



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Wednesday 30 June 2021**

**REVISED EDITION**



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**Wednesday 30 June 2021**

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

## **QUESTIONS**

### **TasTAFE Reforms**

**Mr O'BYRNE question to MINISTER for SKILLS, TRAINING and WORKFORCE GROWTH, Ms COURTNEY**

[10.02 a.m.]

In South Australia, where TAFE is a government business, courses are being slashed. Last year there were cuts to 20 courses in areas of high need and skills shortages such as child care, aged care and disability. This year there are further cuts proposed for retail, dental, performing arts, photography, rural operations, counselling and work, health and safety. Will you guarantee your TAFE reforms will not lead to course cuts?

## **ANSWER**

Mr Speaker, I thank the member for the question. I remind him that we are actually in Tasmania, not South Australia. I know he wishes he was somewhere else after his party's terrible election result and the fact that he has a divided party behind him.

Here in Tasmania at the election, people voted for a government that has committed to a secure future for TasTAFE. While Mr O'Byrne would rather be anywhere else but here at the moment, in Tasmania businesses can be confident, staff can be confident and, importantly, students can be confident that this side of the House is going to deliver further support to TasTAFE so it can deliver what it needs to support a growing economy.

TasTAFE will remain in public ownership as a not-for-profit, delivering better choice for learners, better pay for teachers and flexible hours aligned to business and industry. We are committed to providing \$98.5 million fully costed, unlike that side, to upgrade facilities and equipment, increase access for students in regional and rural areas and employ an additional 100 teachers.

We are committed to a TasTAFE that will never be privatised under this Government. We will ensure that teachers will not be worse off and we want to have better pay for our skilled teachers. We will guarantee that 80 per cent of all skill funding continues to be invested in the new TasTAFE model. The reason we have done this is because we listened to the people of Tasmania during the election, unlike the other side that was so divided and were so much of a rabble during the election.

**Ms O'Byrne** - The question was about forced cuts. Will you rule it out?

**Mr SPEAKER** - Order, members on the left.

**Ms COURTNEY** - They were too busy fighting each other to listen to what business wanted and to listen to the needs of students, and that is why I am getting on with the job of delivering this.

### **TasTAFE Reforms**

**Mr O'BYRNE question to MINISTER for SKILLS, TRAINING and WORKFORCE GROWTH, Ms COURTNEY**

[10.05 a.m.]

Will you guarantee your TAFE reforms will not lead to campus closures, job cuts, a loss of employment conditions for staff, or higher fees for students?

### **ANSWER**

Mr Speaker, I am not sure whether the Leader of the Opposition was listening to my last answer. We are delivering more money for campuses, more teachers, better pay for those teachers and more choice for our students to be able to have flexible learning around the state, including the virtual campus that I announced progress of in recent weeks, so clearly the other side, with TasTAFE, as with all other areas of government, just try to create fear.

What we have is a clear plan and we know - if those on the other side were listening during PESRAC and during the election campaign - what we are doing is supported. Graeme Elphinstone said:

Moving TasTAFE to a new model where they pay a fairer salary for skilled teachers and have a stronger industry focus will help my business grow with the skills that we need.

The TCCI said:

The state Government's move to overhaul TasTAFE is great news for the Tasmanian business sector, especially businesses that rely on skilled workers and those businesses looking to provide ongoing training for employees. It is just what business needs in order to address the skills shortages across a number of industry sectors.

They went on to say:

The current structure of TasTAFE doesn't allow for a flexible and responsible approach to meeting industry needs.

Furthermore, TasCOSS in their media release said:

We strongly welcome investment in TasTAFE and look forward to working with them to address the demand for an expanded community services workforce.

On this side we are listening to the community. We are listening to employers, we are listening to students and what their needs are. We are investing more across TasTAFE.

### **Van Dairy Group - Animal Welfare Concerns**

**Ms O'CONNOR question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT**

[10.07 a.m.]

In April this year Australia's largest and oldest dairy farm, Van Dairy, made shocking national headlines with claims of animal welfare abuse and overstocking of cattle, leading to effluent overflow and damage to local waterways. In 2019, as you know, 20 senior farm managers put their serious concerns about animal welfare at Van Dairy in writing. In December 2020 a whistleblower provided photos of skinny and dead cows and a 1000-litre container three-quarters full of dead calves. An audit of Van Dairy undertaken by the Tasmanian Dairy Industry Authority this year reported that:

TDIA does not have confidence in the management of Van Dairy Group to ensure the effluent systems on farms are designed or operated effectively ...

The audit highlighted severe management issues and significant overstocking of cattle.

Despite this escalating animal welfare and environmental disaster, there has been radio silence on Van Dairy from you and the Government generally. The situation has escalated on your watch. Could you please tell the House what steps you as minister have taken to ensure Van Dairy cleans up its act and what steps Biosecurity Tasmania has taken to ensure significantly improved animal welfare standards on all Van Dairy farms?

### **ANSWER**

Mr Speaker, I thank the member for her question on this very important matter. The dairy industry is a very important part of agriculture and is doing incredibly well at the moment. I also make it very clear that animal welfare is a priority and taken very seriously by our Government. I will outline some of the steps in which that has flowed. The Tasmanian Dairy Industry Authority is the regulator that is investigating and managing effluent issues which were identified in the question just now at Van Dairy farms and also the Environmental Protection Authority is also involved.

For the regulators it is a very important matter. I emphasise my strong support of the TDIA and its important independent role as a regulator and its maintenance of high standards.

I am a strong supporter of the dairy industry, as you know, Mr Speaker. I note that the issues at Van Dairy farms do not reflect the issues in the Tasmanian dairy industry as a whole. Confidence amongst dairy farmers remains high. As the dairy industry grows we will continue to engage with and support the industry, and ensure important standards are maintained across all aspects of production.

While this is a matter for the regulators, I have requested and am being regularly briefed by the chair of the Tasmanian Dairy Industry Authority since the Government was formed.

I have also been briefed by the director of the Environment Protection Authority. I am informed that TDIA officers have visited all VDL farms to assess compliance with the Farm Dairy Premises Effluent Management Code of Practice. The code, made under the Dairy Industry Act, has been designed to ensure that dairy farm effluent is managed in a responsible manner. This is the same standard that applies to all dairy farms in Tasmania. The TDIA has issued corrective actions to all Van Dairy farms that have not met the code and requested a full assessment by an accredited effluent designer. TDIA staff have met with the VDL owner, his staff and local government council officers to ensure all directions were understood and were being actioned in a timely fashion -

**Ms O'Connor** interjecting.

**Mr SPEAKER** - Order, Ms O'Connor.

**Mr BARNETT** - There is ongoing and regular communication by TDIA with the VDL to ensure they fully understand their obligations, and VDL are engaging with the regulator. The TDIA continues to regularly attend the farms to assess works and is working closely with the company and other regulators. As this process involves active directions and potential compliance actions as a standard practice, I am only able to provide certain information on this matter. I note that the TDIA has considerable powers to deal with this issue as compliance with the code is a licence condition and non-compliance can lead to suspension or revocation of a licence.

I have also met with the Van Dairy manager and reiterated that I support the high standards and best practices that apply to the dairy industry in Tasmania. I have urged Van Dairy to comply with the standards of the regulator.

I have also met with the Tasmanian Farmers and Graziers Association and Dairy Tasmania, where I have raised this matter and listened to their views. I am ensuring on behalf of the Government and the community that I am fully informed about this matter from the TDIA and my department. It is a very important matter and it has been taken very seriously by this Government.

### **Child and Youth Wellbeing Strategy**

**Mr TUCKER question to PREMIER, Mr GUTWEIN**

[10.13 a.m.]

Can you please update the House on the Government's clear plan to secure the future of Tasmanian young people and, in particular, the consultation process for Tasmania's first child and youth wellbeing strategy?

**ANSWER**

Mr Speaker, I thank Mr Tucker, the member for Lyons, for that question and for his interest in what is a very important matter.

In May this year it was a pleasure to visit New Town Primary School with the Commissioner for Children and Young People to launch a children's picture book. This book



was developed from creative workshops that formed a part of the consultations for Tasmania's first ever Child and Youth Wellbeing Strategy.

I read a lot of things in my job and this is one of the most important books I have read. The voices and pictures of children have been a huge part of this consultation, and formed part of over 3500 contributions we received as part of the consultation. We heard from parents, carers, advocates and service providers across all parts of Tasmania. I am told that on a population basis, we reached 2.5 times more people with the consultation for this strategy than they did in New Zealand when it consulted on its own strategy. Our interactive consultation website, [wellbeing.tas.gov.au](http://wellbeing.tas.gov.au), received over 5000 unique visitors. In addition, our consultation partners, the Commissioner for Children and Young People, Youth Network of Tasmania and Mental Health Council of Tasmania, undertook more than 50 face-to-face consultations with 739 children and young people; 1000 people in total including parents, carers and service providers across all regions of Tasmania, including King and Flinders Island. Playgroup Tasmania also consulted.

There were also 816 postcards to the Premier from children and young people right around the state who have told me of their hopes and dreams for this state. As I said, I am going to read every single one of them. I am up to just below 300 at the moment. Their words, their stories, their pictures have had a significant impact on that. I would like to share a couple of these with the House this morning. Some of them come very much from a young person's perspective.

Firstly, to have Monday and Friday off school as a weekend and have Tuesday, Wednesday and Thursday at school. Others were just very cute: to have a couple of pandas in the zoo. Others wanted people to care for the environment and make people stop littering. Others went to the heart of it and that was for children to live a happy and carefree life, free from illness, crime and drugs, to have a life free from poverty, full of laughs and dreams that come true.

**Government members** - Hear, hear.

**Mr GUTWEIN** - Today, I will be releasing our report on the consultation, *Your Voice, Your Views, Your Say*. The consultation report, as well a child-friendly accessible A3 poster-style version of the report, will shortly be available on the Tasmanian Government website at [wellbeing.tas.gov.au](http://wellbeing.tas.gov.au).

I thank organisations, individuals and community groups that have taken considerable time and effort to give thought to the important issues we need to consider in developing our strategy. I have been overwhelmed by the work and, as I have said, reading these cards, some will make you glad, others will make you terribly sad. Some of the key themes we heard were better access to health care and mental health services; more support for families, safer places for children to play; measures to address bullying and family violence; access to affordable and stable housing; flexible education options; and, importantly, environmental issues such as climate change, pollution and plastic waste.

Many of Tasmania's children and young people are doing well but others are facing significant challenges. Many of the issues faced are complex and intergenerational. While government needs to lead the work, it cannot bring about the required change by itself. We all have a role to play in improving the wellbeing of children and young people.

I sincerely thank our consultation partners, the Commissioner for Children and Young People, the Youth Network of Tasmania, the Mental Health Council of Tasmania and Playgroup Tasmania, for the face-to-face conversations they led during the consultation. I am pleased that we provided the opportunity for children and young people to share their views and decisions, and to ensure the policymakers hear their voices.

One card I received requested that young children get all the support they ask for to fulfil their dreams, that all children have equal opportunities and, importantly, that our choices can be put into action as well, and be heard.

Mr Speaker, we are listening to the voices of our children and young people. I am proud that the state's first Child and Youth Wellbeing Strategy will be released later this year to coincide with the 2021-22 Budget. I recommend that people take the time to look at the results of the consultation, which will be on the website, [wellbeing.tas.gov.au](http://wellbeing.tas.gov.au).

### **TasTAFE Reforms**

#### **Mr O'BYRNE question to MINISTER for SKILLS, TRAINING and WORKFORCE GROWTH, Ms COURTNEY**

[10.18 a.m.]

Despite having two opportunities, you have just declined to take the opportunity to rule out course cuts, campus closures, job cuts, diminished work conditions or fee increases as a result of your TAFE reforms. Why?

#### **ANSWER**

Mr Speaker, I thank the member for his question. Again, the member is not listening to what I am saying. He is not listening to what our policy was during the election campaign and is clearly too busy looking behind him.

I stood here and said that this is about more choice for learners. This is about better pay for skilled teachers, this is about flexible hours, this is about investment.

**Opposition members** interjecting.

**Mr SPEAKER** - Order.

**Ms COURTNEY** - Almost \$100 million is going to be invested in facilities, in courses, in staff, in making it more accessible for students. This is just the Labor Party, as usual, trying to create -

**Opposition members** interjecting.

**Mr SPEAKER** - Order, on the left.

**Ms COURTNEY** - On this side of the Chamber we are responding to the needs of students and industry. That is what the communities say and even Labor admitted something

had to be done. I do not often look at their big red book of debt but even in 2020 they talked about TasTAFE being broken.

**Members** interjecting.

**Ms COURTNEY** - You have said it is broken. What we are doing is making sure that we are working with TasTAFE, with teachers and with industry.

We saw Mr O'Byrne come into this place with a conciliatory tone earlier in the week and I asked him to work with industry, unions, workers, and students to ensure that we can deliver more training and better training for Tasmanians. That is what we are trying to do.

We have put money on the table. We are engaging positively and if all you are going to do over the coming months is try to undermine better outcomes for Tasmanians, that is very disappointing, Mr O'Byrne. That clearly shows that through the last two election campaigns that Labor has learnt nothing.

### **Proposed Glenorchy Ambulance Station - Progress**

**Ms JOHNSTON question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.21 a.m.]

On 12 February 2018 the member for Clark, Ms Archer, issued a media release stating the re-elected majority Liberal Government would invest \$6 million to build a brand-new ambulance superstation in Glenorchy. Planning and construction was to commence in 2018-19 and the new station to be opened by 2021. It is now 2021 and not one clod of dirt has been disturbed. Indeed, we have had another election since when the promise was made.

Why has this 2018 election promise not been kept? Will the minister commit to building this superstation in the term of this Government? If so, when can we expect it to be completed?

### **ANSWER**

Mr Speaker, I thank the member for Clark for her important question. Of course, as Minister for Health I can commit that this Government will build the Glenorchy ambulance station. Of course, it will include contemporary administration operations and staff amenities as well as better garaging of vehicles and parking spaces. I am advised that the Glenorchy station has just completed its initial design review and amendment stage.

I am further advised a preferred site was identified in 2019. However, following consultation with stakeholders it was determined that this site was inappropriate. The Department of Health is currently reviewing further sites within the Glenorchy municipality and consulting with the Glenorchy City Council infrastructure and planning officers.

As a result of COVID-19, a strategic review of the scope of the Glenorchy ambulance station was undertaken in consultation with a consultant health planner. A report by the health planner was received in October last year and the recommendations from this report have been incorporated into the schematic design.

At the end of the day, I can assure the member that what is important is that we get the best outcome for the local community. Hence, the need to consult very thoroughly and get it right, given the significant investment which is exactly what we will do.

### **Mental Health and Drug and Alcohol Treatment Systems**

**Mr ELLIS question to MINISTER for MENTAL HEALTH and WELLBEING, Mr ROCKLIFF**

[10.23 a.m.]

Can you update the House on the majority Gutwein Liberal Government's plan to continue and to expand our transformation of Tasmania's mental health and drug and alcohol treatment systems for the benefit of all Tasmanians?

### **ANSWER**

Mr Speaker, I thank the member for Braddon, Mr Ellis, for his question. I know his personal interest in the matters that he has raised. The Government has a very clear plan for a Tasmanian mental health system with an increased focus on community support options and a reduced reliance on acute hospital-based services.

We are strengthening the focus on prevention and early intervention and empowering our communities to understand and value their mental health as much as their physical health. For example, we have already delivered an updated mental health plan for Tasmania, Rethink 2020. New services include new mental health hospital-in-the-home beds and a mental health short-stay unit at the Royal Hobart Hospital. We are rolling out the Tasmanian mental health reform program, including the establishment of a hospital avoidance program; and commencing an overhaul of child and adolescent mental health services.

I note the Premier's earlier answer about young people's advocacy for a better mental health system and support for children and young people with respect to those very important services. I note our \$42 million commitment to child and adolescent mental health hospital services which is a much-needed investment as well as system improvement in that area, which we have already commenced.

There is more to do. Our election commitments invest an additional \$56 million to be prioritised and expand on our best practice approach to building a contemporary integrated model of mental health and alcohol and drug care across the state so people can get more holistic support at the right place and at the right time.

We are immediately starting to progress our election commitments including: \$500 000 for the initial role out of re-think 2020 when its implementation plan is finalised for release in the very near future; \$300 000 to recruit a locally based mental health specialist for Circular Head with work currently underway to establish the grant for that position; and \$1.9 million to deliver a peer workforce coordinator and establish the youth peer worker model as part of the Tasmanian peer workforce development strategy so people living with mental health challenges can have the support of a person who has recovered from their own personal experience. Recruitment to the peer workforce coordinator position is on track.

I could not be a stronger advocate for the peer workforce strategy which I released a couple of years ago with the Mental Health Council of Tasmania. Those people with lived experience are very valuable and I support those with mental health concerns. An amount of \$5.1 million is to pilot an emergency mental health co-response team in southern Tasmania, comprising mental health workers who will travel with police and ambulance officers to attend mental-health specific 000 calls. The Department of Health has commenced planning and has engaged closely with the Department of Police, Fire and Emergency Management to scope the operational service model for this excellent initiative.

Helping Tasmanians with their addiction challenges is vitally important and we are committed to continued investment in this area also. This is backed up by the launch of our reform agenda for the alcohol and other drugs sector in Tasmania last November with an initial \$4.9 million dollars commitment and our recent announcement of \$10 million dollars to the community sector, including rehabilitation beds, counselling education and other programs. I enjoyed the ATDC program the other day and I handed out a number of awards to very committed people within the drug and alcohol sector.

I am pleased to announce the appointment of the new Alcohol and Drug Service Statewide Clinical Director. Dr Nicolle Ait Khelifa is a highly respected psychiatrist and an addiction medicine specialist having worked at the Camden Alcohol Service as the consultant addiction psychiatrist in North Islington Drug Service in London and has a particular interest in treating patients with alcohol use disorder as well as group therapies for addiction.

I take this opportunity to sincerely thank Dr Adrian Reynolds, who I greatly appreciate for his service, and I wish him the very best for the future. We will also be appointing a new alcohol and drug group director in the very near future who will support the ADS Statewide Clinical Director in ensuring our reform agenda continues on track. I look forward to continuing to work collaboratively with stakeholders right across Tasmania to deliver better outcomes with high quality support and services for those living with mental health and alcohol and drug challenges and their families and loved ones.

### **TasTAFE - Enterprise Bargaining Agreement Negotiations**

**Mr O'BYRNE question to MINISTER for SKILLS, TRAINING and WORKFORCE GROWTH, Ms COURTNEY**

[10.29.a.m.]

Can the minister for skills, training and workforce development confirm that tonight TasTAFE will seek to suspend enterprise bargaining agreement negotiations with its staff. Is this because you are unable to provide TasTAS clarity on what the new structure of the organisation will even look like?

### **ANSWER**

Mr Speaker, I thank the member for question. Before I answer it, the correct title is workforce growth because growth is what we are doing over here.

With regards to the question, this side of the Chamber has been completely transparent all the way along our election campaign that we are looking to transform TasTAFE into a

government business. There would be very few in the community who would not have understood that that was a clear policy of ours. Part of that over the coming months is about engaging openly and honestly with a range of stakeholders including industry, students, staff and unions. Clearly the industrial agreements will be part of those conversations because we are on record saying we want to pay teachers more. We want to be more flexible for industry.

We are engaging openly, honestly and transparently through this period. One of our election commitments was about releasing a stakeholder-informed implementation plan within the first 100 days. This is about working with the community, working with unions and working with staff to deliver better outcomes for Tasmanians. I again ask for Mr O'Byrne to work with us, with the employees, with students and with industry to get better outcomes for Tasmanians.

### **Local Government Reform - PESRAC Recommendation**

**Ms DOW question to MINISTER for LOCAL GOVERNMENT and PLANNING, Mr JAENSCH**

[10.31 a.m.]

The Premier's Economic and Social Recovery Advisory Council's Report of March 2021 stated:

Our very strong view is that local government reform must be backed by all political parties, and by the Legislative Council. We are calling for a unity ticket across political divides so that genuine progress can be made on an issue that is of importance to Tasmanians. It is a matter the entire parliament needs to tackle.

I have written to you requesting the inclusion of Independent members or an Independent member of the Legislative Council at the first meeting of the proposed working group on PESRAC's recommendation on local government reform. To ensure this process has the best chance of succeeding, will you include an Independent member or members of the Legislative Council in the first scheduled working group meeting?

### **ANSWER**

Mr Speaker, I thank the member for her question. I am puzzled, because I did write to the then acting Leader of the Opposition, the Leader of the Greens and the Independent member for Clark a fortnight ago, inviting them to do what PESRAC asked us to do. It was a recommendation that this side of the Chamber adopted in full and is following to the letter, inviting the leaders of the other parties and the Independent member for Clark to form a working group to consider the recommendation of PESRAC and to see if it is possible for us to reach agreement on a way forward to conduct this review without it becoming a political football, which we need to do in this place first. It also said that ultimately for this to take effect it would need to pass through the upper House.

What Ms Dow has just referred to is an issue that she wrote to me about in a letter at 8.55 a.m. this morning.

**Ms DOW** - Point of order, Mr Speaker. I did write to the minister earlier this morning but I also wrote a week ago regarding this matter. My point of order is that I have written twice now, not just this morning.

**Mr SPEAKER** - That is not a point of order; it is a point of clarification. You have asked the question and we need to allow the minister to answer without interjection.

**Mr O'Byrne** - She wrote to you a week ago. Stop misleading the House. You know that is lying by omission.

**Mr SPEAKER** - Order, Leader, please.

**Mr JAENSCH** - My intention, as we have publicly stated, is to adopt in full PESRAC's recommendation, including the process for engaging the other parties in this House and the Independent member for Clark as a first step in a discussion on development of a cross-party working group to get to first base with this proposal. It appears Labor has now made as a condition of their involvement that we also step outside of PESRAC's recommendation and include -

**Ms DOW** - Point of order, Mr Speaker. That is misleading the House.

**Members** interjecting.

**Mr SPEAKER** - Order. You have asked a question of the minister and he is answering the question.

**Mr JAENSCH** - My point is that if Labor is not intending that involvement of an Independent member of the upper House as a member of our working group, if that is not a condition of their participation, I ask them to proceed to participate in the meeting scheduled for tomorrow as per PESRAC's recommendation and we can have on the agenda then, for those who do turn up, what our strategy is for engaging the upper House.

### **Van Dairy Group - EPA Investigation into Effluent Pollution**

#### **Dr WOODRUFF question to MINISTER for ENVIRONMENT, Mr JAENSCH**

[10.35 a.m.]

The Greens will certainly be at that meeting tomorrow and we look forward to having a productive conversation about local government and how things can be improved.

Minister, the EPA confirmed on 3 May they were investigating Van Dairy, Australia's largest dairy farm, in response to nine environmental protection notices issued by the Circular Head Council. These notices detailed gross failures by 19 of the 23 farms to meet the Farm Dairy Premises Effluent Management Code of Practice, with 43 per cent of farms having critical or major non-compliances to the effluent management code. In late February, the Tasmanian Dairy Industry Authority reported it had no confidence in Van Dairy's ability to ensure the effluent systems on farms were designed or operated effectively. They noted no effort was made to upgrade and repair effluent equipment and massive quantities of cow effluent was flowing directly into sensitive waterways.

It has been two months since the EPA told the Greens they were going on site to investigate Van Dairy's large-scale environmental pollution, but you have been utterly silent about the corrective response. The serious issues at Van Dairy may well be ongoing. Can you report to the House, what corrective actions have been taken to protect the local waterways? Have all critical and major breaches been corrected and, if not, when will they be?

**Ms O'Connor** - Good question. For some reason the minister didn't have a brief in his QTB folder and has taken one from the minister for Primary Industries.

**Mr SPEAKER** - Order. The question has been asked and we should listen in silence to the minister.

## **ANSWER**

Mr Speaker, the girl in green has been looking at my notes too, across the Chamber.

