the Derwent Valley to access healthcare close to where they live. The petition calls for that. the government has ignored it.

The response to the petition also mentions that there are new initiatives under way, including Corumbene Cares Derwent Valley Health Hub, and Wellbeing Hub, and the 100 bed health facility being developed as part of the Muir development. This is not the same thing as offering public healthcare for residents in the community. The Government cannot outsource its responsibilities. It must invest in healthcare options for residents in the Derwent Valley that allow equity of access for everyone. Despite my admiration for the work of Corumbene and their planned expansion of services in the valley, they will only be providing those services to clients on their books. The proposal from the Muir is a private hospital. It is unlikely to provide benefit to many of the residents in the Derwent Valley who either do not have private health cover or who would struggle to afford it.

Suggesting that a not-yet-built private hospital will address the health needs of the Derwent Valley community is wrong. The reality is, there is an existing public hospital in New Norfolk that could better cater to the health needs of the community if the Government only applied itself to thinking about doing things a little differently. They should invest in public health services in the community to support the public to have access to healthcare where they live.

Mr SPEAKER - The honourable minister.

Ms O'CONNOR - Point of clarification, Mr Speaker, standing order 144 says the call goes to the member who rose first.

Mr SPEAKER - The call has been made. There is no point of clarification, as you understand.

Ms O'Connor - We always get called second.

Mr SPEAKER - The minister has the call.

Derwent Valley - Health Services Diabetes Tasmania Pollie Pedal

[6.11 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Speaker, before I pay a tribute to Diabetes Tasmania and the Pollie Pedal this year, I would like to respond to the Leader's response with respect to the petition that was tabled in here and the Government's response, and to indicate on behalf of the Government and me the importance of health services in the Derwent Valley is not underestimated. It is very important.

The response from the Minister for Health set out the Government's position quite clearly. I reject the misinformation that has been afforded by the Leader of the Opposition in this place. To be very clear, I had communications with Bill Dermody and I met with him. I recognise and acknowledge his strong support for the local community in the Derwent Valley in terms of health services. That is to put on the record. Health services are very important.

I acknowledge in the Chamber the new Mayor for the Derwent Valley, Michelle Dracoulis, and likewise, Jessica Cosgrove, the Deputy Mayor who I greeted just a few moments ago.

With respect to Diabetes Tasmania Pollie Pedal, it is its seventeenth year. Notwithstanding COVID-19, we have achieved a great result. More than \$27 500 of funds were raised for people with diabetes and their families in Tasmania. There are some 37 000 Tasmanians with diabetes - type 1, type 2 and gestational diabetes. About double that number are either living with silent, undiagnosed diabetes or at high risk of developing diabetes so, all in all, 85 000 people in Tasmania. It is a lot of people. It has been 17 years raising awareness and funds to support Diabetes Tasmania.

I established it in February 2006 with Diabetes Tasmania. When we kicked it off, it was around the main oval in Burnie. We did the north-west coast on that occasion. We have cycled thousands of kilometres and raised more than \$820 000 to support Tasmanians with diabetes, their families and those at risk.

Mr Ellis - Hear, hear.

Mr BARNETT - I thank the member for Braddon. I take that interjection. It is a huge effort on behalf of all those riders every single year.

Mr Speaker, you have been one of those on many occasions. I know your terrific support for the Pollie Pedal over many years.

I want to put on the record thanks to the sponsors for this year: Ascensia Diabetes Care; Neville Smith Forest Products; Norske Skog; Boyer - I rode past Boyer just a few weeks ago on the Hobart leg of the Pollie Pedal; Digital Ink; The Claire Bennett Agency; Mövenpick Hotel Hobart; Pagan Cider Tasmania; and RTC Group - I acknowledge John Rayner. He came off his bike a few weeks ago. I hope he has recovered and doing much better. A great sponsor.

There are many others who provided support and sponsors, not just for me on my GoFundMe page. I did the two days in the north this year and one day in the south. The Pollie Pedal 22 Shifting Gears began on Friday 25 February 2022 and I did the three-day road ride. This year, in addition to riding the fund raiser, because of COVID-19, it has moved online to a four-week virtual event meaning anyone across Australia can register and participate. Registrants can set their own target of kilometres or hours. You can ride or even walk.