**Dr Woodruff** - The girl in green?

**Mr JAENSCH** - The girl next to me has been copying my homework.

**Dr Woodruff** - Could you be more patronising? That is entirely inappropriate for a minister to say to another member of parliament.

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr JAENSCH** - Mr Speaker, I thank the member for Franklin for her question. Certainly, I am aware that the Tasmanian Dairy Industry Authority, the TDIA, as the regulator, is investigating and managing effluent issues identified at Van Dairy farms.

**Ms O'Connor** - What is the EPA doing?

**Mr JAENSCH** - The Environmental Protection Authority is also involved. This is a matter for the regulators. I emphasise my strong support for the TDIA and its important independent role as a regulator and of the maintenance of high standards which we are committed to. We are strong supporters of the dairy industry and note that the issues at the Van Dairy farms do not reflect issues in the dairy industry as a whole. However, while this is a matter for the regulator, we have requested and been regularly briefed by the chair of the TDIA since government was formed and we have been briefed also by the director of the EPA. With regard to the role of the EPA, the director of the EPA has advised that the dairy farming industry is not a level 2 activity and therefore not regulated directly by the EPA. However, this does not mean that the dairy industry is not regulated. The TDIA regulates effluent from dairies through the Farm Dairy Premises Effluent Management Code of Practice.

**Dr Woodruff** - The EPA had an investigation that started in March.

**Mr SPEAKER** - Order. You have asked the question. Allow the minister to finish, please.



**Ms O'CONNOR** - Point of order, Mr Speaker. What we are seeking here is clarity. The EPA was investigating and now the minister says they are not.

**Mr SPEAKER** - Ms O'Connor, that is not a point of order. It is not an opportunity to rephrase the question or anything else. You have asked one question of the minister. You will allow him to answer that question. If there are other questions coming from that, you will have other opportunities within the orders to further advance your questioning.

**Mr JAENSCH** - Thank you, Mr Speaker. A memorandum of understanding sets out responsibilities in relation to dairy farm effluent between the TDIA and the EPA. While the Circular Head Council is not currently a signatory to the MOU, the TDIA is operating in accordance with its principles in the matter. I am advised that the EPA is supporting the council in its management of the environmental impact by auditing the environmental protection notices issued by the council and is collaborating with the TDIA.

**Dr WOODRUFF** - Point of order, Mr Speaker. It goes to standing order 45. I drew the minister's attention to relevance and he did not answer the question about what corrective actions had been taken.

**Mr SPEAKER** - Order. The minister has sat down.

### **Securing Tasmania's Future - Education**

**Ms OGILVIE to MINISTER for EDUCATION, Ms COURTNEY**

[10.40 a.m.]

Can you update the House on the Government's clear plan to secure Tasmania's future and how we are delivering that plan in education and Tasmanian schools?

#### **ANSWER**

Mr Speaker, I thank the member for her question.

The Tasmanian Government has hit the ground running delivering on our clear plan for education across this state. We know that education is key to securing Tasmania's future. We have delivered record funding into education in the 2020-21 Budget. We committed \$7.5 billion over the forward estimates with an additional \$204 million in education capital works. Our plan is working with more students staying in school, finishing school and getting jobs in an economy that continues to strengthen and provide opportunities.

I am pleased to announce today that the latest figures on direct retention from the Department of Education term 1 census show that the number of students progressing from year 10 to year 12 in 2021 has increased by almost five percentage points to 76.1 since 2019, the highest on record.

We also had increasing enrolments in our year 11 and 12 extension schools, the direct benefit of a scheme that Labor spent years opposing. This year the total number of schools extending to years 11 and 12 rose to 56. Next year we will finish the process with the addition of Tarooma High School. This will mean that all high schools in Tasmania will go through to

year 12. As a result, we are seeing a steady increase in students completing year 12 but we do know that there is more work to be done.

During the 2021 election we committed to continue our record investment in education with more funding to support our valued teachers and students. As the new minister, I am excited by what I have seen so far. We are delivering on the clear plan we laid out in the election. We have advertised for the additional 11.4 FTEs school health nurses adding to the 42.7 FTE nurses already working in our schools. These nurses are providing our students with invaluable health and wellbeing advice as well as support.

We will soon advertise for more professional support staff to provide free access to speech pathologists, psychologists and social workers across all of our child and family learning centres. We are establishing an expert literacy advisory panel to oversee the development of our community-wide framework to get better literacy outcomes for our state. Expressions of interest for this panel closed on 27 June and the panel will shortly be able to commence its work.

Our Government is delivering an additional \$8 million for intensive trauma support for students, taking the total funding to \$22 million. This means a further 100 children and young people who have experienced trauma are now receiving individualised support through this program and takes the total number of students who will receive support this year to over 250.

We are also delivering \$6.3 million to upgrade toilet facilities in schools to enhance safety and have begun planning with work underway to identify and prioritise high schools and district schools that are most in need of upgrades.

In addition, we are investing a further \$10 million over four years to upgrade classrooms and commence planning for that work too with work underway to identify and prioritise the schools and classrooms most in need of renovation.

We want all children and young people in Tasmania, regardless of the circumstances they are born into to have the opportunity to pursue their ambitions. Our side of the Chamber has a clear plan for education, unlike the other side that was so sidelined during the election campaign, bitterly divided the entire time, they could not focus on what Tasmanians need. That bitterness has not been left behind.

Yesterday the member for Lyons, Ms Butler, said:

I cannot pretend that I am not disappointed to lose my shadow portfolios. This is the choice of the leader and the winner of the ballot. It is unfortunate because there was a lot of work behind the scenes that had already been put into those policy areas and really digging deep and a lot of unfinished business and policy ideas, so I will not lie, I was very disappointed.

Then we heard Dr Broad reflect on the fact that:

I think many will agree that our election campaign was less than ideal. The Government has played merry hell with it and, no doubt, will keep reminding us. Our campaign was less than ideal but I am not one to stand by that is why

I put my hand up for leadership and raised the issues that I believe need raising.

I wonder if Dr Broad is still sitting there wondering whether to put his hand up again with Ms Butler to know what they want to do in that party -

**Ms O'CONNOR** - Point of order, standing order 48, answers terminated after sufficient time. The minister is now indulging in political attacks rather than answering the question. I ask you to wind her up, please. It is just a ridiculous waste of question time.

**Mr SPEAKER** - Minister, over to you. I ask you to wind up.

**Ms COURTNEY** - Thank you, and I appreciate the input from the member for Clark.

Mr Speaker, in this Chamber, this side of the House is delivering on our plan to secure Tasmania's future. We are delivering better outcomes for young people in our schools. We are delivering better outcomes for Tasmanians seeking to further their skills in TasTAFE. I am confident that we will continue to deliver on our promises.

### **Child Safety Officers**

**Ms DOW question to MINISTER for CHILDREN and YOUTH, Ms COURTNEY**

[10.47 a.m.]

Child safety officers work under incredible pressure and are frequently exposed to trauma. The number of children being left at risk indicates Child Safety Service is simply unable to keep up with current demand. Understaffing increases the already significant pressures of the job. It is clear we do not have enough child safety officers to support the current needs of children and families. What are you going to do to increase staffing? Are you considering any additional measures to support child safety officers during this difficult time?

### **ANSWER**

Mr Speaker, I thank the member for her question on what is a very important topic for Tasmanians. The Liberal Government is committed to providing regular updates as we have been recently with regard to child safety. We also recognise the critical role played by our child safety staff in meeting the needs of some of those who are most vulnerable in our community. We understand that ensuring child safety services is well resourced and supported is a fundamental part of this. Ultimately, this is a frontline service based on providing care in really challenging circumstances.

Since the beginning of this Government in 2014, our frontline staffing has increased by 20 per cent and we have worked steadily to strengthen the capability of our staff and provide better structures and support.

In 2018-19 our Government invested \$24 million for the recruitment of 25 additional child safety officers and other frontline staff. This brought our child services' establishment to over 250 full-time equivalent staff.

We recognise that there are at times vacancy rates in this workforce and this is why the Government has approved an additional ten full-time positions to support child safety services. These are relief positions intended to offset the impacts of the vacancy rates that we know that are there. We have introduced new processes for routine recruitment and group selection to ensure that we are supporting our staff in what is a very challenging role.

We recognise that our staff do work in stressful environments. I will continue to engage with them very proactively to see what further we can do to support them.

### **Child Safety Officers - Case Workers**

#### **Ms DOW question to MINISTER for CHILDREN and YOUTH, Ms COURTNEY**

[10.40 a.m.]

We know our child safety officers are under incredible pressure and cannot work any harder. The latest Human Services dashboard update showed that in March 65 Tasmanian children were referred for a child safety investigation but were not allocated a case worker within agreed timeframes.

In the six months to March the number of children not allocated a case worker increased by more than 30 per cent. Minister, why are so many children being left at risk?

#### **ANSWER**

Mr Speaker, again I thank the member for her question in what is a very important area of government service delivery. There is nothing more important than the safety and wellbeing of our children and young people, and supporting the families in which they grow and are loved and belong.

The Strong Families, Safe Kids Child Safety Redesign has changed the way we respond to concerns about children, how we support families and how we engage across government and the community sector to keep children safe. All referrals are thoroughly assessed through the new advice and referral line to determine the most beneficial course of action for the specific child and family. Importantly, in all cases, if a child is assessed to be in immediate danger they are seen within 24 hours, and I want to reassure the community of this. Otherwise, where it is safe to do so, our priority is to intervene early with wraparound services for families, not to automatically progress through to notification through the statutory system.

In 2018-19 we invested further funding to recruit more child safety officers and frontline staff, which brought our establishment to over 250 equivalent staff. We will continue to do all we can to ensure that the safety and wellbeing of those most vulnerable young people is taken care of.

I will talk about a range of strategies that are used to ensure that cases awaiting allocation do not build up and are actively managed during this time of transition. These include timely and efficient recruitment processes to lessen the load on operational staff; recruiting over establishment for specific child safety roles to support better vacancy management; recruitment of support workers as designated case aides to undertake administrative tasks on cases which allow child safety officers to prioritise their work; reducing the impost of court proceedings on

staff by developing a non-legal early intervention support service to parents who are on the cusp for legal proceedings, to be piloted in the southern region; establishing a new case management ten project to prioritise tasks for children who may be able to exit our system; increasing resources for family restoration of children currently in care, where it is safe to do so; and funding family preservation services to work with families, to avoid unnecessary entry into the statutory system.

The Strong Families, Safe Kids reform actions are changing the way we are keeping children safe. We are supporting families to make sure we can keep these kids safe, to try to keep them out of the system, and we are working efficiently. In this portfolio I will continue to engage proactively with stakeholders and staff to make sure we are taking all the necessary steps.

### **Securing Tasmania's Future - Investment in National Parks and Reserves**

#### **Mr STREET question to MINISTER for PARKS, Mrs PETRUSMA**

[10.53 a.m.]

Can you update the House on how the majority Gutwein Liberal Government's investment in our national parks and reserves is assisting to deliver on our clear plan to secure Tasmania's future?

#### **ANSWER**

Mr Speaker, I thank the member for Franklin for his question and his interest in our beautiful national parks and reserves. Tasmania's natural areas are world renowned and they hold a special place in my heart. My family and I are frequent users of our parks. I passionately believe that through culturally sensitive and environmentally sustainable visitation to our national parks, reserves and Crown lands, we cannot only ensure that our future generations can also explore and learn about our state's unique wild places, but also ensure that our wild places will be passed onto our future generations in even better condition than they are today.

The Tasmanian Liberal Government also understands that our national parks and reserves support many tourism and other businesses throughout the state and in particular help drive our regional economies.

Tasmanians have voted for a majority Liberal government, as they did in 2014 and 2018. They voted for certainty and stability at a time when our state needed it most and for a clear plan to secure Tasmania's future. After seeing the infighting over the last few months, I am sure Tasmanians are breathing a sigh of relief that the bitterly divided rabble opposite in the Chamber are not in charge. They would have undoubtedly spent the next four years arguing amongst themselves instead of getting anything done, especially in our national parks and reserves.

Unlike Labor, on this side of the House we are a strong and united team and we are getting on with the job of delivering our clear plan to secure the future for our parks, and our plan is working. Our investment in Parks since 2014 has been unprecedented and this Liberal Government has demonstrated its firm commitment to ensuring that our special natural places are protected and presented in ways that enable people of all abilities to enjoy the natural and

cultural values they contain. On top of this, in the recent election this Government made commitments across Tasmania totalling almost \$42 million to future-proof our world-renowned national parks and reserves through our Parks Powering Regional Economies policy.

Our policy is 12 pages. Labor's policy is one-third of a page. That is all they managed to produce on parks - one-third of a page. Fair enough, it was the back page to another policy, but one-third of a page versus 12 pages. I give the Greens this much - the Greens at least produced a decent policy.

**Members** interjecting.

**Mr SPEAKER** - Order. Minister, if you could just stop for a moment while the House brings itself to order.

**Mrs PETRUSMA** - Thank you, Mr Speaker. This party is getting on with the job. In the south and south-west of the state this Government has committed \$9.5 million, including in my and Mr Street's electorate of Franklin. We are re-investing \$3 million to redevelop the Hastings thermal pool site and a \$3 million package of upgrades to the Cockle Creek campgrounds, building on the recently completed facilities at the site which will include new and enhanced campsites and RV facilities.

On Bruny Island we are investing \$1.7 million into upgrading day-use facilities, road access and parking at the popular Cape Bruny site in the South Bruny National Park. A key priority in the Tasmanian Wilderness World Heritage Area tourism masterplan is a Mount Field National Park masterplan. This is why we have committed \$1.8 million to this critical planning activity as well as upgrading the entry concourse and parking.

In the west coast and north-west of the state, this Government is improving access to the Black River day-use area through the upgrade of a 2.1 kilometre section of Spion Kop Road. We will also deliver stage 2 of the Horse Trail Falls at Queenstown, a \$600 000 commitment which will add to the short walk offerings in this area. In the far north-west in the Arthur Pieman Conservation Area we will also redevelop the Edge of the World experience, a \$2.75 million commitment for a new unobtrusive all-weather shelter, which will offer visitors the opportunity to take in a breathtaking vista of the west coast landscapes and the Southern Ocean.

In the east and south-east of the state at the Freycinet National Park we have committed an additional \$14 million to fund the development of a new visitor gateway which will include a new modern transport hub with a shuttle bus to the Wineglass Bay car park, alleviate congestion on Freycinet Drive and reduce the impact on residents. On Maria Island we have committed \$6.8 million for stage 3 of the Maria Island Rediscovered project, while at the Tasman National Park we will provide \$1.5 million to undertake further upgrades of the Remarkable Caves, Tasman Arch and Devil's Kitchen site, including the installation of a suspension bridge across the Devil's Kitchen chasm.

In the north and north-east of the state and Flinders Island we have committed \$900 000 for a range of Parks assets on the island, including improvements to infrastructure at Trousers Point Beach, campsites and RV facilities. We are also investing \$2.8 million in Ben Lomond National Park by undertaking crucial planning to guide future development at the site and investing in high-priority assets to build on the current project to replace the Ben Lomond

public shelter which was destroyed by fire in 2018. We are also investing \$2.8 million to replace the boardwalk at the much-loved Tamar Island Wetlands Centre.

Our 2021 election commitment is built on our significant existing commitments in excess of \$80 million which has already delivered projects. With our additional \$42 million this Government will be delivering a strong pipeline of projects in our parks of more than \$122 million, a clear demonstration of the critical value we place on our national parks and reserves and their contribution to Tasmania's regional economies in terms of activity and job creation, as well as ensuring that our special natural places are protected.

**Ms O'CONNOR** - Still got time.

**Mr SPEAKER** - I should say what is the point of order because both members were standing.

**Ms O'CONNOR** - It is not a point of order; I am asking a question.

**Mr SPEAKER** - On a point of order, because you stood before the minister finished her contribution.

**Ms O'CONNOR** - You had asked her to wind up. I would like to ask a question. There is time to ask a question. It should not be that hard.

**Mr SPEAKER** - The Leader of the Greens, it is not that hard if people utilised the standing orders. You are not supposed to jump until the minister has completed their answer. To be standing for 20 seconds beforehand is against the standing orders.

**Ms O'CONNOR** - Thank you. The minister had been speaking for six and a half minutes.

### **Van Dairy Group - Political Donation**

**Ms O'CONNOR to MINISTER for PRIMARY INDUSTRIES and WATER,  
Mr BARNETT**

[11.01 a.m.]

We have asked two questions today in an effort to ascertain whether anything has improved in animal welfare or environmental standards at Van Dairy farms. Van Dairy donated \$25 000 to the Liberals in 2018. That is a donation we know of. Did that buy them a free pass?

### **ANSWER**

You fought for that question?

**Members** interjecting.

**Mr SPEAKER** - Order. The question has been asked. We will allow the minister to answer it.

**Mr BARNETT** - Thank you, Mr Speaker. I thank the member for her question. The last part of her question, obviously I reject it - it is totally inappropriate and gutter politics.

As I said earlier in my answer and confirmed again by the Minister for Environment, we take this matter very seriously and it is a matter for the regulators, the Tasmanian Dairy Industry Authority and the EPA. The efforts of this Government and those regulators are very strong indeed. Regarding this matter, let us outline the importance of it and how we want to support the high standards across our dairy industry, including at Van Dairy. You have asked me of my involvement and the involvement of this Government, so I will summarise.

I have requested, and been regularly briefed by the chair of the TDIA since the Government was formed. I have been briefed by the director of the EPA. I have been briefed by the secretary of my department on coordination of compliance activities across the agency on a regular basis. I have raised the matter with the TFGA and Dairy Tasmania. I have written to minister David Littleproud, my federal counterpart, and Josh Frydenberg to reinforce the importance of compliance with any Foreign Investment Review Board conditions, in particular those conditions that support capital investment in a contemporary management of Van Dairy Farms. I recently met with the Van Dairy manager and urged Van Dairy to comply with the standards of the regulator.

I have also written to the secretary of my department to ensure that TDIA is provided any support required to undertake these very important compliance activities. This is a very important matter. The matters are ongoing and it will be considered on an ongoing basis and in a very serious way.

## **RESIDENTIAL TENANCY (RENTAL MARKET REFORM) AMENDMENT BILL 2021 (No. 30)**

### **First Reading**

**Bill presented by Ms O'Connor and read the first time.**

### **MOTION**

#### **Order of Business**

[11.05 a.m.]

**Mr FERGUSON** (Bass - Leader of the House) (by leave) - Mr Speaker, I move -

That for this day's sitting, Private Members Business be scheduled as follows:

- (a) 12 p.m. to 1 p.m. Government Private Members
- (b) 3.40 p.m. to 5.10 p.m. Opposition Members
- (c) 5.10 p.m. to 6.10 p.m. Greens Members

I will speak to both of these motions, this one and the foreshadowed one. It is to facilitate the honouring of my promise to the new member for Bass, Ms Finlay, to allow her to pick her time of her important first speech to this House. She selected 2.30 p.m. today. That happens



to be Government Private Members' time. To ensure that everybody still gets the expected allocation of time, this motion is moved today.

It is a bit unusual and some people have been saying to me, how come I am so nice? I am not sure, but we want to hear from Ms Finlay and that is the right and good thing to do. Members of this House enjoy getting insight into where the new members are coming from in this place. In my years here, I have always enjoyed those first speeches, so I look forward to that. Do not expect it again.

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, can we get clarity from the Leader of Government Business? I am not sure that the new member for Bass's inaugural speech will take the full allocation. What is the plan if it does not?

**Mr FERGUSON** (Bass - Leader of the House) - The expectation is that because the House would in a moment be resolving this, any unused time leading up to 3.40 p.m. would be Government business and the Minister for Justice would continue with her bill listed on the blue paper. That is how it has to be.

**Motion agreed to.**

## **SITTING TIMES**

[11.07 a.m.]

**Mr FERGUSON** (Bass - Leader of the House) - Mr Speaker, I move -

That for this day's sitting the House will not stand adjourned at 6 p.m. and the House continue to sit past 6 p.m.

**Motion agreed to.**

## **MATTER OF PUBLIC IMPORTANCE**

### **TasTAFE**

[11.07 a.m.]

**Mr O'BYRNE** (Franklin - Leader of the Opposition) - Mr Speaker, I move -

That the House take note of the following matter: TasTAFE

I rise to discuss and to support what is a trusted public institution in TasTAFE. TasTAFE has provided high-quality, comprehensive and industry-engaged training for decades. Thousands of Tasmanians have benefited from the work that TAFE has undertaken.

On this side of the House, we believe it should remain absolutely and solely in government hands and not be hived off in some quasi-privatisation approach. This is something that shall remain ultimately the responsibility of the minister of the day and in direct government hands to direct the future and to guide the future of what is a publicly trusted institution.

I have had the pleasure over many years, meeting many teachers, trainers and people who work in TAFE across a whole range of curriculum, in the heavy trades but also in the service industries, where there are significant skills shortages in childcare, early education care, aged care and in personal services. There is a whole range of vocational courses delivered in a high-quality way by high-quality people.

We have seen this Government not only undermine the role of TAFE in Tasmania - and I acknowledge that the Speaker of the House is a former employee of TAFE in motor trades in the north of the state -

**Mr SPEAKER** - That is right, automotive.

**Mr O'BYRNE** - There are some magnificent people who work or used to work in TasTAFE, present company included Mr Speaker, that have supported generations of Tasmanians -

**Ms O'Connor** - Did you call yourself 'magnificent'?

**Mr O'BYRNE** - No, Mr Speaker.

**Ms O'Connor** - Oh, yes, magnificent. You are right.

**Mr O'BYRNE** - The COVID-19 test has knocked you around in your hearing. I think it is the nose and throat; it is not the ears.

Over generations, people have benefited from the high-quality work of TasTAFE, so when you talk to TasTAFE people, particularly over the last couple of months, they are in shock and dismay about the attack and the undermining that was launched on them by this very Government. This is a government that has underfunded TasTAFE for seven years, and enrolments are down by 30 per cent. This is a government that has absolutely undermined TasTAFE, when industry has been crying out for years for a comprehensive vocational response to the needs of industry.

I have spoken to many trainers who have been on worksites at 7 a.m. or 6 p.m. working with industry to provide flexibility in delivery of services. Yes, it is not perfect. Yes, it is not ideal, and TasTAFE teachers themselves say there are always ways that we can improve, but there is a choice. You either attack and undermine it, and undermine the very people you rely on to deliver the service, or you work with TasTAFE, and that is Labor's position: you work with TasTAFE to improve the services, to support the teachers. What we have is a range of industries that are facing significant and critical skill shortages.

When you have a government that has stimulus as its only economic strategy, you push hard at the front end of an industry, but then you completely ignore TasTAFE for seven years and all of a sudden you wake up and realise, 'Oh, hang on, we have a skill shortage in the industries that we are relying on and that we are pumping money into as a matter of stimulus.'

What do you do when you do not have an economic vision; you do not have a strategy? This Government has not had one piece of micro-economic reform in the last seven years. What do you do? At the state of the state address when you are desperate for a thought-bubble idea to try to give some veneer of an economic or skill strategy, you pluck something from the

Premier's Economic and Social Recovery Advisory Council around the quasi-privatisation or creation of a government business enterprise for TasTAFE.

There was only one submission to PESRAC that called for TasTAFE to be turned into a GBE. You announced this in the state of the state Address in March this year, and now we know you cannot even explain what you are going to create. Is it a GBE? Is it a state-owned company? Is it a not-for-profit - whatever that means in the context of the Government Business Enterprises Act 1995?

You cannot even explain to people what you are going to create. What makes it worse is that in question time today we gave the minister multiple opportunities to rule out cutting TasTAFE, attacking TasTAFE, cutting courses, attacking workers' rights and their conditions, and copying what Liberal governments have done in other states. We have heard what has happened in South Australia. Courses have been cut, campuses have been closed, student fees have been increased, job losses, and they have diminished employment conditions. Staff are worried, parents are worried, students are worried about the future.

You make this big announcement. You launch an attack on TasTAFE as a public institution and you have zero ability to explain what you are going to create. If you are going to launch a reform in a key area in a trusted institution, you have a responsibility of government to discuss with people and outline a plan, apart from, 'We have this idea because we do not have any ideas. Someone from the PESRAC report had a thought-bubble idea about creating a GBE in TasTAFE.' You have decided, 'Well, this gives us a veneer of an economic strategy, so we are going to run with it' - but you have no idea how to explain it.

What a shambolic approach to a trusted institution, to a key element of economic reform and dealing with the skill shortage in all of this.

This Government has form. I remember when I was re-elected in 2018 and I was invited to a civil construction foundation federation forum about a skill shortage in the vocational and para-professional area. In 2018 everyone sat around the table and said, we have this problem, we have this skill shortage - and here we are, with the infrastructure minister last week calling for another round table: more discussions, no visions, no idea.

### **Time expired.**

[11.15 a.m.]

**Ms COURTNEY** (Bass - Minister for Skills, Training and Workforce Growth) - Mr Speaker, I thank the member for this MPI, and it is a very important issue. We know we need to ensure that we are delivering skills for Tasmanians, whether they are young Tasmanians entering the workforce for the first time, or older Tasmanians wanting to retrain and embark on a newer career. We know that new opportunities are rising because of our growing economy.

I listened very carefully to Mr O'Byrne's speech, and I think the man is very confused. He talked about undermining TasTAFE; we are actually the ones that are backing them in. We are investing \$100 million and working with them to ensure we can support teachers more, deliver more flexibility and more options for students. It was that side of the Chamber that in 2020 said TasTAFE is broken. They said it. It is in here: TasTAFE is broken, and the Labor way is rebuilding TasTAFE from the ground up.

So, I do not understand, in terms of undermining TasTAFE, the party that is investing \$100 million, the party that is going to ensure we have more support for teachers, more courses, more options for young people and those wanting to retrain, versus the other side that says the Labor way is rebuilding TasTAFE from the ground up, because TasTAFE is broken. I do not know what planet they are on. What we are doing is listening to the outcomes of PESRAC, which as we know consulted widely across the community. This is how we can ensure that as we recover from COVID-19, we can take advantage of the opportunities that are there, and ensure that in the future, even more Tasmanians can grasp the opportunities of a growing economy. This is exactly what we are delivering on.

Mr O'Byrne also stood up and said, what is it going to look like? Well, that is what we are working through now in conversation with industry, unions, students and participants - because we know how important it is to get this right. The money we are investing in capital facilities, in 100 new staff, is about making sure that we assist TasTAFE, so TasTAFE can be even better than it is - to ensure the Labor party's Tas-Tomorrow are dark distant memories.

This is why we went to the election with a very clear policy that we are going to invest \$98.5 million over the next four years. We are going to see 100 extra TasTAFE teachers to train more Tasmanians. We are going to deliver \$45 million for critical facility upgrades, and invest \$16 million for rural and regional students. This is our side backing TasTAFE in. We know we need to have a strong public provider, and this is why we have made such firm commitments, particularly around embedding 80 per cent of skills funding into TasTAFE, unlike the other side, whose track record is simply blowing it up.

We have demonstrated that over recent weeks. Since becoming minister, I have already made a number of announcements about delivering these commitments. We have seen the first stage of the virtual campus, which will mean more flexibility for people to be able to get trained. This is good news for people living in regional areas, and also for Tasmanians wanting to learn or study while they already have a part-time or full-time job, or other commitments.

We have also seen the investments that have been made at the Alanvale facility, and the further investments to ensure that we can deliver training across those growth areas, such as community and social work, as well as drug and alcohol and mental health support. Again, this is about responding to the needs in the community, responding to industry and ensuring we have flexible training for students, and modern facilities to deliver it.

Only this week, I was at Claremont College looking at the new hospitality training facility we have delivered for young people, while also ensuring the wider community can have access to that facility, so they can embark on a meaningful career within the hospitality sector.

We are delivering a better TasTAFE. We are backing them in. That side said TasTAFE was broken, that it needed rebuilding from the ground up. We know what the Labor way is. TasTAFE remembers what it was like under Labor and this is why we are getting on with the job of doing this.

We have committed that TasTAFE will remain not-for-profit and will never be privatised under this Government. We will ensure that TasTAFE employees will not be worse off and we will have better pay for our skilled teachers. We will guarantee that 80 per cent of all Skills funding continues to be invested in the new TasTAFE model. We will work to have more teachers and trainers included in our regions and we will consult meaningfully with staff,

students, unions and industry as well as the broader Tasmanian community as we work towards this.

We want TasTAFE to be flexible. We want it to be responsive. We want to ensure that Tasmanians wanting to grasp the opportunities of our growing economy have the ability to do so easily and in their region. I urge Mr O'Byrne to come with us on this journey. This is important for Tasmanians. We know how important education and training is to be able to set up outcomes for young people and for those wanting to reskill in industry. We know how important this is for those individuals, families and communities. I am committed to ensuring that we deliver this because of its importance for Tasmania.

Mr Speaker, we are listening, unlike the other side that keeps talking it down. I ask Mr O'Byrne, with his failed track record of delivery on TasTAFE - they blew it up - to support us as we make TasTAFE stronger and more responsive, and make sure that more students get to learn there, and we have modern campuses all around the state to deliver for all Tasmanians.

**Time expired.**

[11.22 a.m.]

**Mr ELLIS** (Braddon) - Mr Deputy Speaker, it is telling how much these guys have to say about this that they could not even be bothered getting the call for their own MPI.

**Mr O'Byrne** - That's outrageous. He stood up, he missed the call. Your minister did it last week.

**Mr ELLIS** - I understand that the Leader of Opposition Business has been absolutely set up by the Leader of the Opposition. We know that he has been given more stuff than he can deal with.

**Opposition members** interjecting.

**Mr DEPUTY SPEAKER** - Order. Can we have a bit of silence so that the member can make his contribution.

**Mr ELLIS** - Thank you, Mr Deputy Speaker. We know that the classic management technique if you are worried about your job is to promote your underlings above their station. Unfortunately, the Leader of the Opposition is sitting on top of a rabble, the dear leader himself. The Labor Leader in his speech before was full of praise for the majority Gutwein Liberal Government's work in TasTAFE. It was virtually a homily; he could not have been more effusive in his praise of this fantastic public institution which has been overseen by the Liberal majority Government for the last seven years and will be for another four years.

We believe that TasTAFE's best days are ahead of us. We went to the election saying that we wanted to take TasTAFE to the next level and secure its future. Interestingly, the Leader of the Opposition went to the last election saying that it was broken and then comes in here after all the dust has settled and says what a fantastic job they have been doing all along. I do not know whether he was telling the truth then or whether he is telling the truth now. He is really all at sea on this.

The claims they made during the election about privatising TasTAFE and privatising Hydro are internally consistent and he has been called out by not only the media and by this side of the House, but by the electorate at large. He said if we make TAFE a GBE, a government business enterprise, that it will be privatised. Then at the same time they said that we are going to privatise Hydro, which is a government business enterprise. Do you think that a government business enterprise is privatised or not?

**Mr O'Byrne** - Momentum, Entura - you're selling it.

**Mr ELLIS** - So do you think it or not? Will you rule it in? They said that Hydro is going to be privatised because it is not currently privatised because it is a GBE. Do they think that TasPorts, another GBE, is privatised? Do they think that TasNetworks, another GBE, is privatised? Do they think TasRail, another GBE, is privatised? I can give you the answers to that. They are not. Guess what TasTAFE is going to be? A GBE. It is not rocket science.

It speaks to the disgraceful mediscare-style campaign that they ran at the last election. You wonder why you came back in here suffering a swing against you. It is because of the same kind of mistruths that federal Labor tried to pull and that you pulled at the last election. It was an absolute clanger, it did not make any sense and you wonder why you are sitting where you are.

It is disappointing to hear that Labor still has learnt nothing from their election loss and it is still not listening to the community. If you put your ear to the ground people want more trades training and they want TasTAFE to be doing an even better job than it is. We have the backing of the Premier's Economic Social Recovery Advisory Council, industry groups, community groups. Did we set up the community groups, did we set up the master plumbers, the master builders? You just have to listen to the people. These are your constituents as well as ours. If you spent a little bit more time listening to them they might tell you what they think.

I will go into some of the effusive praise that we received and the absolute eye-rolling that the rest of the community has given to Labor. Let the record show that as much as Labor wanted to scare students it is clear we have a plan to support them and give them more options and more training opportunities. That is what students in Tasmania want.

I want to talk about all those people. I am a plumber. I have been through vocational education and training and have a Certificate II, a Certificate III and a Certificate IV. In the north-west we are going to invest \$12 million for new student accommodation in Burnie to house 25 rural and regional students - that is people from the west coast where I used to work, people from Circular Head - and a new trades training simulation centre at the Burnie campus as well as expansion and equipment upgrades to metals, fabrication, electrotechnology and a new dedicated computer lab. These are people doing welds that are some of the most complex and technical you can possibly do. It is about welding material for our armed forces where the standard and quality of what you need to be achieving is enormous, and we want to make sure that these people have the training simulation so that they can live up to that promise. There will also be major upgrades at the Devonport campus, a new trades training simulation centre and expansion of equipment upgrades to nursing, plumbing, fabrications, spray painting areas.

I am more than happy to put on the record what people have been saying about our side, and these people have really been attacked by Labor because they are supporting our plan and have gone out there on the public record. Labor says what they are saying is nonsense, but the

public can judge for themselves. Master Plumbers Tasmania have said they welcome the move to make TasTAFE a government business because it will allow TasTAFE to work more in alignment with how industry works. They say TasTAFE have been doing a good job in servicing our industry - so was that broken or doing a good job? - but there is room for greater outcomes to be delivered by moving away from a school-based model of service delivery to one that actually reflects operational needs of business. That is about making TasTAFE more like the businesses it serves.

The HIA said:

It is only through a strategic and collaborative approach between government and training providers, including TAFE, that we are able to future-proof our construction workforce and deliver the skills necessary required by the industry.

TasCOSS said:

We strongly welcome investment in TasTAFE and look forward to working with them to address the demand for an expanded community service workforce.

Keystone said:

Keystone Tasmania welcomes any initiative to increase the capacity and responsiveness of the state's largest training provider. There are certainly opportunities for TAFE to work and engage more deeply with industry and we look forward to strengthening our relationship with TAFE under this new business model.

Mr Deputy Speaker, I feel sorry for the people who had to go through TAFE when the other side were running the show, and I quote - 'Missing students', '10 000 vanish in the wake of education reforms'.

**Time expired.**

[11.29 a.m.]

**Mr WINTER** (Franklin) - Mr Deputy Speaker, what a dress rehearsal from the member for Braddon. He talked about being 'promoted above your station'. Every time he speaks it is kind of like, 'Premier, are you watching?'. He is just waiting for someone on the front bench to maybe fall over. He put himself forward with this sort of blind love for the Liberal Party with no actual basis in reality, just a Kool Aid-drinking lovefest for the Liberal Party. I hope for your sake the Premier was not watching that one, member for Braddon.

The rhetoric is 'a clear plan'. I have been listening to the rhetoric for a long time in this place and it is always about a 'clear plan'. We stand here today with no clear plan for TasTAFE and just as importantly, no clear plan for the Budget. This is the last day where we have a budget in place. We have no budget from the new financial year. We are just running with no plan at all. By definition we will be running with a supply bill that allows for some additional funding for next year.

**Ms Courtney** - We have \$3.4 billion worth of election commitments.

**Mr WINTER** - None of those election commitments are actually funded yet because there is no budget to fund any reform in TasTAFE or any new policy. Any ambition this Government might have is unfunded because we have no plan for Tasmania's budget, no plan for its economy and no plan for TasTAFE.

It was remarkable when I briefly went back to Tas ICT in 2018 and listened to the change in rhetoric for my members for what their priorities were. When I was there in 2013-14, they were talking to me about a whole range of issues, but when I went back the number one issue that came up was the inability to get skilled workers. Their frustrations were with this Government and trying to deal with a TasTAFE system that they were desperate to see be more responsive to their needs. What they were not asking for was a GBE. What they were asking for was a government that was actually listening to them.

The problem with the policy from the Government is that they will actually lose the ability to make strategic decisions on what is important for Tasmania's economy going forward. Tasmania's economy going forward needs to have the strategic desire to employ more highly skilled better paying jobs and what the report says is to handball responsibility for important tertiary education to an unelected board as opposed to the current conditions where we have the ability for, if they had the willingness to do so, a government to show some interest in the sort of industries that can deliver higher wages and higher productivity. That is not currently the case.

The solution is, as the Leader said, a thought bubble at this stage. We do not know. It could be a not for profit as the minister said today in question time. So, it is a GBE that is also a not for profit. For the benefit of the House it should be clarified at some stage today whether the plan is for TasTAFE to become a not for profit. They were the words that I heard -

**Ms O'Connor** - Not for profit with full cost recovery is what PESRAC says.

**Mr WINTER** - 'Full cost recovery'. That is concern for the students is it not? Full cost recovery can only mean one thing. Either an even larger deficit for the budget; or even worse, the students are going to be paying even more. That is what Labor believes.

This is actually about the students. We have heard the rhetoric from the Premier when he was asked about this in this place. He talked about fit for purpose for business. This side of the House is interested in the students. TAFE is about students and preparing them for work and providing them with the ability to get a job that pays well, that is secure. Unfortunately, under this Government, we have seen fewer students being able to get to TAFE. Enrolments are 30 per cent down. There are major problems with the way that the Government is currently running TasTAFE, but the solution is not to take a thought bubble from an unelected group, PESRAC. What it all comes down to is that after seven years it is quite embarrassing for them. There is not a single microeconomic reform from this Government in seven years. There is not a single reform that has been undertaken.

TasWater was an amazing attempt to finally have a reform, but we have so completely botched it now. My hope is that if this does go ahead, they could not possibly stuff this up as much as they did TasWater. We have seen what happens when this Government gets hold of an organisation that was working quite fine the way it was and then it turns it into whatever it



is they have turned it into - a business that is now laden heavily with debt. It is not delivering any of its actual requirements in terms of the infrastructure that Tasmania needs and they want to do this again with TasTAFE. I think we have heard enough from students. We have certainly heard from teachers that they have real concerns about this. I thought the opportunity today was a really good one for the minister to say, 'I am going to rule out these cuts. I am going to rule out increases in course fees. I am going to give the certainty to the staff at TasTAFE, to the students, and to the community that these things are not going to happen.' Of course, it did not happen.

The minister was given ample opportunity - I think three or four questions - and refused to rule out. We still have a situation tonight where, as we understand, the EBA will be suspended and there will not be negotiations because there is no certainty and no plan for TasTAFE. I really sincerely feel for the staff because I know that they are really committed to the work that they do. What they need is certainty and they need more support at TasTAFE so we can get the enrolments back up.

### **Time expired.**

[11.36 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, before I go to my substantive contribution I wanted to take up something that Mr Ellis said. He accused Labor of a scare campaign over future plans for TasTAFE. Mr Ellis was possibly still in TasTAFE when, in 2014, the minister, now the Leader of the House, wrote to numerous school communities with a false scare campaign about alleged plans to close more schools.

That was a scare campaign that was not based in reality or fact. It was a deliberate attempt to mislead parts of the electorate into voting for the Liberals in 2014. So, let us not pretend, on Mr Ellis's side of the House, that they have not also indulged in some fairly untrue language around the plans of any particular party in this place. In the government we were part of, the minister for education stopped school closures. He visited all the schools and realised it was folly to close schools in small communities and other places where those schools are a very important part of the fabric of that community.

It was also the same Greens education minister who stitched TasTAFE back together after it was turned into a polytechnic, a policy shift that was made with the best of intentions but which, of course, did not work out. I think the staff at TasTAFE would be tired of being part of a political football match.

I have looked all through the PESRAC report and am still no clearer about where this recommendation to turn TasTAFE into a GBE came from. The comments that are highlighted in this PESCRAC report do not point to any strong desire for it to have a different structure. The argument is not made for turning it into a GBE, not in the PESRAC report, and, to be frank, not by the Government or the current minister.

The Greens have a fair bit of experience with government business enterprises at scrutiny hearings, those opportunities we get once every two years to ask, for example, Forestry Tasmania or Hydro Tasmania about their policy failures. The lack of transparency which is apparently innate to government business enterprises is a big concern for us because, should TasTAFE be made into a GBE, it will be once every two years that members of the

House of Assembly have an opportunity to ask that TasTAFE GBE about its policies, about its effectiveness, about how it is spending its money.

The PESRAC report is clear, although it is unclear on where the recommendation to make it a GBE came from. PESRAC uses 'we'. I do not know if it is the whole of PESRAC or if it was just Don Challen, the former head of Treasury, for example, who came up with this recommendation. PESRAC says:

We recommend TasTAFE operates on a full-cost recovery, competitively neutral but not-for-profit basis, funded through activity and community service obligation payments.

That raises a very legitimate question about the cost of course fees for people attending TasTAFE. TasTAFE fees already make accessing TasTAFE courses unaffordable for too many Tasmanians, particularly those on low incomes and in rural and regional areas. There has been no clarity from the minister today about what this major shift in TasTAFE would mean for course costs but also the diversity of courses. If you have a TasTAFE GBE that is being directed by industry, as we are told to respond to industry's needs, what does that mean for the diversity of courses, what does that mean for the educational enrichment that so many Tasmanians have got out of TasTAFE as a public training provider, and will industry be pointing to those areas where we know skills will be needed in the future?

US President Joe Biden has established a civilian climate corps as part of a framework that is notionally a green new deal. This group of people will be trained in climate adaptation, landscape, restoration and resilience. We need to make sure that our public training provider is providing the skills and the training that we as an island community will need in the future. We need to be repairing degraded landscapes, making sure that we are retaining water in the landscape for the future and we need to have the best firefighting and landscape management skills of any state or territory in this country. We need to be investing in green skills for the future to keep our communities safe, to protect our landscapes and repair them and to ruggedise our infrastructure.

We are not persuaded yet that TasTAFE should become a government business enterprise. We are firmly of the view that it will make the public training provider a more opaque entity and we are not convinced that industry, if it is driving the training agenda of a GBE TasTAFE, will be putting forward proposals for courses that invest in the skills and the training of the future. We need, for example, to make sure that in aged and disability care, providers have access to the skilled staff they need. Will industry be making sure we are investing in the caring sector? One of the most important tasks of a government of the day is to make sure we have good people looking after vulnerable people in aged and disability care.

We are yet to be convinced that TasTAFE should be a GBE. We do not believe government has made the case and PESRAC certainly did not make the case for this major upheaval to the lives of students and staff at our public training provider. We are looking for more reassurance from the minister.

**Time expired.**

**Matter noted.**

## **JUSTICE MISCELLANEOUS (INCREASING JUDICIAL RETIREMENT AGE) BILL 2021 (No. 15)**

### **Second Reading**

[11.43 a.m.]

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

That the bill now be read a second time.

This bill delivers on the Government's commitment to undertake reform to provide Tasmanians with a more effective and efficient justice system. We are committed to ensuring that our courts are the best place to administer justice according to law.

This bill will increase the mandatory age of retirement for judges and magistrates from 72 years of age to 75 years of age. This will include associate and puisne judges and the chief justices of the Supreme Court of Tasmania, magistrates, the deputy chief magistrate and chief magistrate of the Magistrates Court. It will not apply to acting judges or part-time judges who are instead appointed for shorter fixed-term periods.

It is a small increase in age but a big advance in meeting community expectations on age equality while remaining consistent with a range of positions in other Australian jurisdictions on judicial retirement. It will also support the court's ability to operate effectively and retain valuable institutional knowledge from our most practised judges and magistrates if they choose to continue in office. Allowing for longer retention of judges and magistrates will contribute to expedient disposition of cases to reduce the backlog of cases in the courts and support jurisprudential development and mentoring and leadership in the courts. This would be a sensible change in any event and more so now given the impact of COVID-19 on the justice and other sectors which shows that flexibility is key to quickly adapting to new challenges.

Tasmanians are living and working longer and retiring later than their predecessors. The age of judicial retirement was last increased in 2005 from 70 to 72. Since then, average life expectancy has increased by three years from approximately 81 years of age to approximately 84 years of age. It has become increasingly common for people to choose to remain in the labour force beyond retirement age.

In public consultation, certain stakeholders suggested that the mandatory retirement age be removed entirely. On the other hand, some stakeholders suggested that increasing the retirement age could hinder rotation of the judiciary. What is intended by this reform is to continue to strike an appropriate balance between these competing considerations as well as those I have previously mentioned.

Maintaining a mandatory retirement age promotes predictability and a degree of regularity in new appointments to our judiciary. It ensures that the best legal practitioners of each generation are represented who bring with them different perspectives, practice expertise and ideas on decision-making. There continue to be varied approaches to mandatory judicial retirement ages in Australia. In fact, Australia originally did not maintain a judicial retirement age. However, no Australian jurisdiction is moving back to that position or proposing to do so.

The Constitution Alteration (Retirement of Judges) Referendum of 1977 introduced a mandatory judicial retirement age of 70 for federal judges, which remains in force today. States and territories now have a range of different mandatory retirement ages which fall within a similar range, however.

Through this reform, I am pleased to highlight that Tasmania will join New South Wales in having the most progressive judicial retirement age in Australia, allowing our judicial officers to remain working longer, should they wish to do so. I commend the bill to the House.

[11.47 a.m.]

**Ms HADDAD** (Clark) - Mr Speaker, I thank the minister's office and department for a briefing that was provided to me in the lunch break yesterday and to thank Nat from her office, and Bruce and Mark, for providing that briefing, albeit we combined it with a briefing on another bill so it was a very speedy briefing they were able to provide to me in a short time.

**Ms Archer** - It's not academically difficult, though.

**Ms HADDAD** - No, that is correct. It is not a complicated bill. Nonetheless I know that significant amounts of work go into the preparation of all legislation. I know that people working in the department would definitely have been working on this drafting for some time, so thank you to those officers for providing me with some information about the bill yesterday.

There was a community consultation conducted by the Department of Justice and there were a number of people and organisations who participated in that community consultation and expressed their views on the proposition in the bill to increase the retirement age of judges from 72 to 75. Most of them were in favour, some had other ideas to add as well around the operations of the judiciary and some, of course, were opposed to the change.

I am going to borrow for my contribution today a little bit from the contribution made by the Tasmanian Aboriginal Legal Service, TALS, because they not only supported the change but also provided some really useful history that I thought would be of benefit to share with the House. They began their submission to the community consultation by indicating support for the increase of the mandatory retirement age of judges and magistrates from 72 to 75 in Tasmania on the basis that it will ensure relative age equity, retain valuable institutional knowledge for a longer period of time and increase the courts' ability to operate effectively.

They go into some history and explain that under section 72 of the Australian Constitution, High Court judges must retire upon turning 70 years of age. The Commonwealth Parliament has also legislated a mandatory retirement age of 70 for other federal courts. However, the mandatory retirement age of 70 set out in the Australian constitution does not apply to state and territory courts, providing legislative flexibility in the setting of judicial retirement ages.

Currently, Tasmania imposes a retirement age of 72 on both judges and magistrates whilst Victoria, Western Australia, South Australia, Queensland, the ACT and Northern Territory have 70 as the mandatory retirement age. In 2018 New South Wales increased the mandatory retirement age for their judiciary from 72 to 75. As we have heard from the minister, that is the pathway we are following in Tasmania as well. They talk about some of the advantages of increasing the retirement age. Amongst them they mention the fact that

increasing the retirement age retains experience and skills on the bench, reflects broader societal trends of living and working longer, and ensures age equality.