COVID-19 intervened so we did not visit the schools this year, we did not get to the aged care homes, we did not have community events but it was still a great success. I want to say thank you particularly to those who led the charge. In the north, Adam Gourlay did a great job. I want to say thank you to Craig Snowden and Darren Segda, in particular; members of the Dad's Army Riding Peloton in Launceston. They came down to Hobart just a couple of weekends ago on that Saturday to ride with me from Hobart up Grasstree Hill over to Brighton and then up the Derwent Valley to New Norfolk. We stopped at Banjos, had a bit of nourishment there at lunch time in and around the time of the market and it was humming. We were feeling a little worn out but we were nourished, had a little extra energy and then headed back down the Derwent River back to Hobart, 107 kilometres in all. A big thanks to Craig and Darren. They pulled me along that day to get to the destination.

A big thank you to Diabetes Tasmania. Caroline Wells, the CEO, does a great job, a wonderful leader for so many years. We started all this together 17 years ago and the fundraising and marketing coordinator, Ange Headlam, congratulations on a sterling effort again. Clare Klapche and Andrew Klapche, great support, and a special tribute to David Meadows who is over 80. He did the 300 kilometres in 50-kilometre stints on six occasions, fantastic job, in and around Launceston and a great tribute to David who I count as a colleague and a friend.

I am delighted to be able to share a few remarks, pay a tribute again to all those that have provided support in this place and elsewhere in the community and to pay a tribute to people with diabetes in Tasmania. I have type 1. This is my 25th year this year so it is a bit of a special year in that regard. You can live a healthy lifestyle that is for sure, even though you have diabetes but there are challenges. It is tough.

Finally I acknowledge the Governor, the honourable Barbara Baker, who is hosting a special thank you and tribute event on Saturday, 2 April, just a week or two away and thank her for her terrific support and encouragement for Diabetes Tasmania and for all Tasmanians with diabetes.

COVID-19 - Wearing of Masks

[6.18 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I do not think it is any exaggeration to say that this Chamber and this parliament is the least safe it has been in its

history. We are in here now in an environment where an increasing number of people have been told by the Government that it is okay not to wear masks. I note that your adviser, Mr Ed Boutchard, is in the Chamber unmasked. I feel less safe because there is a person in here who is unmasked. I feel it is difficult for me as an employer to keep my staff safe when there are people walking through this building with apparently a very casual regard for the health of each other as they walk around without masks on.

I just went and had a look at the Legislative Council to see who was wearing masks. The Clerk of the House, Mr Pearce, unmasked. The President, unmasked despite his letter with you Mr Speaker, strongly encouraging people to wear their masks when they are in the Chamber at the very least. Ms Armitage was unmasked.

Mr Speaker, it is a fact that if Tasmania was a country as at today we would be in the top 10 per capita of COVID-19 cases. We have more than 1800 reported overnight, 10 000 active cases, and a government that caved in to the business community and the Morrison Government, removed mask protections and made us less safe. I am an asthmatic. If I get COVID-19 I get really sick. If I pass COVID-19 onto my disabled brother I am not sure he will make it. I am disgusted by the behaviour of some people in this place. I do think that the removal of the mask mandate has separated the ignorant from the informed. It has, in some cases, separated the selfish from those who are more community minded.

I simply say this to people who are walking around this building without masks on, you do not have the right to infect others. You do not have the right to make my staff sick. This is about looking after each other. It is about respect for each other's health. It is about following the evidence, and the evidence is, even if you are triple vaccinated you are not safe from infection and you are not safe from potential long COVID-19. That is what all the independent experts are telling us. Yet, we are in a working environment now where there is nothing we can do to 100 per cent keep ourselves and the people we care about safe because there has been a failure to make this a safe workplace.