Increasing the mandatory retirement age for the judiciary may also assist in breaking down the stereotype that older workers are not suitable employees. Organisations, including representative organisations like COTA, the Council of the Ageing Tasmania, do an enormous body of work to break down age stereotypes and age discrimination in the workplace. In recent work, they said some of that age discrimination across workplaces in Tasmania starts at about 45, I believe. Nobody's standards, other than maybe my team's, would consider 45 to be an older worker. If they did, most of this parliament would all be considered older workers. I know that is not how we all feel here.

It is disturbing that age discrimination across the private sector, public sector and community sector starts to seep into selection processes for people in the Tasmanian workforce at that relatively young age of 45. We have heard from the minister that not only is the average life expectancy across the country higher now but we are working longer and older. This is not just because it is expensive to retire, and people often retire nowadays with mortgages, which was not the case back when original legislation dictating age retirement for judges was considered. We are also an active working society these days. There is less of that expectation that once the various retirement ages across state and private sectors tick over that people automatically leave the workforce. That is not the case for many, many people.

Back to the submission from TALS. They go into some of that detail and they note that both the Commonwealth Age Discrimination Act 2004, as well as our Tasmanian Anti - Discrimination Act 1998, prohibit discrimination on the basis of age. The Commonwealth act maintains an exemption where the person is unable to carry out the inherent requirements of the particular employment because of his or her age, whereas in Tasmania, the exemption is based on voluntary or compulsory retirement. That is section 18 and 35 of those two respective acts.

A review of the research suggests that the mandatory retirement age for judicial officers was, in part, enacted to prevent the process of ageing and mental decline from inhibiting the judicial function. However, they quote from an article by legal academic Alysia Blackham, published in the *Melbourne University Law Review*, in which Professor Blackham says that age -related cognitive decline is a complex area of study. She says it is risky to draw any assumptions on the link between age and declining capacity. Indeed, based on a study of cognitive information processing capabilities in older adults, Ramskar et al have concluded that cognitive decline is no more than a myth. While older adults may take longer to complete certain tasks, this is because they have more information to process and is not due to any issues of declining ability. These findings increasingly challenge our stereotypical preconceptions of old age and the assumed correlation between old age and mental capacity.

Mr Speaker, that is one of the submissions that was made to the community consultation conducted by the department in support of changing the judicial retirement age from 72 to 75.

There were other submissions that were supportive of the change. Before I go through some of those I will backtrack a little and note that the request for this change has come directly from the Chief Justice. He has outlined some of the reasons, in his view, that this needed to be done by the parliament in the last two annual reports of the Supreme Court. In his introduction to the most recent, the 2019-20 annual report, His Honour says it seems inevitable that

recruitment and retention of talented judges will become more and more difficult if nothing is done to alleviate judges' workload or to improve the nature of the judicial superannuation arrangements. Some of the submissions went to that issue as well. I note that the bill does not.

The Chief Justice goes on to say:

Having regard to the economic consequences of the COVID-19 pandemic, this is clearly not the time for government to consider increasing expenditure in relation to judges' retirement incomes. However, one step that the government could consider is raising the judicial retirement age from 72 perhaps to 75.

Such an increase would alleviate recruitment problems, prolong service of experienced judges and enable those judges, by working longer, to make better provision for their retirements.

It is important that the Government acts on strong advice from the judiciary. That is what is happening in this bill.

The Law Society of Tasmania made a submission broadly in support of the change as well. They said they are not opposed to the proposed increase in the mandatory judicial retirement age and the proposed increase in age is supported. They also go into the context of Australian workplaces and the Australian workforce. Attitudes about the age of retirement have shifted greatly from when mandatory retirement ages were introduced to the judiciary at both state and federal levels. They say that historically, mandatory retirement ages for the judiciary were introduced to assist with shaping a contemporary court and for other reasons, including, for example, addressing a concern or a perception that with age came declining performance. But we know, including from the research from Professor Blackham at Melbourne University, that this is not the case. The Law Society goes on to say that:

It follows that longer term the Law Society would be interested in exploring whether the imposition of mandatory age is necessary at, especially having regard to the following non-exhaustive lists of considerations.

They list those considerations:

It appears the imposition of a mandatory age for retirement today is unnecessary and not reflective of societal expectation because, *inter alia*:

- (1) A mandatory age for retirement may not be reflective of community expectations.
- (2) The imposition of a mandatory age of retirement is inconsistent with modern workplace practices.
- (3) A mandatory age for retirement may form age discrimination.
- (4) Judges often retire of their own accord before the mandatory age of retirement. However, as lawyers are often prone to do, the president has also given us some of the reasons against that argument, including

that those judges with specialist and skilled capabilities who wish to remain working can do so, thereby ensuring continuity of decision-making and retention of those capabilities.

He concludes by saying:

It may address the challenges of attracting specialist and skilled applicants. In relation to this. We note that there is a perception amongst some that judicial remuneration and pension arrangements are such that they are unlikely to attract senior members.

That is from Trevor McKenna, president of the Law Society.

Some of the other submissions, including that given by Bill Rowlings OAM - I do not know Mr Rowlings but he described himself as a private individual who is a 20-year researcher in the field. He spoke about whether it was necessary to have a retirement age at all. I personally would not be supportive of having no retirement age because it is a unique kind of a job, being appointed to a judicial position. It comes with a whole range of things that are not the same as in a public service position or being awarded a contract in the private sector. They are extremely honoured positions to hold, and there are a whole range of other reasons why having no retirement age would become problematic.

With those organisations and individuals who raised that issue in their submission, I wondered whether any consideration was given to that, either in the research to prepare this bill, or the background research on how other jurisdictions have tackled this issue. Mr Rowlings' submission also spoke about his belief that there is a conflict in making a change like this and having it apply to the current judiciary. He, in effect, argues for a grandfathering, if it is called that. It is probably the opposite of a grandfathering clause.

**Debate adjourned.**

## **MOTION**

### **Tasmanian Economy**

[12.01 p.m.]

**Mr STREET** (Franklin) - Mr Speaker, I move -

That the House -

- (1) Notes that despite the challenges of the past year, Tasmania's economy continues to grow.
- (2) Further notes that across a range of economic indicators, our economic performance is strengthening.
- (3) Recognises that State Final Demand is now 2.9 per cent higher than before the pandemic.

- (4) Acknowledges international demand is at record highs, with exports 4.3 per cent higher than 2020, bucking the national trend.
- (5) Further notes the confidence in business investment with the March 2021 quarter figures showing it is now 6.4 per cent higher than 2020.
- (6) Further recognises that this included the highest annual growth in equipment, plant and machinery investment in the country, increasing 49 per cent over the year.
- (7) Notes dwelling approvals are at 3952 over the 12 months to April 2021 - the highest number in more than a quarter of a century.
- (8) Further notes that, as the economy is strengthening, confidence is returning to the Tasmanian community with retail trade 24.5 per cent higher than April 2020.
- (9) Further acknowledges that our economy is growing strongly and our recovery is well underway.

Mr Speaker, in May this year, Tasmanians voted for a majority Liberal Government, and for certainty and stability at a time when our state needs it most. The Tasmanian Liberal Government has laid out a clear plan to secure Tasmania's future. We plan to continue building on our strong, economic position to create jobs and ensure we have the skills and training pathways Tasmanians need.

Businesses are confident. They are investing in their businesses and they are hiring. There are now more jobs than before the pandemic in Tasmania. At times of uncertainty, as the pandemic continues around the world, it is important that this House supports our recovery and in particular, our economic recovery.

It is important to acknowledge where things are going well, while at the same time recognising that some Tasmanians are still doing it tough. That is why I am talking about our economy strengthening in this place today. When you look at the economic data, there are now more jobs in Tasmania than before the pandemic. There were 1800 jobs added in May this year. Payroll jobs are 1.3 per cent higher than before the pandemic, and unemployment is down. Our unemployment rate fell by half a percentage point in May, and is now at 5.7 per cent.

It is easy to forget some of the dire predictions that were being made about the Tasmanian economy this time last year, with forecasts of unemployment potentially rising to over 12 per cent. Importantly, the participation rate is back up to pre-pandemic levels at 61.4 per cent, and the youth unemployment rate is down as well, at 11.6 per cent for the month. In original terms, it is 3.3 per cent lower than at the height of the pandemic impacts in May last year.

The Government's record on jobs is clear. Since we came to government in March 2014, 25 000 jobs have been created, and, as stated, businesses are hiring. Job vacancies are triple what they were in May last year, which is the second highest rebound in the country. Job



vacancies are 67.6 per cent higher than pre-pandemic levels, which is the third highest growth rate in the nation. Importantly, we are seeing strong growth in construction-related job vacancies, up more than 60 per cent compared to pre-COVID-19 levels as a result of the Government's policies to stimulate our economy and build Tasmania out of the pandemic.

Job vacancies are higher compared to before the pandemic in all three Tasmanian regions: up 85.8 per cent in the north-west, up 71.1 per cent in the north, and up 41.9 per cent in the south. Despite the challenges of the past year, our economy continues to grow. State final demand grew 1.6 per cent in the March quarter, the third highest growth rate in the country. State demand is now 2.9 per cent higher than before the pandemic, making Tasmania the third-highest growing state in the country over a full year of the pandemic.

Not only is domestic demand high in our state, but so, too, is international demand, and in fact it is actually at record highs. When you reflect on the way the globe has been affected by the pandemic in the last 12 months, the fact that our exports are at a record high is remarkable, and a credit to all of the Tasmanian businesses that export globally. It proves that what Tasmania is producing is what people around the globe want. The fact that during a global pandemic our exports have reached a record high of \$3.8 billion in preliminary figures for the 12 months to May - the highest on record, as I said - is remarkable. Exports are 4.3 per cent higher than the year before, which bucks the national trend, which saw exports slow across the rest of the country.

Confidence is an incredibly important thing. Businesses in Tasmania are confident, and because they are confident they are investing. Business investment in the March quarter was up. It grew 2.2 per cent. It is now 6.4 per cent higher than the March quarter last year. As I said in my opening statement, this includes the highest annual growth in machinery and equipment investment in Australia, increasing 49 per cent over the year.

Tasmanian businesses are investing for growth, they are gearing up for the future and looking forward with confidence. One of the critical areas of growth in Tasmania in the past 12 months has been housing investment. The Tasmanian Government has put a number of policies in place to try to stimulate that particular sector of the economy to help us come out of the pandemic. Dwelling investment is 13.5 per cent higher than last year. This is spurred on by HomeBuilder, which has stimulated our economy and raised aggregate demand. Dwelling approvals are at 3952 over the 12 months to April - the highest number in more than a quarter of a century, and 24.7 per cent higher than the year before.

During the height of the pandemic last year, the Premier and Treasurer made the point that we needed Tasmanians to support local businesses as we came out of this pandemic, and it has been so pleasing to see that Tasmanians have done that at record levels. I think it also indicates that Tasmanians are generally confident about the future in Tasmania, and their support for local businesses shows that. Retail trade is 24.5 per cent higher than April last year, and hit \$645 million in seasonally adjusted terms.

All of this is good news but it is important that we recognise in this place that many Tasmanians are still doing it tough.

**Ms O'Connor** - Good to hear you admit that.

**Mr STREET** - It is a point that no-one on this side has denied over the past 12 months, Ms O'Connor, no-one at all. Our economy is growing strongly and our recovery is well underway, but we know we need to do more to help those Tasmanians who are still doing it tough.

That is why we are delivering our clear plan to secure our future. It is a clear plan that we took to the election, and it was supported by a majority of Tasmanians, and it is why I am so disappointed there have been so many moves in this place and the other place, and also in the media, to try to relitigate the election.

As I said in my response to the Governor's Address yesterday, it treats Tasmanians for fools, it treats them with contempt. We know we took a strong, clear plan to the election, and it was supported by a majority of Tasmanians who trust us to keep building Tasmania out of the pandemic that we have experienced over the last 12 months. We are rolling out our jobs plan to support jobs throughout Tasmania. We have established our Jobs Tasmania unit in State Growth and that will include commencing discussion with our new jobs hubs in regional communities including Burnie, Brighton, Huonville and St Helens with locally empowered steering communities to deliver the best location and model for delivering local jobs for local people.

I know for a fact as a Liberal candidate at the election that the Huon Mayor, Bec Enders, is passionate about the establishment of the jobs hub in Huonville. She has been in constant dialogue with Mayor Kerry Vincent at Sorell since they established their jobs hub over there. She has seen the results on the ground in Sorell and she is incredibly keen to get that model established in Huon and to connect not only unemployed but also employed members of the Huon community who may be looking to upskill. She wants to get them in touch with local businesses and provide a pathway to join those looking for a job and are looking to upskill to businesses that are potentially hiring, the same businesses that I have been talking about that are looking towards the future of the Tasmanian economy with positivity and confidence.

We are going to launch the Tasmanian Employed Bonus to incentivise employers to take on the long-term unemployed Jobseeker with \$6.5 million dedicated to this policy over the next two years. We are going to commence work on the establishment of the new 1.5 million Jobs Tasmania Partnership Fund. We will continue our TasTAFE reforms to ensure we have a skilled workforce to build and grow Tasmania.

I noted with interest some of the contributions that were made on TAFE during the matter of public importance today. The hypocrisy of Labor to come in here and attack the Government for the plan that we took to the election when they were the ones that blew TasTAFE up is galling to say the least.

Our economy is strengthening and that is despite the relentless negativity of the Opposition. The new Leader, Mr O'Byrne, may want to kid himself about a fresh approach within his own party, but in this House, it has been that same old Labor so far. Relentless negativity. We see it with report after report of good news on our economic recovery, but it is always met with doom and gloom by those opposite unfortunately. We will not forget Mr O'Byrne's efforts earlier this year referencing State Final Demand data for the December quarter. With the ABS report coming out at 11.30 a.m., it took 9.5 hours of poring through that report to look for negativity in it before not being able to find any. In the middle of the night

comes the Labor media release: Labor Welcomes State Final Demand Result. The only thing that they could find in the report was positivity.

**Mr Winter** - You should have asked the Premier what it was like when he was shadow treasurer.

**Mr STREET** - You were not here either, Mr Winter, but I have to say it is good to see you up and about, Mr Winter. Most of us on this side thought you would still be recovering from the tyre tracks on the back of your head.

**Mr SPEAKER** - Order. When referring to fellow members within the House, we will refer to them on a non-personal basis.

**Mr STREET** - I beg your pardon, Mr Speaker. I did refer to the member for Franklin, Mr Winter, with tyre tracks on the back of his head after he was thrown under the bus in only his second week in this place. He gave a terrific inaugural speech last Thursday, and then got sent out on Monday afternoon to politicise the Government's approach to how we are handling COVID-19, try to play partisan politics with it and criticise the Premier. Then lo and behold at 10.02 a.m. yesterday morning in question time the Leader of the Opposition got to his feet and offered in a magnanimous, but a touch disingenuous way, to take a bipartisan approach to how we deal with COVID-19 in this state.

To those watching, I know that question time is not required viewing for Tasmanians, but if you want to entertain yourself, watch the start of yesterday's question time when Mr O'Byrne was on his feet. Look at the expression on Mr Winter's face behind him when the Leader of the Opposition got up to deliver his bipartisan approach, having sent Mr Winter out to say the exact opposite the day before. A bit of ying and yang: Mr Winter does the negativity and then Mr O'Byrne comes in the next day to offer the magnanimous gesture of bipartisanship. It is an interesting approach to take. I wonder if it will ever last the full four years.

Unfortunately, Labor wants to talk down the state at every opportunity. Mr O'Byrne spent the last three years continually talking Tasmania down but he has sunk to a new low by deliberately misrepresenting an economic report.

Regarding an ANZ Stateometer report, Mr O'Byrne said: 'A major report tracking -

**Mr SPEAKER** - Order. It is either the member for Franklin or the Leader of the Opposition.

**Mr STREET** - Not Mr O'Byrne?

**Mr SPEAKER** - The separation should be -

**Mr O'Byrne** - I am pretty sure he is the Speaker and you better follow what he says.

**Mr STREET** - When I am in the Chair, I will decide how we go about it.

**Mr O'Byrne** - But if it is inconsistent with the Chair -

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

**Mr STREET** - Mr O'Byrne, the member for Franklin, put out a statement on the ANZ Stateometer: 'A major report tracking Australia's economic recovery shows Tasmania is faring worst of all the states', he said. What the report actually showed was that Tasmania's economy was performing above the national average and better than four other jurisdictions in the country. You could see the results quite clearly.

**Mr O'Byrne** - Is this the 12-month statistics or the 10-year average? You can't pick and choose.

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

**Mr STREET** - The Leader of the Opposition was having trouble reading the statistics. They had actually graphed it for him so that he could see it.

**Mr O'Byrne** - You haven't read it, have you?

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

**Mr STREET** - There was really no excuse for misrepresenting the report as he did. It is getting pretty desperate if you have to make up the negatives but that is Labor way. Our economic recovery is powering ahead, despite the very best attempts by Labor to deny it and to deliberately mislead Tasmanians about it. In this place we need champions for Tasmania, not constant whingeing and deliberate deception which is all unfortunately Labor is offering. What we would like to see from Labor, rather than constant carping and negativity, is some detailed alternative approaches.

**Ms O'Connor** interjecting.

**Mr STREET** - A forlorn hope, I know, Ms O'Connor. I have only been in this place for three years in total and I have not seen an alternative approach put down yet but we can live in hope that they get away from this small-target strategy at some stage and articulate for the Tasmanian people what they would like to do for Tasmania's future.

**Mr Winter** - Not a single economic reform in seven years.

**Mr STREET** - Mr Winter, I will get to microeconomic reforms in a second with you.

Labor spent hundreds of thousands of dollars during the campaign on fake scare campaigns about TasTAFE privatisation and Hydro privatisation. This included fake phone polls that were used to bombard Tasmanians nightly, using deliberately deceptive statements about so-called privatisation as if they were facts. But they were false. Tasmanians were smart enough to know that and that the Labor Opposition was misleading Tasmanians and they were sensible enough to see through it and that is why the election result went the way it did.

Labor's failed former leader, Ms White, and the shadow health spokesperson, Dr Seidel, stood outside the Royal Hobart Hospital and made the deliberately deceptive claim during the campaign that the Government had closed a hospital ward. Who can forget Dr Seidel up on the north-west coast during the campaign? Labor made much hay out of championing the fact that because Dr Seidel was a doctor he would make a better health minister. You would have to question what the value is of having a doctor in the Opposition ranks when his professional

opinion differs so greatly from the political opinion that he has brought to this place after he has been elected. We know for a fact that Dr Seidel agreed with the decisions that the Government made around birthing services at the Mersey Community Hospital because they were made on the strength of medical advice. Dr Seidel, in his position at the time, agreed with them but, lo and behold, during the election campaign sniffed a political chance to try to make a populist announcement on the north-west coast with Ms White by his side.

I say to Dr Seidel, 'If you are going to champion your medical credentials as some sort of reason to legitimise your role as the Opposition Health spokesperson, you have to be consistent in your views as well'.

Labor spent tens of thousands of dollars advertising a free TasTAFE sham promise using this deliberately deceptive one-liner to mislead Tasmanians that 'Under them all TasTAFE courses would free'. That was never going to be the case. The truth was that their fake promise referred to only 5000 of the existing 22 000 places currently offered by TasTAFE. Labor's free TAFE was never going to be free for everyone. Fake promises and scare campaigns were no substitute for the clear plan that we took to the election.

As I keep saying, Tasmanians saw through Labor's deliberate deceptions. They saw through your fake scare campaigns and they delivered a humiliating defeat to the Labor Party; one where Labor's vote went backwards in every single electorate and they could only win one solitary booth north of Kempton. You do not need to take just my word for it. The member for Braddon, Dr Broad, went on radio after the election and said, 'When you have one side of the Labor Party's spectrum dominating, all that does is lead to us being unelectable'. Your quote, Dr Broad. This is the Labor Party that Dr Broad went on to describe as 'dominated by a hard-left factional group of powerbrokers that I believe have delivered three election losses in a row'.

The Opposition have no real long-term plan for Tasmania's future and they are bitterly divided. We saw it bubble to the surface again yesterday when Ms Butler used her address-in-reply speech to say:

I cannot pretend that I am not disappointed to lose my shadow portfolios. This is the choice of the Leader and the winner of the ballot. It is unfortunate because there was a lot of work behind the scenes that had been put into those policy areas really digging deep and a lot of unfinished business and policy ideas, so I will not lie, I was very disappointed.

**Mr O'Byrne** - How about you when you missed out?

**Mr STREET** - I am very comfortable with the position I have within the Government, Mr O'Byrne, and working for Tasmanians. What adults do is let the Leader make the decisions and then they follow the direction that the Leader and the Cabinet sets out. That is what a united team does, one that is here to actually serve Tasmanians rather than argue amongst themselves about trivial internal matters, Mr O'Byrne. I am very comfortable with where I am at but thank you very much for asking and showing that you care. I really appreciate it.

Mr Speaker, thanks to the hard work of Tasmanians we are in a good place. Our economy is in good shape. We need to keep on top of COVID, keep getting vaccinated and keep our state safe. The situation continues to evolve but we are not through this yet. Despite Labor's

constant whingeing, negativity and attempts to undermine business confidence, recent economic results are yet more evidence that our plan is clearly working, but we know there is more to do. Our economy is strengthening and on this side of the House, as I keep saying, we have a clear long-term plan to secure our future for all Tasmanians and we are getting on with the job.

[12.22 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I am quite happy to get up and speak on Mr Street's private member's time motion, although most of what he talked about, to be fair, had not much to do with the substance of the motion. He could not resist, as have numerous members and ministers on the Government side, having a whack at Labor over their internal problems. I know it is irresistible but the Greens are going to try to resist.

The one thing I did notice in Mr Street's contribution was a belated acknowledgement that we are not in a golden age and that there is much more work for Government to do. What we hear during question time, when it is Dorothy Dix self-indulgence time, is from every Government minister very little acknowledgement of the huge social and economic inequality in Tasmania and a lot of talk about how terrific they are.

As Mr Winter has pointed out, who perhaps has more experience in this area than any person in this place, there has not been any significant economic structural reform under this Government in seven years. It reminds me of what a then very senior public servant said to me when we were in government. I was apologising, if you like, for riding the department pretty hard and this very senior public servant said, 'Don't worry about that. We live for reformist ministers and progressive government is a reformist government in my experience, while conservative governments are administrators'. It was just a simple truth that you get real change when you have a government that is more progressive. You get a bit more courage and you get much more of a lens applied to social inequality. Of course, if you have Greens in that mix you also get a much stronger emphasis on looking after nature and taking real climate action.

The reason we have not seen any significant structural reform is because it is not in the DNA of this conservative Government to rock the boat too much, so much of what we saw during the election campaign, to the frustration of many thinking Tasmanians, was announcements about cash splashes. Each day the Government rolled out that there would be some new allocation of money for a policy area, but there was no talk of structural change. I read somewhere, I think it was in the *Mercury*, that this Gutwein Government is the first government in Tasmania's electoral history that went to an election promising to spend money that it had not spent in the previous term but had promised to spend.

There is no imagination or vision from this Government and that is really regrettable considering the enormous challenges we have as an island community. They are challenges that range across the quadruple bottom line of society, economy, environment and democracy. It is well past time that we saw out of this Government, given that we are now early in a four-year term, some commitment to making those structural changes that we so sorely need, some honest discussion about the fiscal sustainability report and what we are going to do about declining revenues in the years ahead, some targeted policy that deals with lifting 120 000 Tasmanians out of poverty.

We do not have an environmental policy from this Government. We do not have a meaningful climate plan from this Government. They talk about our greenhouse accounts and

pretend that it has nothing to do with the forests that were set aside most recently by the Labor-Greens government under the Tasmanian Forest Agreement of 570 000 hectares. That is why, as I reminded this House last week, we have the emissions profile that we do where Tasmanians are the lowest per capital emitters of any Australian state or territory. That is because of our forests and that was written in the greenhouse accounts; it made it really clear that our emissions profile is what it is because of our forests.

It would be terrific to hear any member other than a Greens member acknowledge that in this place. It is just about being honest. I will bet that of those postcards Mr Gutwein got and is making his way through, plenty of those kids said stop logging the forests and stop destroying habitat for native animals, because when I talk to young people they are really worried about those things.

What we know is that over the past seven years on every key social metric Tasmania has gone backwards. Our elective surgery waiting list is blowing out and people are dying on it. We have a housing waiting list which is now at more than 4000 people. Our prisons are bursting at the seams and the human rights of detainees are being breached every single day. Our child protection system is in serious strife. After seven years it is arguably less well-resourced and less able to respond to the increasing needs of at-risk children and families in stress.

A little less talk about this narrow band of policy areas and a little more talk about what is really happening in Tasmania would be a constructive debate for this House to have. I have not heard a government member talk about the fact that 120 000 Tasmanians live in poverty. I have not heard from government a single coherent solution to the housing crisis. It is so glib to say, 'We will just build more homes, that will deal with it'. It is not dealing with, for example, the pensioner who got in touch with us last week who had been told their rent is going up by 75 per cent. It is not dealing with soaring rents or homelessness. You need immediate responses to alleviate housing stress, and I am not going to pre-empt an order of the day other than to say I urge members in this place to have a look at our residential tenancy amendment bill. It draws on good policy from the ACT and Victoria and it resets the balance, so it is a bit more balanced towards tenants.

We also need to regulate short stay accommodation as plenty of other jurisdictions have done. This Government has dragged its heels on that one too, ensuring that there are still houses that are taken out of the private rental market for the short stay market. It has been quite laissez faire over there in relation to the housing crisis. The houses are not coming out of the ground, to put it in the Premier's language, at the rate they are needed, which is why if you have a look online at the real estate website, people are paying more than \$400 000 and \$500 000 for small pokey homes far, far from the Hobart CBD, the centre of employment in the south, arguably.

**Mr Street** - Do you concede that Hobart City Council knocking back some residential developments has exacerbated the problem, Ms O'Connor?

**Ms O'CONNOR** - I have not heard of the Hobart City Council knocking back a realistic residential development. I have heard of the Hobart City Council knocking back, for example, a development like the one up Enterprise Road, which was up a narrow road at the back of Sandy Bay, which was argued against by the planners and damned by councillors themselves.

**Mr Street** - I am talking about 175 apartments in the last fortnight that have been knocked back by that council that would have added to the inner-city residential supply.

**Ms O'CONNOR** - Just before you pull us into line, Mr Speaker, I do know that the Hobart City Council has approved plenty of residential developments. On their record, I would say they have done that on the advice of the planners in council for good reason. I do not know the details of that one, but you cannot just say yes to every development because it is going to provide a roof over people's heads. We still need to make sure that we are approving developments that are fit for purpose, comply with the planning scheme and provide quality, affordable housing for people.

In his motion Mr Street talks about dwelling approvals. In point 7 of the motion 'dwelling approvals are at 3952 over the 12 months to April 2021'. The problem, which is not acknowledged by Mr Street, is that dwelling approvals may be going up but actual starts on houses and completions have stagnated. The construction workforce limitations are a significant gridlock in resolving the housing crisis. The construction workforce in Tasmania steadily increased between 2013 and 2017, but it has been in decline since 2017. That data comes from Tasmania Employment by Industry report.

In 2013 there were 9.3 construction jobs per dwelling approval compared to 6.5 in 2019. Construction apprenticeships and traineeship commencements have kept pace with dwelling approval increases. Actual completions have declined since 2013 and cancellations have tripled, outpacing the increase in commencements.

Workforce limitations are apparent in the construction data as well. Since 2015 dwelling approvals have increased by 13 per cent and commencements have only increased by 11 per cent. More worryingly, completions have declined by 2 per cent and dwellings not yet commenced have increased by 64 per cent.

The National Centre for Vocational Education Research has done a number of studies over decades on non-completion of apprenticeships and traineeships. It has consistently found employment-related factors rather than personal ones to be the main cause. This is why during the election, we took a policy to the people in response to the housing crisis to establish a department of public works to deliver well-planned public housing, lowering the cost of increasing housing supply to taxpayers and driving down private sector costs through competition. Our proposed department of public works would provide secure work with appropriately paid stable working conditions for apprentices and trainees, improving completion rates for trades training.

If you want a good example of how well a government construction workforce undertook its work in the days when government had a department of public works and constructed quality social housing - this is not a new idea - you need look no further than Queens Walk. The former Stainforth Court is built like the proverbial brick outhouse. It is so solid and so well-constructed that the refurbishment we undertook when we were in government really was cosmetic. It made sure that we turned what had degenerated into a place of high social distress, a place people did not want to live, into a place that is now a real community where people are lining up to find a place to live at Queens Walk.

The reason we could do that and not do what the previous housing minister said which was to knock down Stainforth Court is because of the quality of the construction. It is a



magnificently strong, albeit reasonably ugly, set of buildings. We need to get back to a situation, we would argue, where you have a government construction workforce that can allow the private sector workforce - which is clearly under strain - to do the other work while you have got government building homes for people and investing in skilled apprentices and traineeships.

We would very much like to see a bit more honesty from government. Instead of just narrowly looking at one set of data, the data around housing approvals, look at the data around commencements and completions and ask yourself why is there this problem and what can government do to alleviate the problem?

Mr Speaker, I am not going to go to the other bits and pieces in the motion in too much detail other than to remind the member for Franklin, Mr Street, that while our unemployment rate is sitting at a bit under 6 per cent, our underemployment rate is very high. We still have not heard from government a plan to tackle underemployment, the desire of an increasing number of Tasmanians to have more work and have that dignity of work. We certainly have not heard anything from government on a plan to tackle poverty in a substantive and meaningful way.

Successive governments in Tasmania have kind of thrown their hands up about tackling poverty. It feels sometimes like it is a bit like unemployment more broadly where government accepts that there will be a pool of unemployed people contributing to social and economic inequality. Successive governments, including this one, seem to have relegated Tasmanians living in poverty to the too-hard basket. We can do so much better by our fellow Tasmanians. That is just under a quarter of the Tasmanian population living in poverty, living on a few hundred dollars a week. We can do better. We are a small and closely connected island community. We have government agencies that probably communicate with each other more than they do in other states and territories although there are still silos in place. We have a creative and potentially highly skilled workforce but we need to invest in their skills and their training. We need to make it easier to skill-up.

We should be offering free TasTAFE courses. It is affordable. We should be offering free Metro bus services. That, too, is affordable. We should be working with our private transport providers to make sure that we are genuinely reaching into rural and regional communities and providing affordable, quality public transport options, for want of a better term.

Mr Speaker, there is plenty more work to do and we would like to see the Government be a bit more honest about the social and economic circumstances that this state finds itself in and come forward with some genuine reform proposals to lift Tasmanians out of poverty and make sure that the wealth that is being enjoyed by some Tasmanians is more equitably shared.

[12.40 p.m.]

**Mr WINTER** (Franklin) - Mr Speaker, I thank Mr Street for his motion. I was enjoying his contribution, particularly the bit where he said I foreshadowed that he would be talking about the Government's record on economic reform and then I waited and waited and -

**Mr Street** - Yes, I sat down, I forgot. I'll have to come back to it. My apologies.

**Mr WINTER** - He has just said he forgot about the Government's economic reform agenda. Perhaps he can come back another time and regale us with stories of this Government's economic reform record because I do not know what it is.

I have been following with interest this Government after 2014 and all the rhetoric we heard from them. I am trying to think of the slogan that time around but it escapes me, but it was very exciting for a lot of people. They thought, 'Here are some big, bold changes coming through to Tasmania', but since then -

**Mr Street** - You mean Building Tasmania's Future, I reckon.

**Mr WINTER** - It might have been that. There has been no economic reform whatsoever. I am waiting for the interjections because they might tell me what the claim is. There are not any. Silence. There is not a single -

**Government members** interjecting.

**Mr SPEAKER** - Order. The member has the call. There should not be any interjections.

**Mr WINTER** - There is not even a claim from the Government that after seven years they have achieved a single economic reform. It is only motions like this that tell you things you could have read if you went to the ABS website and for a brief moment we become the place where we read things that Mr Street has presumably picked out of the ABS data to make him and the Government feel good about itself. There is a lot of interesting things in the ABS data and I will get to those as well, but I really will get to it, Mr Street.

Regarding TasWater, what a travesty of attempted reform and then absolutely embarrassing failure for the Government. It was a pointless attempt to take over TasWater by the Government. I remember the member for Clark, Ms Ogilvie's, staunch defence at the time of local government ownership of it. She was quite right to defend local government in the hostile takeover bid by the Government for no benefit whatsoever. There was no proposal to change it in any major way. It was only this claim that if Mr Gutwein was running it, things might be better. Instead what we got was this hybrid attempt now to run government by committee of both local government and of the Treasury involved in setting its corporate plan and what we have seen from -

**Mr Street** - That is because councils keep pulling that dividend out to balance their budgets instead of investing it back into the infrastructure.

**Mr SPEAKER** - Order.

**Mr WINTER** - Mr Street talks about dividends. Local government was the first to not accept dividends this financial year when COVID-19 hit. They should be respected for their position on that in being prepared to do it. It was local government that took the strain when it came to being prepared to not accept dividends at that time so that water and sewerage users would not have to pay an increase in price for this financial year. All we have seen with TasWater and the Government's attempt at economic reform is that now they need a Treasurer's Guarantee to exist. We have seen debt increase. I remember the then Treasurer's rhetoric about making its balance sheet work harder. TasWater's balance sheet is now working so hard that it needs him to guarantee its solvency. What a disgraceful and laughable attempt at economic

reform, and still I hear silence from interjectors because there is not even a claim that there has been another economic reform. It is nothingness from the government.

In 2017, Saul Eslake described it as minding the store. He said this is a government whose ambition is to mind the store. That was part of the state of the state report at that time and I do not think anything has changed. There is still no appetite for reform on the other side. All we get is motions from the ABS.

The motion misses a couple of important features, one of those being wages. Because there is no economic plan for Tasmania, there is not even a budget from tomorrow. We are continuing to see a real decline in wages in Tasmania, particularly compared to other states and territories.

**Ms O'Connor** - While house prices soar.

**Mr WINTER** - Ms O'Connor, member for Clark, rightly points that out. There was always a claim from some that we might be able to accept lower wages because our cost of living was lower, but it is not the case anymore. That is over, so now Tasmanians deal with lower wages whilst they pay the same, if not more, for rent or for house prices as their colleagues interstate. The increase in wages in Tasmania over the past few years has been miniscule. We are talking about \$10 or maybe a little bit more dollars per year in average wage increases in Tasmania. It is simply not good enough and it shows a lack of an economic development plan.

The Government talks about having a plan all the time but I never know what it is. There is no economic development plan, just continuing to pump more public money into as many things as possible. We saw that through the election. Have you ever seen a government at any level pumping so much money into small grants, willy-nilly, everywhere? I saw it in Franklin. I was following closely the Franklin grants being offered by the Government to the various sports clubs, hundreds of thousands of dollars at a time, and I was thinking we cannot keep up with this spending. There were incredible amounts of spending.

**Members** interjecting.

**Mr SPEAKER** - Order. Interjecting should cease.

**Mr WINTER** - I could not keep up with the spending from the Government and could not even keep track of how much was being spent, let alone try to match any of it.

The Opposition would like to propose an amendment to the motion and apologies, I am new, but I have printed some copies and believe I need to pass them around.

**Mr SPEAKER** - The words need to be circulated. Bearing in mind that if there is an amendment, we need to at least offer some time for comment on the amendment. That is up to each member how they manage their time.

**Mr WINTER** - Mr Speaker, I move -

That the motion be amended by adding:

- (10) Tasmania has the second highest rate of unemployment in the nation.
- (11) The Liberal Government has not delivered a single economic reform in its now seven years in office.

It is quite self-explanatory, but we need to be honest and when we are talking about copying and pasting ABS statistics into a motion we should include all of the information. That is why 10 is put there. We need to acknowledge that the way we assess unemployment in Tasmania is often against other jurisdictions, and while seasonally adjusted data is not perfect, and while the Government continues with its rhetoric that there is more employment now than in 2014 - well of course there is - we need to talk about the fact that the unemployment rate continues to lag behind the rest of the country.

The other point I want to make is that the lack of a single economic reform in seven years of office should be something that the Liberal government is ashamed of. There has been one failed attempt. Then there has been nothing - well, maybe some announcements - that you would consider an economic reform that might resolve some of the issues we know Tasmanians are facing. Ms O'Connor, member for Clark, quite rightly pointed to the housing crisis in Tasmania, the fact that rents are going up, and at the same time, wages are not increasing.

We are still waiting for some kind of response from the Government that is not a plan to build more homes; that is something more real than that. So, I hope the members support it.

[12.52 p.m.]

**Mr STREET** (Franklin) - Mr Speaker, Mr Winter can hope for a bipartisan approach on his amendment, but he will not be getting it. We oppose this amendment. Mr Winter stood up and spoke for I do not exactly know how long, but he did not actually articulate a single alternative approach from the Opposition, for all his criticism of the Government. We will not be supporting the amendment to our motion.

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I believe the alternative approach that Mr Street proposed was that motions that come before the House should have a shred of honesty about them when they come from government. In fact -

**Mr Street** - Are you saying mine is dishonest?

**Ms O'CONNOR** - I think it is dishonest to selectively choose data from the ABS that provided the incomplete picture of Tasmania's economic - and therefore social - circumstances.

**Members** interjecting.

**Mr SPEAKER** - Order, order. While the member is on their feet, other members should not be speaking and interjecting.

**Ms O'CONNOR** - Mr Speaker, the Greens were not going to support the original motion because of its selective use of data. It is really just an extension of what we cop in question time every day, where you have Government backbenchers asking questions for ministers to tell us how terrific they are and how rosy everything is.

This is not a motion that seeks to change anything, or advance any area of public policy. This is a motion, I suspect, that was drafted to try to wedge Labor. We will not be supporting motions that are wholly political in their nature and distort the data that is available.

That said, we will be comfortable supporting the amendment, because the amendment gives the original motion completeness and some substance. It is true that Tasmania has the second highest rate of unemployment in the nation, and it is true that the Liberal Government has not delivered a single economic reform in seven years.

So, of course we need to support the amendment, and we will, but we will not be supporting the original motion because it is a rubbish motion.

[12.54 p.m.]

**Mr O'BYRNE** (Franklin - Leader of the Opposition) - Mr Speaker, on the well-crafted and well-argued motion by my colleague, the member for Franklin, it is customary in this House, when given the opportunity to either refute, respond to or dispute a proposition that has been put forward, either by way of motion or by way of debate, to actually construct an argument to do so.

On the record, this was an opportunity for Mr Street to argue the point that the Liberal Government has not delivered a single economic reform in its seven years in office. He had another chance to get up because we do that regularly in these debates; we get up and talk about the economy and make our point. That was yet another opportunity for Mr Street to refute or dispute that claim, to provide evidence or argument to contradict the assertion that we put forward.

What did we see from Mr Street, when taking up the opportunity? Nothing, the big bagel, a fat zero, nothing. You provided not one shred of evidence or argument to refute that claim. Your silence and your inactivity to respond to that claim is a damning indictment on the Gutwein-Hodgman government over the last seven years.

You are a government of spin. You are a government of stimulus. You have no policy substance in dealing with and responding to the need to diversify and strengthen the Tasmanian economy. You are like the bricklayer who comes in, puts the last brick on the wall and says, we built the brick wall. Well, Labor did the irrigation, Labor did the TT-Line, Labor built the wind farms, Labor built Bass Link.

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr O'BYRNE** - Look, they are smiling. The Minister for Energy, who has been spruiking the Marinus Link up hill and down dale for months and years, cannot land an answer about how and when. You cannot land anything on it because you are not doing the work, because you love the media. It is amazing.

The next thing we will see, we will not see him kissing a fish, he will pick up a cable and kiss a cable. It is pathetic. You need to do the work to deliver these things. This is the tough work or Government.

**Members** interjecting.

**Mr O'BYRNE** - And well done to the regulator. We still have not heard from Mr Barnett about the 2018 election announcement to decouple from the mainland Victorian pipeline. We still have not heard that legislation. As you well know, the regulator is making these decisions based on a whole rate, even though it had nothing or little to do with you.

We know the cynical politics you play with energy, because at the last election you sent the letter out, you signed it and sent it out a little bit late to everyone saying we are going to give you a rebate on your energy just before the election - in the middle of summer, when the bills are not as bad as they are in winter.

Then, when COVID-19 hit, we asked you to do the same thing. You said no, no, it was not appropriate. And guess what you did before the last election? Oh, by the way, here is another cash grab from the Government in an attempt to buy your vote.

The cynical approach you take to serious matters of policy and the cost-of-living issues facing Tasmania is a disgrace and you know it. You cannot land Marinus. Labor built the Bass Link. We built it, we bought it on island, you delivered nothing apart from media statements and spin, and you cannot even sit down -

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

**Mr O'BYRNE** - Through the Chair, he cannot even sit down with the Victorian Government and nail an outcome there, because we know what is going on there, if we were truly honest.

This was an opportunity for Mr Street to refute the fact that the Liberal Government has not delivered a single economic reform in its seven years in office, because by his silence he knows it is true. He knows there is nothing for you to point at.

Mr Winter, the newly elected member for Franklin, has traversed the issue around TasWater and the big appalling two-year war that the former Treasurer, Mr Gutwein, waged on TasWater. This was his big micro-economic reform. In the shadow of the last election, he meekly went out on the day of the opening - we know why it was not front page in the newspaper, there were other things going on that day of the 2018 parliament - and he backflipped on it, with some arrangement to say, I now no longer have this article of faith of this major reform for TasWater. We are going to come up with a financial arrangement, which we know is not working for TasWater or the Tasmanian people.

So, we will be supporting this amendment, because it is true. You have done nothing. You have nothing to point at. In your opening statement around moving this motion, Mr Street, you did refer to the range of Tasmanians who are doing it tough. If you genuinely believe that, why was it not in the motion to illustrate your bona fides on that? It is one thing to get up at the lectern and argue that case, but altogether a different point to put it in the motion, and to be honest and truthful and complete in your sentiment around this motion.

This motion, potentially written for you, just cherrypicks a range of data, which does not give the full picture. We welcome every job that comes back to the Tasmanian economy. We welcome every good piece of economic data, but let us have some substance. Let us have some

reality in terms of the full picture, because the challenge of Government is to respond to the needs of Tasmanians, not to continually cherry-pick and pat yourself on the shoulder.

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

**The House divided -**

**AYES 11**

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

**NOES 11**

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ellis (Teller)  
Mr Ferguson  
Mr Jaensch  
Ms Ogilvie  
Mrs Petrusma  
Mr Rockliff  
Mr Street  
Mr Tucker

**PAIRS**

Ms White

Mr Gutwein

**Mr SPEAKER** - The result of the division is Ayes 11, Noes 11.

In accordance with Standing Order 167, I cast my vote with the Noes, therefore the Noes have it.

**Amendment negatived.**

**Motion agreed to.**

**Sitting suspended from 1.05 p.m. to 2.30 p.m.**

**ADDRESS-IN-REPLY**

**Continued from 29 June 2021 (Page 67).**

[2.31 p.m.]

**Ms FINLAY** (Bass - Inaugural Speech) - Mr Speaker, I am grateful to be here today. I am humbled and honoured.

First, I acknowledge the traditional owners of the land, the Aboriginal people of Tasmania, for their time on this land and for their nurturing and care, and to acknowledge Elders past, present and emerging.

I acknowledge you, Mr Speaker, in your election to this position. I have, in the last week, observed your nature and your call to order across the House. I wish you well in your term

here. I also acknowledge the time spent with my colleagues last week, when you welcomed us warmly into this place, to tour the Chamber, to go to the Museum, to your office and to show my colleagues points of interest in the House. Your approach and your welcome were noted.

As I join this place today, at the end of what has been a 46-year journey in Tasmania, a 21-year journey in community life, the last time I joined a place for the first time, my welcome was not quite the same. It may have been responded to with a 'Girly, young people are not to be seen or heard, so take your place, sit down and be quiet', and other such words. As an adult who has contributed much to Tasmania, it is with great honour that I be here today.

In this, my first speech, I will outline my journey to here and to share what I am hoping my journey forward might be. I will share a little about my sense of arrival and what it was like finding out about the history and traditions, and the expectations of being a member in this House, and how I will do my best to master and respect the traditions of this place.

I will give a brief overview of my love and feeling of Tasmania: what I see, where we are now and what I believe is possible for us in the future. Most importantly and most passionately, I will also provide a picture for Bass, the place I love and choose to call home, where we raised a family and where I have given birth to my boys, and where they make their home now, one of the best corners of the best places in the world.

I will also focus on the areas of responsibility that we each have here, that have been bestowed on me in my role here but also for all of us, no matter what side of the House, the areas of focus we should bring to this place.

I would love to set an expectation of the bold vision, the future and the positive nature that we can bring to Tasmanians, for Tasmanians. Often we are so focused and distracted by what is going on around us that we forget to be bold, to have a big vision and to be passionate and future-focused about what is possible and what the opportunities can be for all Tasmanians.

I will get a bit operational and talk about what people can expected from Janie, the member for Bass, how my office will operate, how we would wish to serve and what people can expect when they are engaged with either me or my office. Then it comes to the bit that sometimes we start on - a reflection on my campaign, thanks for the people who supported me to be here in this place, then I wrap up my time.

How is it that a lady from Launceston, now 46 years of age, finds herself in the Tasmanian Parliament as a proud member for Bass when, growing up, I do not remember one conversation about politics? I do not ever remember conversations about how things worked or why they went on, or us and them, or good or bad, or oppositions or governments. I grew up in a family where we focused on what was good, what was important in pushing ourselves and believing in all the things we could achieve. How is it, then, that I find myself here?

There are two milestone moments in my life that I believe set the pivots for today, the first being when my mum became ill and the second being the welcome I received when I was first in my other place of community service, at the City of Launceston.

I want to give a bit of a picture of Janie growing up and why I am hoping to be a strong contributor to the future of Tasmania, particularly to the community of Bass. Because I have had exposure and the opportunity to learn and many great teachers, either through challenge or



through support in a whole range of areas, I consider myself a generalist with a passion for sport, a love of music, a commitment to and deep understanding of the arts, of the cultural strengths of our place.

My dad, as a musician, always expected me to do my best, whether I was playing the piano or the flute, or whatever I was doing. Having someone who pushed you all the time meant that you always sought to do better. When I wake up in the morning, the one thing I ask myself is what I can do today that will make something better. What, at the end of my four-year term, can I look back on and say 'we have made this place better'? I am thankful for the impression my father has left on me of 'you can always do better; there is always something more'.

My mum, an accountant and business manager, always had my back. She was my backbone, my strength, the person who always gave me the message to believe in myself. When you have someone in one ear saying 'you can do anything' and the other person in the other ear saying 'you can do better', it comes in line to be, for me, courageous, to be strong and confident, and to back yourself to always do a little better.

Whether it was through sport - and I have to say I was not sure where to go with this, but this place sometimes looks a little like sport. People maybe jest, they maybe laugh, they maybe think things are funny, where there is a competition. But one of the things I am hoping in my four years here is that, although I love sport and I am seriously competitive, and I potentially have white line fever, I may go to fire too quick. But I am hoping not to do that in this place. I am hoping that instead of being competitive as a team here, we can come together as a team in the best interests of Tasmania.

On my first day when we were sworn in, we attended a service. In that service, I noted the comments of the bishop, which I am going to weave through my contribution today, where he said perhaps we can lead the nation by a new way of doing things. If we can lead a way where we can work together for the interests of all Tasmania and not just throw off shots across the Chamber, then while we spend our time here we can actually focus on and do as much good as we can for all Tasmanians.