Dr Woodruff has written to all members this afternoon urging them to heed the evidence, show respect for each other and keep our masks on. I note every sitting member in this place has had enough respect, including you Mr Speaker, to wear a mask in here. I see Mr Boutchard is still sitting there unmasked. That makes us less safe. That is the evidence. Listen to Professor Nancy Baxter, listen Professor Raina MacIntyre, Professor Brendan Crabb, the independent health care experts who are saying keep your masks on to keep yourself safe and keep the people you care about safe.

Then we have the factor of waning vaccine immunity. You have four months after your booster before efficacy starts dropping off by 20 per cent in the first instance. For most of my life I have been able to keep myself safe by keeping my wits about me. Now I cannot. I cannot keep myself safe, I cannot keep my disabled brother safe, or my family. I cannot keep my staff safe because this Government bowed to the business sector and removed the mask mandate while we have 10 000 active cases. If we were a country we would be in the top 10 nations in the world for per capita infections.

What has happened to us? We are being gaslit. This is not Public Health advice that says it is safe to remove masks. If there was advice in writing that said that, the Premier would have tabled it. I note that Dr Woodruff and I wrote to both Presiding Officers in this place expressing our extreme concern about how unsafe this workplace had become and urging

Mr Speaker and Mr President to reinstate some robust mask rules in this place. We have not received a response.

Every employer has an obligation under workplace health and safety laws to provide a safe workplace. This place is not safe now. It is not safe for members, for members of the Legislative Council or for staff, for parliamentary staff or ministerial staff or MP staff. It is objectively not safe. It is breathtaking how negligent this has all become. It is breathtaking how little care for others some of my colleagues in this building and some of the staff in this building have. I had a member of the parliamentary staff walk into our offices this morning with a mask half off his face. No one comes into our office without a mask because in our office we take the evidence seriously, we listen to the independent experts and we want to keep each other and our staff safe.

Derwent Valley - Health Services Longford Legends and Lychgate Opening

[6.25 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I would like to start by saying how good it was to hear Mr Barnett talking about the importance of health services in the Derwent Valley. I hope that keen interest will be reflected in greater investment in the budget for health in the Derwent Valley.

On Monday 14 March, I attended the Longford Legends and Lychgate opening at Stokes Park, Union St, Longford. Mr Speaker, I saw you at that event. I would like to talk about that event this evening.

I have had permission from the wonderful Alison Andrews to read out the articles that she published in her gazette this week, because they summed it up perfectly. I start by thanking the members of the Longford Legends committee, Dr Tim Flanagan, Dee Alty, Neil Tubb, Margie Moore, Bobby Pitt and Len Langan the local historian. They did an amazing job. They were assisted by the Longford Rotarians, the car club, and the Northern Midlands Council. It was a fantastic day.

Alison writes in her article:

An entire football team was inducted as a Longford Legend at the official launch of the next round of Longford Legends at Stokes Park near the boat ramp this week. MC for the afternoon launch, former Longford sports journalist, Neil Kearney, said he could have easily been lost for words in the presence of a bunch of his heroes at the gathering.

Kearney managed to introduce the men, the last six surviving members of the Longford's last football state premiership side in 1957. They were Johnny Jones, Bob Pitt, Jack Barnes, Teddy Bricknell, Ivan Hayes and Don Brooks.

'They were part of the greatest team that this town has ever known,' Kearney said, to a call of the crowd of 'Go the Tigers'.

'In September 1957, they went to York Park, and before a crowd of 12 296 people, won the premiership,' Kearney said. The Longford Football Club was established in 1876, making it the third oldest football club in Tasmania. Other new legends announced this week included Rita Blazely, Yoshiko Long and Catherine Smith.

Rita Peace Blazely, or Matron Blazely as she was better known, trained to be a nurse at the Devon Hospital, and went on to become matron at a number of hospitals, including Longford's Toosey Hospital, Queenstown, Scottsdale and the Eskleigh Nursing Home, where she lived much of her long life at Longford.

'Matron Blazely is remembered for her strength, understanding and caring. She was a pillar of the community,' Kearney said. She was fiercely independent, and died in 2020, aged 101.

Yoshiko Long's daughter, June Watts, introduced her mother to this week's gathering after she was named a Longford Legend. Yoshiko was one of 650 Japanese war brides who were eventually allowed to immigrate to Australia after WWII to join their husbands after marrying Tasmania's Tas Long.