Although I had a short break for raising my children and having a great experience in small business, the last 21 years for me have been in local government. It is a great proving ground and place to develop and learn the cross-section of needs in a community, whether it be in business, whether it be in family. That time has been wonderful for me. My local government colleagues would say it prepares us well for this place. There is also much more to learn but to come here with that background I think is useful.

I am grateful that I can bring some of my experiences on boards. I have been a passionate leader of the Launceston Tornados for a number of years. I thought local government was tricky but then I got into sports administration. Having spent a week in this Chamber I think we can step up that level of trickiness in all of the different chapters that we have in our lives.

Having been involved in sport and music, having been in local government, having had award-winning small businesses with cafes in commercial real estate, one of the things that I wish to bring here is my approach and my general understanding of how a community operates and bring that real experience into the conversations and the exchanges that we bring to this place.

I reflected on the words of the bishop. I have a lot to learn but I think I know that when we are in parliament, the serious and important things happen here. This is where we make the structures and the rules and the laws of Tasmania. There is nothing more important than that. However, it is a small part of the role that we have. Being in, understanding, hearing from and learning about and working with our community is equally if not more important.

I have my children here today; Dave has his children here today. I want to always bring to this place the little message on my shoulder that says you know, we may not have an audience in the room with us but we have the State of Tasmania looking down on us when we are here at work. I hope that we can do that in a positive way. I do not think having attacks across the Chamber befits getting the best results for Tasmanians.

We attended the service on day one when we were sworn in. Before we got to the point where the bishop spoke, the President of the Legislative Council, the honourable Craig Farrell, read Romans 9-18. I want to read it into my speech today because I want to refer to this whether it is every time we come to parliament, or when I am feeling lost and I am not really sure what is important. It says:

Love must be real. Don't go for evil but hold onto what is good. Love each other, give each other honour, do not be lazy, work hard, serve with all your heart.

Heart is really important:

Never be lacking in zeal, but be joyful because we are to have hope. Be patient when trouble comes. Share with people who need, bring strangers into your home. Wish good for those who do bad things to you; wish them well. Be happy with those that are happy and be sad with those who are sad. Live together in peace with each other. Make friends with all. Do not think you are smarter than others, and if someone does you wrong, do not pay them back with wrong, try always to do what is right. Do your best to live in peace with everyone.

It was so important that it was a reading in the service; it was so important that it was the topic of the sermon from the Bishop that it is something that we should all reflect on regularly. I would suggest bringing it to attention to the House from time to time. You can turn up to the service but if you abandon it when you arrive in the place, I do not think that serves anyone well. The bishop went on to explain it by saying that there are so many issues in Tasmania. People today have said of all the economic good that maybe suggested there is so much sadness and so much hurt, so much challenge in our community and people living without. More and more people who are not accustomed to it, living in challenge in our community. We have to do something about that. We have to support people in our community to have the basics of a good life. If we cannot do that here then that is the challenge for our community over time.

The bishop said it is not particularly profound insight to suggest that we will not solve these problems by pretending that one party or another has a monopoly on solutions. He went on to say:

We're going to need to bring our best selves, all of our best selves, all of the collective wisdom and energy of all of our minds, both sides of parliament, both Houses together to tackle these issues.

The creative solutions that we are going to need if we want to make real progress will require all of us to work together. He said:

It is possible that we could do something different here. We could employ this ancient wisdom and lead the nation by a new way of doing things, fuelled by this good.

I sat in that service; it was my first day. I was so excited. I had finally made it after - and people may laugh, but it is true - three attempts at election at different levels. I had arrived. I was sworn in; I went to the service and I thought: 'This is amazing, this is exciting'. I am persistently positive. I am persistently future focused and I want the best and for us to do better all the time but then when I sit here for a week and it is just fun and games, I question whether we could be putting our effort and our energy into doing things better.

For me the Tasmania that I love, that I want to both protect and to support, to thrive for Tasmanian people, our communities, our families, our businesses, our industry; I love both the simplicity and the complexity, the local and the global of Tasmania. I love that you can pitch a tent on a beach in the middle of nowhere with no one else out and you can just have a great time, whether it is on your own or with your families. It is something that we have grown up and we love. A sense of adventure: I think that allows you in a place like this to bring in other thinking and to have exposure to different things. I love that we can do that here in Tasmania.

I also love in Tasmania that you can be in one of the smallest towns in the most remote region and you can take something to the world. There is not anything that is not possible by living in Tasmania. That is the Tasmania that I want to support; the Tasmania that I love to live in and that I will work hard each and every day to ensure is supported to grow and thrive.

However, it is also the Tasmania where just a week ago I was speaking to a group in a local organisation that supports young people and their transition to work and when I asked them at the end of the time that we had together what their challenges were, each of them was struggling to find work at the moment. There was not one person in the room who did not want a job, who did not want to contribute, who did not have something special and unique to offer but they found it difficult to arrive at work on time if it was a trade because the buses did not run early. They found it difficult to secure their provisional licence because they did not have family supporting them for the hours to get up to get that or to go and have the time or the money for petrol in their car.

We have Tasmanians who want to contribute, who have a unique offering to contribute; they can make this place better but there are barriers. That is our role: to ensure that we know the places where we need to stand up and help but equally to know the places where we need to stand back and get out of the way of other people helping. At the opposite end of the scale where there is a young person wanting to work, there are mature, professional, well-experienced people who are running businesses, who are doing things with the opportunity to go national and global and they are finding impediments to value add; they are finding impediments to do better. Again, that is our job. We need to know when to step in and help out and when to stand back and get out of the way.

For Bass, home. I have been really fortunate for most of my life to have contributed in lots of different ways locally and to have served for the City of Launceston. I want to put on record my thanks to all of those people whom I have worked with, served with and who have supported me on my journey to arrive here. It has been the making of me.

My arrival: I mentioned your warm welcome, Mr Speaker, but my arrival there was a little different. I was once physically patted on the head and told that, 'Young people weren't important, it wasn't the focus of local government', and when I understood what it was about with roads, rates and rubbish I should come back and deal with something important. This is where I will have to test myself, when people challenge in a way that is disrespectful or inappropriate, and they seek to undermine or ridicule it is just a red rag to a bull to me. That is where I grow stronger and I just get better.

For me, in this environment, I thank Launceston City Council and the elected members I have worked with. Those who were there in the early days, that I refer to as my apprenticeship of fire, are part of the reason that I am here today.

Over the last couple of years, I had the delight of becoming more acquainted with the members of the West Tamar community through the election for the Rosevears position in the upper House. I have to say that when you have the State of Tasmania and the electorate of Bass, and then you have the Tamar Valley, it is just one of the most incredible places with the great businesses and the people that are either on farm or in workshop, or the community organisations that are supporting their community.

Just last weekend, a community activity was seeking to raise funds for a playground at Beauty Point - an unfunded playground that the community really wanted - and they said, 'We're going to fund it ourselves'. This community have almost fully funded this playground through trivia nights and cocktail parties. It goes to show that people do not always want us to fix stuff for them. Sometimes they just want the support to be able to go out and do it for themselves. We need to find that balance between doing the things that are important where people need a hand and finding ways to support people to do things for themselves. I think all of the communities of the West Tamar have been incredible and over these next four years I want to get to know more about what is important in West Tamar.

As this election was called quickly, I did not have a lot of time to introduce and intentionally go out and connect with the communities of George Town, Dorset and Flinders Island, but with Dave, my trusty, supportive driver, we clocked up thousands of kilometres across this region over the last couple of months, intentionally going out and meeting people where they would be. In the election campaign, there was a long weekend and for someone who was endorsed not right at the beginning of the campaign, time was short, so visiting all of the pubs, markets, Men's Sheds and the community houses, we met some fantastic locals all around. I commit over this next four years that the way I do things will be to get out into the community and meet people, hear from them and find out what is important, and I will either bring it to this place or through the other work we do in our electorate seek to make things better each and every day.

One of the first ways I am going to do that is that at 46 years of age and having always been a Tasmanian, I have never been to Flinders Island, but in the first week of school holidays

we are fixing that and taking my boys over for an adventure and getting to really understand and find out about that place.

To the people of Bass who have elected me here, thank you. I will do everything I can possibly do to work on myself to be a better member and to work for the community, for the community to improve, whether it is for an individual who needs support with something, whether it is support for a family, whether it is support for a small business, whether it is for a world-class industry, I take it as my responsibility each and every day to get to connect with, learn from and act on behalf of everybody who lives in and is an elector of Bass.

I find myself on this side of the House, which is pretty exciting. This all happened very quickly for me and I could not be happier to be the Labor member for Bass, to be here with my colleagues and my team, to have sat through these last couple of weeks and to have experienced the campaign over the last couple of months together. I do not know whether everyone knows this, but I am an only child. There are not many in my family and now I have a family. It really freaked me out and has been a bit overwhelming because everyone is so amazing and kind.

I met Dave first and he has a massive family, so that made it all better. For me, as somebody who has been independent for a very long time and has always done things on my own, to know that there are people out there who care, want to help and want to support, that we could get in and do things together has been extraordinary and I love it. I could not be happier. Thank you to everybody who has helped me get here and find my home and my family on this side of the House.

I have been proudly appointed as parliamentary secretary to support the Leader in the areas of small business start-ups and the northern economy. That is something that I can get to work on straight away. It is a natural area for me to want to go out and support and I am very excited at what I can do in those areas. We have an extraordinary community in northern Tasmania in Bass and I am looking to get to work, not only in Bass but across all Tasmania in those areas.

What I would like to do now is put on the record a little bit about what people can expect in the operations of my office and myself as a member. I want to put on the record my thanks to Adam Barnett, who has supported me in the first four weeks of my term here, and to welcome Sarah Dickson to the crazy world of Janie Finlay, who has been recently appointed as my electorate officer. Just in the last week and a half she has excelled herself and makes me feel exceptionally comfortable that together we will be able to do great things, and for that I am grateful.

As I said, when you have someone who believes in you and pushes you really hard, you just know that there is no option than to seek to do better and be your best. I will work every day through our office to engage with and support community who needs it in the best way that we can. We will set standards of excellence for the way we operate and engage across our community and support the people in our community. I have committed to ensure that everything we do is the right, not the easy thing and that we will always operate with courage. We will always have empathy for the needs of people in our community and, for me personally, clearly, three campaigns down with masses of tenacity, there is no option ever to give up. To anyone in the community listening or watching us at any time, if it does not work once, you just figure out how to do it better and have another go. That has always been my approach to these things.

I want to now reflect a little on my campaign and the people who supported me to get here. To my dad and Dave, thank you so much for being there with me each and every day. It has been a long run. It has not always been easy. We have been going 24/7 for nearly three years to arrive here and I just want to say thank you. Dad, you have obviously been with me all the way through. It has been an incredible thing. You have taken that road with me and I could not have done it without you, so thank you.

Dave, with you and your boys out there always supporting me, thank you so much. To my boys, Zac and Augustine, you are my why; you are the reason I am here and the reason I push hard in the community. I know that sometimes that means I am not always around, but I love you dearly and if I can serve in a way that you are proud of, then I know I am doing a good thing. To my mum, who always believed in me, who is always with me and on my shoulder, whatever crazy idea I came up with she said just go for it, so whenever I question whether I can or should do something and I am not really sure, I probably will not do it as well as dad wanted but I know that I will give it a crack and will do it better the next time, mum would be there saying, 'You've just got to do it, it will be okay'.

To all the Labor members, volunteers and everyone who came out and supported me, thank you very much. There are three people I would like to particularly thank. When I put my hand up and was endorsed as a candidate, Rod Scott, Ian Pattie and Fay Gervasoni, you guys were incredible. I could not have navigated or interpreted the world of the Labor Party without people there every day on the phone by my side. They doorknocked beside me all day, every day. I just want to say that you have made this transition for me so possible. I have the boys in the background who helped me out, Toby and Julian. There is not one person who has contributed without whom I could not be here, but to Toby and Julian, this will make sense to others at some point, but I did it.

I love to genuinely and realistically connect with people on the ground at the grassroots face-to-face. I am a face-to-face person. I am a speaker, not a writer. I prefer to walk down the corridor and speak to someone rather than pick up the phone. In meeting in community and being out with community, that is what I love, whether it is on a farm, in a workshop or in a café, just connecting with people is how I like to do it. Equally, I have acknowledged the power of social media and the benefit of being able to connect with more people I can physically or possibly connect with them, so Toby and Julian, thank you so much for making that possible to me.

In closing, Mr Speaker, I am really proud and honoured to be here to represent the people of Bass. I will not always do things the way everyone else does, and I may have expectations that we can do things that maybe we cannot, but I will not allow myself to not persist in attempting to always strive for excellence and do the very best we can. I will always bring myself to account and ask myself the question the bishop laid with us on day one: is it possible that we can lead the nation by doing things in a new way - being positive, finding the good, not allowing it to get negative, not being tricky and finding it as a competition, but rather by working as a team together in the best interests of our communities, in the best interests of our industries, in order that, as Labor says, we can be the equal of the nation, the equal of the world?

Why not, in Tasmania, can we not be the best? Why not in Tasmania can everyone not have a place to call home? Why not in Tasmania cannot everyone feel safe and loved and connected?

These are my things, while I am here in this place for the next four years, that I am going to strive for on behalf of all Tasmanians and the people of Bass.

I look forward to working with my team, and I am grateful for the support. I look forward to working with everybody, both here in the lower House and in the upper House.

As I take my seat I want to say thank you to everyone who helped me to be here, to everyone who will help me stay here, and to everyone who will bring to my attention the areas I can do better, and to everyone who will always have my back and say that you can do it.

Thank you, Mr Speaker.

[3.01 p.m.]

**Mr GUTWEIN** (Bass - Premier) - Mr Speaker, while wrapping up this debate, I would like to say to Ms Finlay, member for Bass, thank you for that contribution. It is nice to see Zac here in the House as well. It is one of those Tasmanian things that Zac and I are good mates. As I have said once before, I wish that you go well, but not too well.

**Ms Finlay** - I will try not to.

**Mr GUTWEIN** - Mr Speaker, last week we returned to this place for the first session of the Fiftieth Parliament of Tasmania, following the state election on 1 May. I would like, first of all, to acknowledge all members on their return to parliament, as well as the new members who have arrived as well.

At this stage I do think I should make comment on a matter that I spoke about publicly at the end of the COVID-19 press conference. Some allegations have been raised about a member in this place, and I believe it is incumbent upon the Leader of the Opposition to provide a statement at the earliest opportunity and an explanation as soon as he can.

Mr Speaker, I also acknowledge your ascension to the role. It is thoroughly deserved and testament to the high regard that this place holds you in. I am very pleased to see you have the opportunity, once again, to be the Speaker of this place.

This year, 2021, marks 165 years of democratic government in Tasmania. The occasion is marked by Tasmania's 29th Governor, Her Excellency the Honourable Barbara Baker AC. It gives me great pleasure to rise in response to her speech. Her Excellency, the Governor, outlined the Government's vision for Tasmania to be a place of opportunity for all, to ensure that no matter who you are, where you live, your circumstance or background, you are able to grasp the opportunities that are available.

We took a strong plan to the May election and Tasmanians have endorsed that plan, electing a majority Liberal Government for a historic third term. Our plan to secure Tasmania's future ensures that we continue making the decisions necessary to keep Tasmanians safe from COVID-19, continue to deliver a more diverse and resilient Tasmanian economy and create more jobs, deliver the revenues we need to ensure we can protect against future challenges, and importantly, continue our record investment into essential services.

I recognise Her Excellency, the Governor, as Tasmania's second female governor, who has already made history with her announcement last week regarding our commitment to find an agreed pathway to reconciliation. The Tasmanian majority Liberal Government remains committed to stronger protection of Aboriginal heritage, and we know there is more to be done in that space. Our goal is to see better outcomes for Tasmanian Aboriginal people, more opportunity for them and their families, to dignify the relationship with the Tasmanian Aboriginal people and achieve a truly reconciled community.

It is fitting that our former governor, Professor Kate Warner AC, leaves an incredible legacy and has agreed to facilitate that process, given her dedication to grassroots issues that unite and strengthen our communities. I am pleased that she will also be supported by Professor Tim McCormack. I look forward to receiving her report later this year.

Mr Speaker, it is my intention every day to lead a government of compassion and conviction. It is my priority to ensure that Tasmanians, as I have said, no matter their circumstance or their background, will have the opportunity to benefit from our growing state.

That fundamental principle drives me every single day. It is at the heart of our Liberal principles, which centres on the importance of a strong economy to invest in our people, places, products and businesses, and to ensure we can invest in the essential services that make communities better, and the lives better for the people who live in them - health and education, housing and other essential services.

Tasmania, under a Liberal Government, has gone from strength to strength. It has gone from an economic basket case back in 2012-13 to an economic best case. Prior to when we came to government in 2014, Tasmania had been in recession. As a Liberal Government we committed to building a better future for Tasmanians, and we have.

Prior to the pandemic, Tasmania's economy and business confidence led the nation. Tourism was booming, exports were up, and more than 25 000 jobs have been created. Then, 18 months ago, our lives changed. COVID-19 hit our Australian shores, and as leaders, we were faced with decisions we never thought we would need to make.

In Tasmania, the work we had done to strengthen our economic position provided a strong buffer against COVID-19. Together with the actions and support from the Australian Government, we were able to help Tasmanians at a time when they needed it most.

I make this point, and it is one the other side continue to argue against: we went into the pandemic with the strongest balance sheet of any of the states and territories in this country, and that was as a result of the fact that we had built a strong balance sheet over the period we had been in government.

With the work that had been done to ensure we had that strong buffer, we were able to provide the economic support and stimulus packages that were required to assist vulnerable Tasmanians, small and large businesses, and importantly, incentivise people to be innovative, to invest in e-commerce and support local business.

We balanced through COVID-19, as every state has had to do, supporting the health and safety of Tasmanians with our safeguards and border controls. We were the first state to make



the decision regarding cruise ships, and the first state to put in place border controls. They have stood us in good stead.

Importantly, as I have said on a number of occasions and over the course of this week, it was unfortunate that at our airport on Friday night, we had that circumstance arise where we had the convergence of four planes arriving at once, in a system that is designed to deal with two planes. Four planes arrived because of the lockdowns in other jurisdictions and delays that were underway.

With the system that we ask people to go through, there is nothing like it in this country. Other jurisdictions have tried, but with the system we have in place at our airports and our seaports with the Tas e-Travel pass and, importantly, the Good to Go (G2G) pass, we stand alone in ensuring we have an understanding of who is in this state. Should there be an outbreak, we can text, at times, tens of thousands of people to let them know the behaviours that we request of them to ensure they keep our community safe as we move forward. And it has worked, to date.

As I have said in media conferences this week, with the COVID-19 risk we are seeing across the country at the moment with the Delta variant - which quite frankly is frightening in the way it is moving through some communities - it is important that we continue to focus on those things that we are responsible for, and that is to ensure that we do follow social distancing, that we do wash our hands, and cover our coughs and sneezes. Importantly - and I note the Leader of the Greens is with us today, but was not here yesterday - if we are unwell or we have a sniffle, it is important that we get a test.

**Ms O'Connor** - Turned around in seven hours. Thank you, Public Health. Very good work.

**Mr GUTWEIN** - Public Health has done a very good job in the state.

**Ms O'Connor** - Hear, hear. Outstanding.

**Mr GUTWEIN** - Dr Veitch, who I was with just a little while ago in terms of the COVID-19 update, has been outstanding. He has worked night and day, as has his team, Scott McKeown and others who are members of that team. Those on the frontline have also been simply outstanding.

Statistically I expect at some stage in the future we will see a COVID-19 case but, importantly, the pillars are in place to ensure that we can deal with that. We have strong border controls. Importantly, we have increased and improved our contact tracking and tracing. We have a vaccination program that is being rolled out. I believe the Tasmanian people have demonstrated in the past and will do so again, if called upon, that they will follow the directions that are provided to ensure they can keep not only themselves but those they love and their community safe, if necessary.

I will keep my fingers crossed. I again hope that people do the right thing because I believe that we have the strongest border controls in the country that have been effective. As long as people do the right thing and tell the truth then we are in a position where we can keep COVID-19 out. We will continue to do our very best to ensure that we keep Tasmanians safe.

Just to touch on vaccinations, we lead the country, with nearly 38 per cent of our population now having had their first vaccination. More than 12 per cent, I think, have now had their second vaccination compared to an Australian average across the country of 28 per cent to 29 per cent in terms of first doses. The reason we are rolling it out with our state clinics, which are doing such a fantastic job - and we have already reached out to aged care and to disability - is because we have always taken the view and looked at this through the prism of the fact that we have an older and more vulnerable population and we need to do a little better than the other states. That is exactly what our Public Health team and our Department of Health have been able to do.

Those on the front line - Darren Hines of Tasmania Police has been exceptional - I will make a shout-out to them. It is one thing to be arresting the crooks, it is another to police normally law-abiding citizens, and they have done an outstanding job. Every opportunity I get, if I see one of our policemen or women, I take the opportunity to thank them and I suggest that all of us in this place do, because they have had a very difficult frontline role maintaining quarantine and checking on compliance.

Who would have believed that we would have put a helicopter in the sky and had road blocks in place early on in this? Yet our police managed to do their jobs and engage with the Tasmanian public who, in the main, were receptive to the directions that were being provided and, importantly, worked with us to ensure that we could keep Tasmanians safe.

Mr Speaker, we are delivering the clear plan that we laid out during the election and that plan is working. Importantly, businesses are confident, they are investing and they are hiring. Our economy is strengthening and there are more jobs now than when the pandemic first hit. Unemployment is down from a forecast 12.25 per cent in the middle of last year to 5.7 per cent in May.

We know that there is more to be done but compared to where we thought we could have been, compared to where the best minds in both state and federal Treasury were suggesting that we could end up, to be in a position where we are back to having more people employed in this state than we did prior to the pandemic is an outstanding result. The credit goes to our private sector and the confidence levels we are seeing across that sector, held up because they understand that the Government has a plan.

Despite the challenges we have seen, we have more than 25 000 more jobs than when we came to government in 2014 and our economy continues to grow. State final demand grew in the March quarter, exports hit \$3.8 billion for the 12 months to May, the highest on record, and businesses are confident and are investing. Business investment in the March quarter was up, including the highest annual growth in equipment, plant and machinery in Australia, an increase of 49 per cent over the year.

There is no doubt that the initiatives that were taken, such as HomeBuilder, to stimulate our economy has worked. The support provided by the Commonwealth Government through Scott Morrison and Josh Frydenberg in terms of JobKeeper and HomeBuilder has now ensured that we are in a position where we have in front of us not 2500 to 2600 dwelling approvals over the last 12 months but nearly 4000, and because that sector has such a long supply chain we are seeing an aggregate demand is rising right across our economy and all sectors are starting to benefit as a result. Dwelling investment at the moment is 13.5 per cent higher than the year before and confident Tasmanians are supporting local Tasmanian businesses with retail trade 24.5 per cent higher than April the previous year, a significant increase.

Our plan to secure Tasmania's future will deliver a more diverse and resilient economy. We know that a diversified economy fuels more local businesses across the supply chain and will help them to grow as the economy grows. As more businesses open their doors, it leads to the growth of industries that support them, providing more opportunities for Tasmanians across a wider range of sectors. Our industries are the backbone of our regional economies, including advanced manufacturing, agriculture, mineral and resources, fisheries, aquaculture, forestry, tourism, the arts and the iconic events which showcase our culture, heritage and ingenuity.

Tasmania is the state of hard work and the state of innovation and this is demonstrated by so many industries that are recognised nationally and globally for what they do. We were the first state in Australia to reach net zero emissions and we have reached our 2050 target early for five years in a row.

**Ms O'Connor** - Why is it that we have zero emissions?

**Mr GUTWEIN** - The Leader of the Greens asked the question and I have said on many occasions that we have taken steps in terms of our industry sectors but, importantly, we have a carbon sink in our forests.

**Ms O'Connor** - In our forests.

**Mr GUTWEIN** - I have made that point and I have no problem whatsoever in ensuring people understand that, but what a fantastic outcome; it is something we should all be proud of as we move forward. Net zero emissions. Importantly, we continue to turn out timber products that will store carbon forever. It is very important.

Because of our success and in line with our legislative requirements we are conducting and independent review of the Climate Change (State Action) Act to strengthen our legislation and consider a more ambitious reduction target. That will play to our strengths in renewable energy which is the most fantastic story for this state. Credit should be given to the governments of decades ago for their foresight in terms of the investment in hydro. This is our moment where we are well placed now to assist the rest of the country as it transitions to cleaner energy. We are in a position now with the resources that we have - and I will be corrected by the minister, I am sure - 14 per cent of the country's fresh rainfall.

**Mr Barnett** - No, 12.

**Mr GUTWEIN** - Between 12 per cent and 14 per cent of the country's fresh rainfall. I heard somebody say the other day say it was 18 per cent.

**Mr Barnett** - We have 27 per cent of water in storage.

**Mr GUTWEIN** - That is it: 27 per cent of water in storage. We have clean water, we have the opportunity in terms of our current hydro system to augment that, but importantly we also have the opportunity to ensure that we have clean, green energy and water which we have in abundance, more than any other jurisdiction and we are well placed as the world moves to a hydrogen future. The opportunity is right now, the moment is right now, and I believe we will see Tasmania realise its full potential over coming years and decades. We are a leader as it

stands at the moment. We have a platform that we can launch off. As I have said - and I pay credit to those who have come before us - now is our moment, all of the ingredients are there, and we will grasp that moment.

We are helping other industries to grow, diversify and evolve. We are helping the forestry industry to grow its on-island value-adding and processing. We are supporting our mining sector to find new deposits, develop new mines, create new jobs and new value-adding. We have committed over \$10 million to support the delivery of the Advanced Manufacturing plan to build skills capability, industry profile and markets, and adapt to the changing business environment.

We have facilitated the provision of funding a \$100 million loan to one of our smartest advanced manufacturers, Incat, to construct a 120-metre high-speed vessel, helping to secure not only its workforce but to employ more and, importantly, to employ apprentices. It will generate more jobs and it will take a world-class product to the world market – a market I believe we have enormous opportunity in as we move forward.

Regarding the investment we have made in the new TT-Line ferries, that was a difficult decision for the Government. I had discussions with the then minister for state growth in the middle of last year about the challenge we faced looking forward. The federal Treasury and the state Treasury were forecasting not only the state but the country in recession, forecasting in excess of 12 per cent unemployment, and forecasting an economy ravaged by COVID-19. The only sensible decision at that time, when faced with almost a \$1 billion purchase by this state, was to pause and assess what could be done in Tasmania, to pause and ensure that the \$1 billion investment was best spent for Tasmania.

As a result of that, we now have the purchase of two new ferries underway but, importantly, up to \$100 million of local content being offered into our community. The decision then, whilst difficult, will stand us in good stead because, not only will we end up with two great new ships but up to \$100 million worth of jobs in this state. It is a good outcome.

Through the course of the election campaign, we ensured we have provided the funding we need to secure those events pivotal to our community - events like Dark MOFO, which shines a light on our state and our regions to help increase visitation, particularly during the traditionally quieter months. Who would have believed that two weeks ago, at the height of a pandemic that, across the world, is cutting people down still, we could have had Hobart as busy as it was, with rooms full, with people enjoying themselves, taking part in the mid-winter festival. This demonstrates to the world the class we have, the innovation we have right here in Tasmania.

That is why we are providing new funding agreements for a range of iconic events to help secure their future. This includes Dark MOFO and the Australian Wooden Boat Festival, which is like floating pieces of fine furniture. Everybody should get to have a look at that festival. We will secure Festivale in Launceston, which we call the Weekend in the Park, and what a fantastic park that is. Last year we saw Festivale pivot and hold a festival at UTAS which was sold out in a matter of - I was going to say minutes but it might have taken a little longer than that - but very quickly. Extraordinarily well supported.

MONA FOMA, which we have trialled at both ends of the island, will stand in very good stead moving forward. There are also the Junction Arts Festival and Targa Tasmania.

Unfortunately, there were some Targa tragedies this year. Matters are being worked through, but I hope it can continue in some way, shape or form. It might be in a changed format but we will work our way through that.

Events and tourism are critical to the jobs in our state across our regions. We have committed around \$83 million to support the tourism sector as we move forward. We will continue to work closely with the industry to secure our state's tourism future through the successful, nationally recognised Tourism 21 mechanism, a partnership between government and the tourism industry.

Our ambition to be carbon-neutral, in fact, carbon-positive, as far as those who visit the state, will again stand us in good stead. What a great opportunity. When you talk with people like Pennicott, who are so excited about the opportunity, it is fantastic to have an industry that is engaged to the extent they are.

We know a strong economy leads to stronger investment in the essential services we need. Already, over a four-year spread we are putting a record \$9.8 billion into health, and a record \$7.5 billion into education. An additional \$315 million into social and affordable housing and homelessness initiatives across the state brings the total investment to more than \$615 million across seven years, which is a record investment by any measure, by any government in the history of this state.

Our infrastructure program was designed last year to provide confidence to the sector. We put together a \$5 billion program at a time when the advice was that we would see private investment fleeing the market. What was required was a strong signal to industry, to investors, to our building sector, so that they had the confidence to continue, that the Government was backing them. That side of the House will look at arbitrary totals and say 'you are not meeting that particular investment' or 'you are not doing this', but the key to that investment was two-fold. First, it was about confidence and, second, it was about jobs. It was ensuring that if the private sector fled the market, we would step in. That is exactly the program that we rolled out.

What it has done is not just ensured that we now have more people employed than before the pandemic, but we have more work than we can do, which in my lifetime I have never experienced before in this state.

As a younger man, I spent time in Western Australia, after the America's Cup, in that period when their state went through a growth spurt. They had more work, they had great optimism, and they had great confidence. In Tasmania, that had never occurred.

I then spent time in Ireland, when they had the Celtic Tiger at their back and an economy growing in double figures. Again, they had more work, they had more confidence, they had more opportunity. Never before had it occurred in Tasmania, but right now we need more people to do the work we have available in this state. Importantly, that is across every sector. The businesses I speak to, whether they be in the aged care sector, retail, hospitality or in construction, they are all saying what they want are more skilled and trained people, which is exactly why we took a very firm line in accepting the PESRAC recommendation regarding TasTAFE.

We need to be able to ensure that TasTAFE can act more like the businesses it is there to serve. We will keep it in public hands. It will be a not for profit. We will ensure that we can train and skill up more Tasmanians regardless of where they live, enabling them to grasp the opportunity that exists in our strong and growing economy. It is supported right across the board, from the board of TasTAFE to the CEO, to the businesses that it is there to serve. Importantly, when young people are talking to me about opportunity and getting the necessary skills, they support it as well. They know that it will open the door to a better life for them. Regardless of who you are, where you live or your circumstance or background, we want to enable you to have the opportunity to grasp the opportunities that exist in our strong, growing economy. We will work night and day to ensure that we can do that.

With regard to housing, and I put it clearly on the record, we are working hard to provide Tasmanians with more housing opportunities. It is interesting, if you go back to 2012-13, when we came to government in 2014, we had more people leaving the state than were coming. Tasmanians were looking for opportunity elsewhere. Now we have opportunity for Tasmanians right here and we have the rest of the country and I think, when international borders open, the rest of the world as well looking at this state as a place that they can come to live, if they wish raise a family, but importantly grasp the opportunity as well. Even Treasury, which at times can be relatively conservative, is still forecasting, even with our international borders closed, that we will be on the long-term trend inbound migration into this state moving forward. We will see more people wanting to take up the opportunity here.

That is why we are providing a record investment into social and affordable housing: 2000 extra social homes on top of the 1500 already being built over the next three years, delivering 3500 new social houses. Importantly, from the home builder program, we are seeing that as those new homes are built for people who are currently living in a dwelling whether they be renting or whether it be their own home, that they will move into that new home and that will provide further housing options for people. HomeBuilder is not a binary proposition. It creates two new homes: one that was being lived in and the new one being built and that will add to our housing stock.

We also recognise that we need to do more in the space for older Tasmanians. We made a \$20 million investment for new supported accommodation for older Tasmanians in the north and north-west of the state. We have also provided \$15.3 million for innovative new youth housing and homelessness initiatives, and we are supporting first home buyers or builders as well, by extending the grant from \$20 000 to \$30 000.

The applications for funding to support the construction of new ancillary dwellings is open as of today, as announced by the minister yesterday. There are 250 options for people to take up at \$10 000 an option. I encourage people to grasp that opportunity. There has never been a better time in this state to build a granny flat.

**Mr Winter** - Is that what you go with?

**Mr GUTWEIN** - I reckon that there would be quite a few that might be built down in Kingston. You will have your opportunity to convince your side of politics about the Huntingfield development, which is before council at the moment. This has been frustrated by your side of politics now for the last two years, because what we cannot get is a clear position. Whilst it is not for me to provide gratuitous advice in this place -

**Mr Winter** - You should.

**Mr GUTWEIN** - I might. What I would say to you as a new member of parliament who gave a good, fair, reasonable and decent and, at times, funny inaugural speech, the one thing in this place that you need to do is have a position. You have to find a position.

We are seeing important shifts in our economy - I am certain what we will see over time is more frustration from the other side - with hydrogen, the investment that we are making into public housing, the investment we are making into our health sector, into our education sector and, with the former education minister here, we should not start on education after the frustration we had in trying to get years 11 and 12 into our high schools. What we saw at the time was quite extraordinary.

When we came to government in 2014, apart from Canberra, every other state and territory had years 11 and 12 in high schools. We were lagging in retention rates and we decided to provide that extension to ensure that young Tasmanians, young men and women did not need to dislocate from their high school and, in dislocating, at times would disappear from the system. We were frustrated year after year after year.

We are now at a point, as the House heard today, where the last of those high schools will come on line and we will have only one more to go to offer years 11 and 12. That is a fantastic outcome. That says to young people that regardless of where you live, regardless of your circumstances, you will have an opportunity to continue your education. We all know that if you can continue your education, you will have the opportunity for a better and more fulfilled life. Yet, we were frustrated for seven years by that side of the parliament as we introduced that reform which was all about giving young Tasmanians more opportunities and a better life. It beggars belief that on that they could not find it within themselves to accept that that policy was the right policy for this state.

In summary, in the past week we have heard from all members of this House. There were some contributions I enjoyed more than others. Setting that aside, a point that has been made in a number of the inaugural contributions made this week is that it is really important in this place that you stand for something.

I have said to Ms O'Connor and Dr Woodruff on many occasions that in things like alternative budgets, I may not agree with much that is in it - and they usually are filled with kooky ideas - but, at the end of the day, what they demonstrate is that they are prepared to stand for something.

Labor at the moment stands for nothing: indecision, no policy platform, and chaos.

Importantly, we took a strong plan to the election; a plan to secure Tasmania's future. On this side of the House we are determined to ensure that we deliver that plan. In delivering that plan we know that for Tasmanians, regardless of who they are, where they live and their circumstance or background, it will lead to them having more opportunity and a better life and we are determined to deliver on that.

**Motion agreed to.**

## **MOTION**

### **Understaffing in Public Services - Motion Negatived**

[3.40 p.m.]

**Ms HADDAD** (Clark - Motion) - Mr Speaker, I move - that the House -

- (1) Recognises one of the highest responsibilities of government is to look after the most vulnerable.
- (2) Acknowledges the many people who have shared their stories about their poor experience with the Public Trustee.
- (3) Notes it has been nearly three weeks since the Attorney-General, Hon. Elise Archer MP, announced that terms of reference for an independent review of the Public Trustee were being 'urgently' developed.
- (4) Further notes reports that people who have made complaints to the Ombudsman about the Public Trustee have been told the Ombudsman is too short-staffed to review their complaints.
- (5) Further recognises the latest 'Human Services Dashboard' revealed that in March 2021, 65 children were referred for a child safety investigation but were not allocated a caseworker within agreed time frames.
- (6) Acknowledges the problem of understaffing in child safety highlighted by the CPSU.
- (7) Further acknowledges the Custodial Inspector's 'Lockdowns Review 2021' highlighted the basic human right of Tasmanian prisoners to spend at least one hour per day outside their cell is routinely not being met.
- (8) Further notes the review found that staff shortages heavily impact the time prisoners are able to spend out of their cells and in December 2020 were the cause of approximately one-third of all lockdowns.
- (9) Calls on the Government to -
  - (a) immediately address understaffing issues in prisons, at Ombudsman Tasmania and in child safety to ensure it is meeting its obligations to people under its care.
  - (b) release terms of reference for the inquiry into the Public Trustee within seven days.



Mr Speaker, it is a relatively long notice of motion but it pulls together areas across government where it arguably has one of its greatest responsibilities, and that is to care for people in a range of vulnerable positions, where people are voluntarily or involuntarily under the supervision or the care and custody of the Government, in the child protection system, the youth justice system, the adult corrections system and of course in civil society, where people's personal affairs are often managed by public guardians and the Office of the Public Trustee.

I have a lot of material here because the many things have led to the need for a debate on these important issues in the parliament today have been well known for years.

I am going to begin where the motion begins which is on the issue of the Public Trustee. It was debated briefly yesterday on the matter of public importance which, as all members know, is quite a short debate, so I am going to briefly touch on some of the same issues I raised there and pick up where I left off at the end of that debate yesterday when my time expired.

As members well know, there has been a range of really heartbreaking stories raised publicly in the media and in particular by Advocacy Tasmania, a not-for-profit organisation which does incredible work in representing and advocating for the needs of people across a range of different areas of society. Advocacy Tasmania got to the point - and I believe several MPs' offices got to the point of as well - of feeling like there had been a bit of groundswell growing of people feeling very let down and very in the dark around the management of their affairs by the Public Trustee. My office was one of those and we had written some letters to the trustee and also to the Government.

After the CEO of Advocacy Tasmania went on ABC local radio and shared the story of the man who was mentioned yesterday, Michael Burles, there was a story about Michael in the *Mercury*. He was taken to hospital, at which point the Public Trustee was appointed to take care of his affairs. As we talked about yesterday, his belongings were sold and disposed of and he was presented with a cheque for \$1000. It was a heartbreaking case. That story being highlighted in the *Mercury* touched a lot of people's lives and as a result of that there was quite a long interview with the CEO of Advocacy Tasmania, Leanne Groombridge, on ABC local radio.

After that interview the floodgates opened to the media organisations and to Leanne and her team at Advocacy Tasmania of people sharing similar stories. People were sharing stories about being admitted to hospital and then suddenly their rights evaporated and dissolved and their right and autonomy to make decisions about their own lives were taken away from them. Even once they left hospital and were either living in aged care or again with family or independently to an extent, they were not given information about what was happening with their affairs. They were not being given information about how their personal bills and accounts were being handled or about the fees being charged out of their estates and their pensions. It has been incredibly unsettling for those people. Some of the people I have dealt with in my office had clearly been managing their own affairs quite well, sometimes with support from friends and family, but suddenly that autonomy was taken from them and to get out from underneath the control of the Public Trustee's office is very difficult.

Other than the stories that have been publicly identified in the media I do not intend to identify people by name because it would not be right to do so, but when my time ran out yesterday I was starting to tell the story of a person who had voluntarily decided to allow the Public Trustee to administer her affairs and she explained that a social worker suggested that

she might like someone to help her with her situation. She had got herself into debt and been evicted from a rental property. She told her that she could choose what bills the Public Trustee would pay, rent and electricity or other bills as well, and that she could keep the rest of her pension to herself. In other words, she went into this arrangement voluntarily, went under administration and expected that she would be able to have some decision-making and autonomy around which parts of her affairs she would self-manage and which would be managed by that office.

As she said, she went to court and voluntarily went under administration, which she then described as the worst decision she had ever made in her life. She said they destroyed her life, she had become very depressed and tried to end her life, and in 2018 ended up in hospital under psychological care. She learnt in that time that she did not have the autonomy she thought she would have and in fact all of her finances had been taken over.

She was under that arrangement for seven years, and I will not share it all with the House how she managed to get out from underneath that control, but she said that once that happened she was shocked she was able to get out of that administration because she was told it is very rare.

As we know, cognitive ability is something that is firmly set. People can sometimes need a bit of assistance, indeed we all sometimes need a bit of assistance in our lives. The way these stories have come to light, and the heartbreaking way in which they have been recounted in the media, really shows that there is a difficulty in having your voice, your autonomy and your dignity respected when you find yourself, as an individual, under the control and administration of the Public Trustee. That is certainly what Advocacy Tasmania CEO, Leanne Groombridge, and others who work in her organisation have described.

I acknowledge that as a result of that media attention and the advocacy that has been pursued by Leanne and others, meetings have been arranged between Advocacy Tasmania and the minister's office, and I believe with the Public Trustee as well. That is a very positive thing -

**Ms Archer** - And GAB as well, I think.

**Ms HADDAD** - And GAB as well, thank you, minister. I am very relieved to know those meetings will take place. I am also disappointed, because it should not have to get to that point before voices like these are heard. It should not have to get to the point where there is a big media campaign and CEOs of those organisations need to shout loudly in the media for those voices to be heard.

Many of us have been hearing those voices for some time and have been powerless to make the changes we need to make to represent our constituents as best we can, and to make sure that people are cared for in a way that is respectful of their autonomy, their dignity and their ability.

I recognise also that the Tasmania Law Reform Institute did one of their largest reviews. It was released in 2018, and I know the Government is acting on some of the recommendations. It is a big report, and it does make sense for the Government to be doing that in a staged way. We will be looking at the advance care directives part of that report at some point. There are

also recommendations that would touch on the operations of the Public Trustee, the Public Guardian and others who have decision-making responsibilities for others.

I will put into *Hansard* some of the guiding principles that they believe should be part of the reforms going forward, recognising that the laws we have at the moment were drafted a very long time ago, and at a time when I think government and society had a much more paternalistic approach to dealing with people who need assistance of any kind.

In their 2018 report, they recommended that the Australian Law Reform Commission's national decision-making principles should guide the reform of the act. They are:

- (1) That all adults have an equal right to make decisions that affect their lives and to have those decisions respected.
- (2) That people who require support in decision-making must be provided with access to the support necessary for them to make, communicate and participate in decisions that affect their lives.
- (3) That decisions that affect a person's life must be directed by the person's will, preferences and rights.
- (4) Laws and legal frameworks must contain appropriate and effective safeguards in relation to interventions for people who may require decision-making support, including to prevent abuse and undue influence.

That is a very important point, Mr Deputy Speaker, and I acknowledge that there is a role to ensure that elder abuse does not occur. By the same token, those first three guiding principles are things I think that we should live by. They are certainly principles and values that I live by in the way I deal with people in my work and in my life. My personal view is that every person in society is equal, and nobody deserves to feel like they are more important than another person in this place, in this world. I believe everyone deserves to be treated with dignity and respect, and to be listened to and treated kindly.

Reflecting on some of the inaugural speeches that we have heard over the last week or so has caused me to really reflect on the values that brought me here as well. The new member for Bass, Janie Finley, touched on issues that surround this as well in her inaugural speech just before, and that is that there are times when government needs to help, and there are times when government needs to assist people to assist themselves.

Certainly, this is one of those areas. There may be times when people's decision-making capacity is diminished to the extent that they do need some form of permanent assistance to manage their affairs and to live their lives in a dignified way. Equally, there are times when cognitive capacity can come and go to a certain extent.

At all times I believe every effort must be made to ensure that people who do have others in their lives assisting with their decision-making capacity make every effort to - as the guiding principles of ALRC's guide say - ensure that person's will, preferences and rights are being listened to and reflected in the decision that is being made, to ensure that every effort is made to communicate and participate in decisions that affect their lives.

I have no doubt we would all have people in our lives who need assistance in different ways, because of cognitive impairment, or age, or physical capacity. If you can transfer the story that we are hearing from these members of the public to a loved one of your own, every one of us here would want to know that our loved ones are being treated with dignity and respect, and are being given every opportunity to have a say in the decisions that are being made on their behalf, which should be being made in their best interests.

That is the first part of our notice of motion. If we move on to the next part, again it is an area of life where people are under the supervision of government in one way or another - but in a very different way. Some of those clients might describe what they are going through as feeling a bit like being in prison, but in fact we are going to talk now about the conditions at Risdon Prison.

The Lockdowns Review report that was released by the Custodial Inspector in the last week or so paints an incredibly worrying picture of the conditions at Risdon for inmates and staff. We have known for a long time that the conditions at Risdon are deteriorating, and that it is a bit of a pressure cooker, to be honest. Things are getting worse. We are starting to hear from people who are at their wits end working in that system. Everyone recognises that it is a dangerous job, but there are people who are working to the best of their ability to give inmates every opportunity to rehabilitate and to reduce the risk of reoffending, but they are having every impediment possible put in their way. The Custodial Inspector, in the Lockdowns Review 2021, said that of course the department, as is always the case with these reports, is consulted and invited to comment on any factual inaccuracies before the report is delivered to the minister and then tabled.

The minister did touch on that when we were discussing this, and disputed a lot of what is in the report, saying it was just a snapshot of a particular month, that it does not really reflect the conditions at the prison, that it does not reflect the way the prison system is being managed. However, that is not something the Custodial Inspector seems to agree with in the report.

He says:

The Department of Justice response indicated that it was important to note that when lockdowns occur that essential services and prisoner supports are still maintained.

He then says, though, that his experience, however 'is that this is the exception rather than the rule, particularly in relation to prisoner supports'.

The Department of Justice also noted that in most instances, prisoners will not be confined within their cells during lockdown, but rather within their accommodation units or divisions. He says, 'this might be so in the case of minimum and medium units, but it is not the case in maximum-security units'.

A key finding of this review is that the majority of lockdowns occur in Risdon Prison complex RPC, which is the maximum-security unit. This means that what the minister described yesterday, that during lockdown most inmates are still able to access some forms of recreation and support. That is not the case where the majority of lockdowns occur, which is in the maximum-security unit. It is my understanding that some of those cells are double-

bunked or triple-bunked, so it is a question I suppose for the minister, to know whether during those lockdown periods there is more than one inmate in a cell.

**Ms Archer** - We are not at full capacity at all.

**Ms HADDAD** - The minister says they are not at capacity.

**Ms Archer** - Not in any of the categories at the moment, I know.

**Ms HADDAD** - That should mean that the people who are subjected to lockdowns at routine levels in the maximum-security unit, hopefully are not confined to those cells with a second or third inmate in there with them. Nonetheless, it is still unacceptable that we have some of the highest rates of lockdowns in the country and that for our prison system, the majority of those occurring in maximum security where people are confined just to their cell.

Now, International Human Rights Law say that there should be at least one hour a day outside of a cell. I would hazard a guess that most of us would consider that to be a pretty low bar to meet. The 23 hours a day in your cell, or in your cell block, if you are in medium or minimum, is a pretty low bar. Twenty-three hours a day is unacceptable by anybody standards. Nonetheless, International Law dictates that it should be at least one hour out of their cell in the open air. We are sometimes not meeting even that bar and it is not good enough.

It is not only appalling and dangerous for inmates, it is appalling and dangerous for staff working in the prison as well. The working environment that they are in, which is already a dangerous one, but it adds to a constant heightened level of stress and worry when they are dealing with inmates who are quite reasonably and understandably, completely frustrated by their situation. I have seen the cells, and they are very small at maximum. If you are in there for 23 hours a day, it is not only dangerous for these inmates and staff, it also means that people do not have access to the things that could prevent them from reoffending.

We all want to live in safer communities. I want to live in a safer community with less crime. I dare to say that everybody in this place, and everybody in Tasmania wants to live in safer communities where there are fewer house-break-ins, where there are fewer shops and service stations being held up, where there are fewer physical assaults, where there are fewer thefts. The conditions at Risdon are not conducive to reducing reoffending.