'My mum met my dad in Japan during the occupation after WWII,' Mrs Watts said. 'Initially they were not allowed to marry but that changed in time and we came to Tasmania. At a time when many like her had different experiences, Mum was protected and cared for by the people here at Longford.

'James' shop had always managed to interpret Mum's account and have her bag of rice ready for her, and mum's chops and shin beef for her stocks were always waiting at Mick McCullagh's.

'Arch Flanagan had a terrible time during the war, but he never prejudiced or showed any animosity to Mum. He was a pioneer of English as a second language and he ensured I learned a second language. It's the main reason why I went on to become a teacher.

Mrs Long taught herself English, how to draft patterns, sewing and beading, becoming an accomplished seamstress and immersed herself in the community by joining the CWA, Toosey Hospital Auxillary, and the Girl Guides.

Catherine Smith was also inducted into the Longford Legends, and she was born as Catherine Keane in Ireland in 1832. During the Irish Famine, she was charged with stealing three sheep and sentenced to transportation to Van Diemen's Land for seven years. She later married John Smith and had nine children, and spent the last 62 years of her life on Illawarra Road on a farm owned by Entally House. She is believed to be the last remaining Tasmanian convict of the transportation era. Catherine is buried at the Longford St Augustine's Catholic Church cemetery.

Also discussed in the Longford Legends ceremony was Longford's first public librarian, Janet Mitchell, and you probably never realised what a legend she was to a generation of local

school children for a quarter of a century from her appointment in 1955. She was often their first serious introduction to books, and started most of those she came into contact with, on a lifelong love of reading. Mrs Mitchell was formally acknowledged as a local Longford Legend.

Her great grandson, Martin McManus, travelled from Hobart to this week's official launch of the next round of Longford Legends and he told a crowd of about 40 people gathered near the new lych-gate entrance to the Legends walk, that his great-granny took her job seriously. "She read every book in the library" he said.

I congratulate the Longford Legends Committee on such a fabulous day and I wish them all the luck in the future. Thank you.

Koonya Garlic Festival

[6.32 p.m.]

Mr TUCKER (Lyons) - Mr Speaker, I am going to talk about the Koonya Garlic Festival. I do not know whether you have ever attended it, but the Koonya Garlic Festival is an annual event held each February/March. With endless shows and public events being cancelled, it was pleasing to hear that the hugely successful Koonya Garlic Festival went ahead.

The festival is one of Australia's longest-running garlic festivals, situated at Koonya, about 18 kilometres north-west of Nubeena. The festival this year was opened by the Mayor of Tasman, Kelly Spaulding, a great fellow, and the festival offers food and beverages, cooking classes and garlic competitions, as well as crafts and entertainment and much more to see. The event always brings an increase in economic activity to the Tasman Peninsula. This summer, the peninsula has been very popular and the area saw a number of visitors returning.

A little bit of history on Koonya, which is situated within the electorate of Lyons and in the early 19th century was part of the sophisticated and complex penal colony. Koonya at this time was a convict outstation called the Cascades. Its main attraction is the superbly restored penitentiary comprising the hospital, officers' quarters, workshops, chapel, stone quarry, cell blocks and overseer's quarters. Many of these buildings were part of the Cascades Colonial Accommodation, which has since permanently closed. It once offered an experience of life in a 19th century penal institution.

The reason for being named the Cascades was because there was a cascade nearby. After the convict outstation was closed, the name of the tiny settlement was changed to Koonya, a local Aboriginal word which is believed to mean 'black swan'. Unfortunately, one of the most important structures at Koonya no longer exists - a wooden railway built by the convicts shortly after their arrival went from the mountains to the sea. The railway was built to transport timber from the forests to the steamers.

There are three other historic buildings at Koonya. They are the Rotten Row, which was built in the 1840s and used as officers' accommodation. In the 1940s it was no longer used and was restored around 2004 with great care being given to retain its time-worn appearance. The old hospital which is situated at the opposite side of the road to the main outstation is a large two-storey Georgian building set in an apple grove. The building has been beautifully converted to accommodate six people.

Lastly, the convict outstation. The main part of the outstation is located between the road and the waterfront. It consists of the workshops which have been turned into a small museum, the mess hall, now used for weddings and special occasions, and the office quarters, which are three connected cottages that have been converted into outstanding colonial accommodation, and won the Australian Heritage Award in 1996. Quite an achievement for a small town.

Rapid Relief Team

[6.35 p.m.]

Mr ELLIS (Braddon) - Mr Speaker, I rise tonight to give thanks to an amazing organisation which has roots in the north-west coast of Tasmania but is also spread right around the world. It is doing incredible work in local communities both near and far.

Rapid Relief Team is a global organisation that offers catering assistance and tangible support to charities, governments, and emergency services in times of crisis. This is most commonly in natural disasters and sadly in war. Rapid Relief Team, established in 2013, is coordinated through teams in 13 countries, including Australia. Rapid Relief Team is proudly community and faith based and has a proud history of assisting globally, nationally and here in Tasmania.

Mr Barnett - They have done a great job supporting the Diabetes Pollie Pedal for years.

Mr ELLIS - They certainly have. I acknowledge Mr Barnett and his fantastic work through the Pollie Pedal and I know he is very appreciative of what RRT do in making that event happen. They truly do live out the creed 'to serve others humbly with love'.

Rapid Relief Team is best as known as the volunteers that feed the volunteers. When frontline emergency workers and volunteers return, Rapid Relief Team is there waiting for them with main meals, cold water, barista coffee, and pre-made snacks.

Rapid Relief Team's work is not just limited to meals. During what can often be chaotic times that involve danger and fear for life, they are there, supporting rural fire brigades such as the ones you have been a part of, Mr Speaker, and I am myself currently serving in. Their rapid water systems can fill three large fire trucks in less than three minutes. A truly outstanding bit of kit.

They are there for fire and flood victims with meals and financial support to get them through many a difficulty while they are sadly needing to flee their homes. They distributed over 680 000 EFTPOS cards to families forced to flee their homes recently. They come to the aid of families in times of drought, which seem like a distant memory with current events on the mainland, but really are not too far away. They help with livestock with pallets and hay, including 12 500 bales of hay and 236 tonnes of livestock pellets in the most recent drought we saw in 2018-19 when it sadly reached its climax. They delivered many hundreds of Christmas dinners for farming families. We know those small acts of kindness, generosity and thoughtfulness can go a huge way for people who are doing it tough.

Most recently Rapid Relief Team is here in Tasmania helping out when it is needed most during Covid-19 and during the 2019 bushfires. During Covid-19, and I know this personally, I have spoken with their team - they did fantastic work, delivering hundreds of food boxes to

regional Tasmanians in lockdown including the north-west and west coast and King Island. It was a very difficult time at the start of the pandemic.

To know that a team that has outstanding experience in terms of delivering logistical support for local communities are there to help was an enormous relief. Also, in the 2019 bushfires, they handed out 3000 meals in Tasmania and barista-made coffee from some very friendly volunteers, many of whom I have had the great pleasure to meet, to our frontline volunteer firefighters.

In 2021, Rapid Relief Team also received a \$5000 grant from the federal Liberal government. I want to pay tribute to our local member, Gavin Pearce MP. I want to pay tribute to him, as do many of my colleagues, for the outstanding work that he does supporting people across our community.

Mr Barnett - Hear, hear. He's an outstanding member of parliament.

Mr ELLIS - He certainly is. We are very supportive of the work he has done to support our community. We know that he will always back them in. I know that Rapid Relief Team is an organisation that he fully supports.

The \$5000 grant was to help purchase a new trailer, the first to be based in the north-west coast, where I come from, ready for quick deployment when it is needed. That goes to the name that they speak - Rapid Relief. It is important that relief comes in a timely manner.

Currently, there are on deployment. A full Rapid Relief Team deployment is in flood-affected areas as we speak in northern New South Wales and Queensland. Hundreds of volunteers are working with those communities that have been so devastated by the floods that have occurred up there. They have served thousands of hot meals from the food trailers, just like the one that I spoke about, supported by Gavin Pearce.

The rapid sandbag machine was quickly deployed, making 72 000 sandbags to assist the State Emergency Services and councils to prepare for what were truly devastating floods. The Rapid Water System were deployed to assist with clean-up, and they donated heavy machinery to help get those communities tidied up and back on their feet.

It is not even just in Tasmania and mainland Australia, it is around the world. Operation 322 is delivering aid to Ukraine. I encourage all members of this place and our community to have a look at the work they are doing to support what is now millions of refugees who are sadly having to flee their homeland in Ukraine because of the disgraceful actions of Vladimir Putin.

The UK, Germany, France and Sweden teams are delivering services to the people of Ukraine. It is water, it is blankets, it is food boxes, it is baby care packs and it is care kits. Personal care products. They are doing an enormous job in very difficult circumstances, and they deserve our support and I know they are very appreciated.

On behalf of my community, the north-west, west coast, King Island, all Tasmanians, mainland Australians, and the community of nations, thank you to the Rapid Relief team for serving those who serve.

Epilepsy Awareness Month

[6.42 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I will take a moment to talk about an important issue, and that is the treatment, education and promotion of the awareness of epilepsy across Tasmania. This month is Epilepsy Awareness Month, also known as Purple Month. The purpose of Epilepsy Awareness Month is to highlight and provide education about the difficulties and widespread social stigma people with epilepsy endure on a daily basis.

Aside from building up representation and awareness for people with epilepsy, Purple Month is a time to make it clear that treatments, support and accurate information regarding epilepsy for those living with epilepsy, medical professionals, and those who do not suffer from epilepsy but who know someone that does, are goals which are just as vital.

According to Epilepsy Tasmania, approximately 20 000 people in Tasmania have epilepsy, roughly one-fifth of our state's population. Epilepsy can develop at any age, but Tasmanians over the age of 55 are at most risk. One in 25 Tasmanians will develop epilepsy in their later lives and one in 10 of those will experience debilitating, convulsive or non-convulsive seizures.

Aside from the mental and physical effects of epilepsy, people with epilepsy also face frequent discrimination and social stigma. According to Epilepsy Tasmania's *A Focus on Tasmania* report from 2019, around 52 per cent of Tasmanians with epilepsy have reported unfair treatment in the workplace.

As is common with hidden diseases, epilepsy is often misunderstood by the general population due to a lack of education, awareness and stigma of free spaces, for people with epilepsy to talk openly about their experience. Social isolation as a result of the shame, embarrassment, and the stigma, people with epilepsy face, fuels further community misunderstanding around epilepsy.

Public seizures often lead to hostile reactions or unfortunate accidents, and one-fifth of Tasmanians with epilepsy reported to Epilepsy Tasmania that they are afraid to go out for fear of such accidents or misunderstandings. Every day things that we take for granted, like driving, attending social events, or even just shopping for groceries can often present a near impossible challenge for people with epilepsy.

This is especially true for rural and remote Tasmanians with epilepsy who have less access to convenient public transport.

Aside from the personal cost epilepsy incurs to sufferers, the cost on the economy is also significant. The difficulty for people with epilepsy to gain employment robs businesses of potential employees, despite Tasmanians with epilepsy making up a high number of the state's job-ready university graduates. Australia-wide only 49% of people with epilepsy aged 18-60 have full-time jobs. Things are just as bad, if not worse, in Tasmania.

When it comes to health care treatment, costs for epilepsy in Tasmanian hospitals was \$3.6 million in 2020. It is worth noting that Aboriginal Tasmanians face roughly five times higher rates of hospitalisation for epilepsy-related seizures and complications. The

Government should continue to look at ways to reduce the undue stigma and discrimination Tasmanians with epilepsy often face when it comes to employment, education and social awareness. Proper funding for advocacy groups such as Epilepsy Tasmania is a very good place to start.

In time, with enough research and dedication on behalf of the medical community, I hope that we as a state, a nation and indeed a world can one day develop a cure for epilepsy. Until then, everything that can be done to improve life for Tasmanians living with epilepsy should be made a priority.

The House adjourned at 6.46 p.m.