There are those out there in the community who would, if they were sitting in this place right now, be saying of course they should be locked up and throw away the key while you are at it. They are there for punishment; they are not there for a holiday. I have heard it all. But when I talk to people with those views about their desire to live in safer communities, they agree. They want to live in a safer community too. They want to know that when people come out of prison, there is less chance of that person going to be breaking into their house to steal something to sell and survive, or committing any other kind of offence.

The only way that we can get to that point is if we seriously invest in the kinds of programs and resources that will mean that when people are in there, they have opportunities to better their lives, to make better decisions, to reflect on their life and think about the things that led them to be in that place. It would be really scary for anybody to be in prison for the first time, or for any time. But we have a system now where people can be there and in touch with the criminal justice system for the first time and then they are released as more hardened

and cynical about the system and unhappier with their life and the opportunities that they have had.

Prison should be an opportunity to be a complete wake-up call if people take that opportunity. People should be able to go there and come out, having had the opportunity to reflect on what brought them there in the first place. There is no reason why someone could not go in to prison a house thief and come out a carpenter or go in a car thief and come out as a mechanic.

There is an ability to learn skills in prison that mean when people come out the other end, they have a skill or a trade, that they have had opportunities to improve their literacy which will improve their employment possibilities. They have opportunities to reconnect with families. If you are released from prison into homelessness, which often happens, into unemployment which almost always happens, and with busted-up family relationships, then really it is no surprise to any of us that reoffending is what occurs as a result.

The things that were in that lockdown report, worrying as they are, and they are partly the reason why this notice of motion has been brought on today, is not news for any of us here. This is why I have this big stack of material. It is only a sample because it is a short debate. These things have been known to government for a long time.

In the Resources and Systems Inspection Report of the Custodial Inspector 2019, he observed there was an external consultant engaged to do that work who noted:

... a strong theme throughout the inspection, relating to systemic bullying and lack of employee engagement, confirming the initial findings of the pre-inspection survey. Correctional and non-correction staff made a substantial number of allegations about bullying and general inappropriate workplace behaviour. Many staff said that they felt unsupported by management and human resources to raise issues formally due to fears of repercussion, reprisal and/or inaction.

I will read a few of the general observations:

There is a general lack of essential communication and collaboration between HR functions, including work, health and safety, workers compensation, performance and absence management (including rostering) payroll and industrial relations.

TPS has an excessive number of workers compensation claims. At the time of the inspection, there were 89 active claims for a head count of approximately 489 staff.

There was excessive overtime used and continuous shifts worked in breach of the fatigue policy which puts both staff and inmates at risk. There are inefficiencies and processes and systems issues associated with rostering, particularly given the 24-hour seven day a week shift environment.

There were breaches of employee workplace rights occurring with workers compensation right to claim documentation not being provided; multiple allegations of unlawful approach to

treatment of some staff on workers compensation, including staff being made to take annual leave whilst incapacitated; staff being advised not to make a claim but rather charge medical costs back to the TPS for reimbursement; staff make up pay not being including annualised earnings and staff being rostered to work in areas where a medical practitioner had explicitly advised against. And the report goes on. That is about staff conditions in the prison.

The annual report of the Custodial Inspector of 2019-20 said that as he had reported in previous years:

... increasing prisoner numbers continue to challenge TPS. Growth in prisoner numbers creates system pressures such as:

- double bunking in cells intended for one person occupancy and triple bunking in cells intended for two person occupancy, which can create tension between prisoners and creates work for staff in identifying and monitoring prisoners who can be safely accommodated together.
- minimum security rated prisoners being located at the medium and maximum security prisons;
- availability of, and access to, programs for prisoners to prepare them for release; and
- high demand on all services including health care and post-release services in the community.

Lockdowns and staff shortages also continue to be ongoing issues for TPS. Staff shortages create pressures such as increased overtime costs and a generally fatigued workforce while lockdowns restrict prisoners' time out of cell and impact the availability of services such as education, rehabilitation and reintegration, therapeutic counselling and criminogenic programs. TPS has advised that ongoing recruitment will address both issues. Despite correctional officer recruitment, the inspectorate had noted that lockdowns have continued and, in particular, have been exacerbated by the COVID-19 pandemic.

That could be seen as inevitable but it had not improved. That sounds familiar, doesn't it, but that is the annual report that was released quite a long time before the lockdown report we have seen today. It was backed up yet again in a report, this time from the Tasmanian Audit Office, Report No. 3 of 2019-20, which was called Tasmania Prison Service: use of resources, where the Auditor General, Rod White, concluded that the TPS's resources were not used efficiently and that this adversely impacted the effectiveness of the prison service. He said that TPS had not had a strong approach to modelling of future inmate numbers and associated staffing to ensure it had sufficient resources to run its prisons faithfully and securely. Modelling used for predicting inmate numbers relied on a backward view that had not been predictive enough. This led to TPS struggling to cope with changes in government policy and

sentencing, which significantly increased the numbers of inmates during the five-year period to 30 June 2018.

In short, TPS did not have enough correctional officers to effectively and efficiently run the prison service. They identified that workforce planning had not been fully developed, while improvements in rostering of correctional officers were needed to ensure the right staffing levels were achieved across the prison service.

TPS had acted to fill resourcing gaps by predominantly using staff overtime. Whilst this mitigation had been essential to ensure the service could operate, it had adverse consequences firstly on the cost of running the service - and it is over \$100 000 a year to keep someone in prison - as overtime rates are expensive. Secondly, this put a strain on existing staff resulting in sickness, absences both short and long term, which significantly increased in recent years. Leave absences compounded the situation further, requiring more overtime to ensure the service operated safely.

Around and around and around we go, Mr Deputy Speaker. Not only does that lead to increased sick leave and stress but also to huge numbers of workers compensation claims. The Resources and Systems Inspection Report went into great detail on how people are treated when they are on workers compensation claims. Mr Whitehead went on to acknowledge that TPS had challenges in attracting the right number and calibre of staff to the service, saying:

Training new staff takes time, often leading to a delay between the time people commence with TPS and their effective integration into the service. These factors constrain TPS's ability to achieve the right staffing levels to effectively run its service.

That is what we are hearing on the ground as well, that while it is true that the department is running recruit schools, people are also leaving the service. They are either leaving the service altogether or they are leaving the service on workers compensation and sick leave claims due to the working conditions we are seeing in the prison.

The final report I will touch on is the Rehabilitation Reintegration Inspection Report of 2018, yet another report from the Custodial Inspector. The report was conducted in 2018 but not released until March 2020. In this one, again it is very familiar ground from the reports we have just heard about. The Custodial Inspector started by noting that he had already noted in reports previous to this one that the TPS is overstretched at almost every point due to the continual increase in prisoner numbers and existing infrastructure constraints. He said:

This creates system pressures in many areas, including education and programs, employment for prisoners, and preparation for their release.

He said:

... there are very few opportunities now provided for prisoners to re-socialise with family or community, in preparation for their release.

That is really worrying and it goes to what I was saying earlier about people being able to re-establish relationships with family prior to release to reduce the risk that they will be



reoffending. In this report released in 2020 but conducted in 2018, the inspector goes on to say that:

... very few programs are now delivered in TPS facilities. Frequent lockdowns are limiting access for Programs Unit staff ... to the extent that no programs had been delivered at RPC -

which is the maximum-security prison -

in the 2020 calendar year to date.

That was pre-COVID.

It is important to note that these lockdown issues have been raised for the entire term of this Government and they do not just affect the kinds of programs I talked about that might have an impact on reducing reoffending. They also affect people's access to be able to speak with their families, to access legal assistance and speak to their legal representative. That has the flow-on effect of adding to courts' wait times and backlogs, because if a case is listed and the lawyer has not had the opportunity to take instructions from their client because there was a lockdown, the case is adjourned and on and on we go. It also means that sometimes they are missing out on other vital programs that they need to access for their own rehabilitation or their health and wellbeing.

In that same report, the Custodial Inspector said that the prison system must support the rehabilitation of prisoners and the lack of programs, particularly in the maximum-security prison where prisoners most need assistance, should be addressed as an urgent priority. So that was an urgent priority in 2018-19 and 2019-20. He talks about the survey they conducted as part of that review of staff and said that:

The psychological management of prisoners was described as mostly risk assessment of suicide, self-harm, violence and harm to others. The focus is on keeping prisoners safe while in prison with relaxation techniques offered to help them cope. The inspection team was advised that at least two or more staff would allow the therapeutics team to provide what they considered to be real counselling to assist prisoners to cope better and resulting in less risk of harm to prisoners ...

That is what we are hearing on the ground as well - that it is just about keeping the people alive some of the time, and because of staff shortages and the conditions for staff in the prison, they do not have the capacity to do the jobs to the best of their ability. That has been further reflected in the staff survey that was conducted recently by the CPSU which backs up that one by the Custodial Inspector back in 2018. The recent one done by the CPSU earlier this year says that the health and safety of staff at Ron Barwick prison, in particular, was of great concern. It comes off the back of that lockdowns report released by the Custodial Inspector and it was prompted by the high rates of workers compensation and personal leave usage by multiple individual cases involving management, including cases before Equal Opportunity Tasmania.

The survey results showed that 82 per cent of correctional officers did not feel respected and recognised for the difficult job they do. When asked if they ever felt stressed or anxious

at work, 32 per cent of those who responded said 'every day', with none responding 'never' and just 4.5 per cent responding 'rarely'.

Mr Deputy Speaker, the things that are in these reports are not news to Government. I know there are people working in that system who want to do the best they can but they are prevented from that because of the conditions in which they are working. It is something that must be the absolute top priority of this minister and this Government if we are ever to see a reduction in crime and offending, and an increase in the ability for people to rehabilitate their lives and reduce their risk of reoffending, which then goes on to us all being able to live in safer communities.

[4.19 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Mr Deputy Speaker, I welcome the opportunity to talk on this motion, although it does encapsulate a number of issues, as Ms Haddad recognised at the commencement of her contribution, so I doubt I will be able to address everything that she raised. However it does give me an opportunity to announce a few things and I do not think Ms Haddad is aware of some recent developments this afternoon. I have released the terms of reference, but I will get to that in a moment.

Some of this might be a bit repetitive, but I am very conscious of the fact that when I make contributions, people do not necessarily cross-reference what I say in question time or during an MPI, so pardon me if I am slightly repetitious. The Public Trustee and guardianship and administration issues are important, and it is important that I get on the record the Government's version and our reasons for calling the review.

The Government takes very seriously our responsibility for looking after vulnerable members of our community and ensuring effective appropriate systems are in place to support them. As I stated yesterday in response to the matter of public importance on this matter, I will release the terms of reference very shortly. I have previously noted that these are being urgently developed, and I meant that. It is critically important we get these things correct and that due process is undertaken. Obviously, we needed to undertake the proper process between Treasury, my department and the Public Trustee itself to ensure we get certain factual things correct.

I am pleased to announce that I have now released the comprehensive terms of reference. These are available on the Department of Justice website, but for the benefit of members I am in a position to table them now. I might read from it first and then table it.

Importantly, the terms of reference are broad enough to encapsulate aspects of the concerns raised by members of the community, and I have given that undertaking to the House before. It is also important for members of the public and key stakeholders to have input into this review, as I have acknowledged.

We have also included a substantial time period of 10 years. We have limited it to 10 years because it needs to reflect the contemporary practices of the Public Trustee. If we go back 30 years or 50 years, I doubt it will reflect contemporary practices, or indeed the legislative framework that currently exists.

I am working to appoint an independent reviewer; this will be announced as soon as possible, and as soon as it is finalised. I am hoping Ms Haddad will not be as impatient to hear

about that. We are going as quickly as possible, but it is just impossible to get these things down together sometimes. I would have liked to have announced both together, but obviously that cannot be the case.

I am going to read from the terms of reference. I think it is important to get this on the record for the purposes of the House, because I will be tabling it.

The terms of reference for the Review of the Public Trustee start off with the Objective, and that is to undertake an independent review into the administrative and operational practices of the Public Trustee.

In the Background section, it states that:

The Public Trustee is a Government Business Enterprise with the principal objective of offering specialist and independent trustee services to the Tasmanian community, irrespective of the value of any particular matter.

The Public Trustee's 2019-20 Annual Report identifies the following main undertakings:

- preparing wills, enduring powers of attorney and enduring guardianships;
- acting as an executor of estates, or estate administrator if there is no will;
- assuming the role of executor when a person named in a will is unable or unwilling to act;
- acting as attorney for people requiring assistance to manage their financial affairs;
- acting as trustee for various types of trusts including accident compensation awards;
- assisting people to manage their financial affairs when the Public Trustee is appointed as a financial administrator by the Guardianship and Administration Board; and
- managing funds under the control of the Public Trustee in order to provide a commercial rate of return to a contributor.

The Public Trustee delivers a number of non-commercial activities for the Government. These are:

- administration of absolute estates with a gross asset value of less than \$60 000;
- administration of continuing trust and life tenancy estates with a gross asset value of less than \$100 000;
- administration and management of minor trusts with a gross asset value of less than \$20 000; and

- management of assets for represented persons with a gross asset value of less than \$100 000.

The Government meets the costs of these non-commercial activities through a Community Service Obligation Agreement between the Crown and the Public Trustee.

A number of concerns have been raised recently, both through the media and directly to the State Government, about the operations of the Public Trustee and its dealings with clients and client outcomes.

The Government expects that the Public Trustee provides professional services, delivered with integrity and understanding to the Tasmanian community, in accordance with its enabling and other applicable legislation.

Then, under 'Scope' in these terms of reference, it states that the review - and this is the crux of the terms of reference - 'will inquire into, report on and make recommendations in relation to the following matters':

- the extent to which the Public Trustee is effectively performing its main undertakings and community service obligations with reference to relevant matters including legislative responsibilities, the current legislative framework and stakeholder feedback;
- the extent to which the Public Trustee effectively meets its commitments under the *'Mission, Vision and Values'* statement, particularly in relation to a client service focus, with respect and integrity across all its functions;
- the appropriateness of current fees and charges applied by the Public Trustee for its services, given its costs and objectives;
- the appropriateness of the current Community Service Obligation Agreement between the Crown and the Public Trustee;
- the financial sustainability of the entity with particular reference to ongoing changes in the number and composition of clients and commercial activities;
- whether the current Public Trustee governance framework is appropriate in assisting the effective delivery of the entity's main undertakings, and any appropriate changes to current governance arrangements that may be required;
- the impact that the implementation of the recommendations arising from the Tasmanian Law Reform Institute's review of the *Guardianship and Administration Act 1995* would have on the administrative and operational practices of the Public Trustee;
- the potential for current operational practices to benefit from the implementation of reforms to service delivery recently implemented by similar organisations in other jurisdictions; and

- any associated relevant matters to assist the review of the administrative and operational practices of the Public Trustee.

The inquiry timeframe should include matters within the last 10 years, that is, from 1 January 2011 to the present day.

Then, under 'Reporting and Timeframe':

A final report is to be submitted to the Public Trustee's Shareholding Ministers by no later than 30 November 2021.

Finally, listed under 'Other Matters':

- The Report is to be undertaken by a person or entity that is external to the Public Trustee and possessing the appropriate knowledge, skills and experience.
- Preparation of the report is to include the opportunity for members of the public and key stakeholders of the Public Trustee, including the Board and the Executive Management Team of the Public Trustee, to provide input in relation to the matters detailed in the Review scope.

Mr Deputy Speaker, I now table that document, which as I said is available on the Department of Justice website. Members will see that it is very broad. I gave that indication and undertaking that it would be, and I trust that members see that has been delivered.

As I have repeatedly stated, the Public Trustee interacts with Tasmanians at what is often the most difficult time in their lives, and it is regarding their financial affairs. It is important that Tasmanians have the highest level of confidence in the Public Trustee and the important role that it serves its clients and, indeed, the greater community. It does operate independently of government, but of course it is a government business enterprise, and so because of these concerns that have been raised, the Government has quite rightly called for this review.

Yesterday I did note in my contribution on the matter of public importance the distinction between the Public Trustee, the Guardianship and Administration Board, and indeed the Public Guardian. Obviously, they all operate in various ways, and under the common legislative framework of the Guardianship and Administration Act 1995, but the Guardianship and Administration Board also operates under the Powers of Attorney Act 2000, the Wills Act 2008 and also the Restrictive Intervention Provisions of the Disability Services Act 2011.

The Public Trustee, of course, has its functions, and as I said, and as it is listed in the terms of reference, its parameters are largely in relation to financial affairs. The Guardianship and Administration Board deals with emergency orders when urgent circumstances exist, often where a person has a disability and there are medical issues to sort out as well.

There are really distinct differences. The Guardianship and Administration Act sets out the powers and responsibilities of the Guardianship and Administration Board. Some people are interchanging the terms so we need to be careful. I have no doubt that this review will be able to make that distinction as it is hearing these concerns.

When the Public Trustee acts as an administrator, it manages the financial affairs of a person. In making administration orders, the board may appoint the Public Trustee as administrator. Our Government will consider any recommendations for reform to the Public Trustee as part of our broader consideration of the Tasmanian Law Reform Institute's review of the Guardianship of Administration Act to ensure that the Tasmanian community can maintain trust and faith in this important authority.

We have tabled the TLRI report and will be debating the first tranche of the reform soon. I thank Ms Haddad for acknowledging that the TLRI review resulted in a lengthy and comprehensive report, that these matters are complex and that it makes sense to do the work in tranches.

My biggest concern was that if we tried to deal with the reform in this lengthy holistic way, it could take several years longer than it should take to address some of these more pressing matters. The issues we were dealing with as a parliament last year and earlier this year were quite different regarding these types of end-of-life decisions. The advanced care directives form part of the first tranche of the reforms in response to some of those end-of-life care and decision-making issues we were dealing with. That made sense as the first tranche to this reform. We had a parliamentary committee that worked on that as well. Ms Ogilvie was on that committee and had a very strong interest in the recommendations being implemented.

It makes sense for the second tranche to deal with vulnerable Tasmanians in the guardianship framework. My department has already commenced work on tranche two of the guardianship and administration reforms, which will look towards entrenching further supports for vulnerable Tasmanians into the guardianship framework. The outcomes from the independent review of the Public Trustee will also inform this work.

As has been acknowledged, I have met with Advocacy Tasmania jointly with the Minister for Health. It has allowed us to hear the concerns of not only Advocacy Tasmania, on behalf of its clients, but specific examples across a broad range of areas, including health, which is not something I oversee. That was the reason for that joint meeting.

While the Tasmanian Health Service has clear protocols in place regarding the guardianship or the processes for patients who do not possess decision-making capacity, I anticipate that any concerns or areas recommended for improvement will be looked at as part of the ongoing work to progress the Guardianship and Administration Act reforms.

We are absolutely committed to supporting people as they age, particularly those who feel vulnerable or are vulnerable, as well as the organisations that support them.

It must be acknowledged that decisions made in our hospitals are made by staff with the very best of intentions and with the patient's healthcare needs in mind. Our staff have a duty of care to their patients and do not make recommendations regarding capacity or a patient's medical status lightly.

However, it is also very important that patients know their rights and have access to advocacy services. I am pleased to hear that Advocacy Tasmania has also met with the Guardianship and Administration Board and the Public Guardian. I met with the Public Guardian recently and have had those discussions directly to discuss the concerns and I understand the board has committed to keeping an open dialogue with Advocacy Tasmania.

That opens up those channels of communication well and I hope they can continue to open up and work with each other for the benefit of these clients. They are really complex and difficult situations and it is in the interests of all parties to work together to ensure that the wishes of a vulnerable person in this situation can be taken into account.

In relation to point 4 of the motion, I dispute what is stated. It is my understanding that the Ombudsman would not reject a complaint based on the level of resourcing in his office. In some circumstances, when there are vacancies or staff on leave, the Ombudsman's office may let applicants know that matters may take a little longer than originally advised. In addition, if the applicant has not provided a complaint to the agency named in the first instance, the office will refer the applicant back to that agency to enable the agency to respond. However, I reiterate that the Ombudsman would not reject a complaint based on the level of resourcing in his office.

The Premier and I have met with the Ombudsman and discussed matters including resourcing in that office. Members will remember also that prior to this meeting, we had already committed an additional \$245 000 to the Ombudsman's office. There were some difficulties filling some FTE positions because of COVID-19 and a few other reasons, but since then the Ombudsman released his report. There are some issues with backlog and things we would like to see him and his office get on top of.

**Ms Haddad** - Can I ask, by interjection, whether there are new staff in that division that would be looking at these kinds of complaints? I know there were new staff announced in ITI Division.

**Ms ARCHER** - Government will only ever provide resources to an independent office like that; it would be up to the Ombudsman to allocate. The Premier and I have been open about this. We have met with the Ombudsman and the Ombudsman has been communicating with my office about resourcing requirements so that we can consider that as part of the upcoming budget. I have already stated in this place that we will continue to work with the Ombudsman to ensure he has sufficient resources to undertake all his functions. He has a number of areas, including Custodial Inspector. I expect positive outcomes from these discussions.

I reject point 4 because it is my understanding that the Ombudsman would not reject a complaint based on the level of resourcing in his office, for the reasons I have outlined.

I will move on to the Custodial Inspector's lockdowns review. I had a question in Parliament yesterday on this. As I have stated, the Government notes the Custodial Inspector's review into lockdowns. Our top priority is to keep Tasmanians safe and indeed our staff and our prison safe in that environment. The Custodial Inspector himself notes that lockdowns are a necessary and unavoidable part of our prison system used when required to ensure a safe and secure prison environment for prisoners, staff and visitors.

Lockdowns occur for a number of reasons and they occurred for a number of reasons throughout COVID as well. They are a necessary tool to manage emergency situations and if they were not and we did not protect prisoners and staff in those situations, we would be criticised for that as well, so it is a bit of a catch-22 sometimes. Lockdowns, of course, are

operational. They are not something that I oversee other than ensuring that the Tasmania Prison Service is well supported in terms of its infrastructure and its staffing and resourcing.

I had the opportunity to talk about this in question time on Tuesday but would like to take the opportunity to again correct some of the facts on this. I think it is unfortunate that these matters have made it sound like every prisoner is locked down for 23 hours a day every day of the week and that they only get one hour outside their cells. That is far from the truth and in question time yesterday I corrected that record.

The average hours out-of-cell for secure custody across Australia in the latest ROGS or Report on Government Services data is 8.9 hours per day. Tasmania Prison Service exceeded this average every month except one over the past six months. The report did a snapshot from December last year and that was, I understand, the month difference and this failed to be acknowledged in the reporting. The danger when there are snapshots used and we do not look at a period of time, or indeed the latest figures, is that we do not capture that information as accurately as possible.

The reality is that in the majority of cases when there is a lockdown it only impacts on a small portion of the prison population. I accept that in the majority of cases where there are lockdowns they are in maximum security, but the majority of prisoners continue to have access to televisions, in-cell radios, books, educational materials and other activities. In most instances, prisoners will not be confined within their cells during lockdown but within their accommodation units or divisions where they are free to move around amongst each other and the entire unit or division. The units within the prison that tend to be locked down most often are the units which house the most high-risk, maximum-security prisoners whose behaviour whilst in prison is very difficult to manage safely, hence the reason for the need to use lockdowns when certain behaviours require it or escalate a situation. That is not only to keep staff safe but prisoners safe.

Ms Haddad made it seem like she had been in all parts of maximum security. I do not think she has. I think what you were describing is across that complex it is, both medium and maximum. Ron Barwick is minimum and medium so I just wanted to clarify that. Not all of RPC is an area where it is safe for some members of parliament to even enter. It is not a pleasant place in some areas. There are quite heightened dangerous areas that house some dangerous prisoners and there are some cohorts which are very difficult to manage. Again, the reporting in isolation fails to recognise this reality.

We acknowledge that spending more time out of cells is an important part of prisoner rehabilitation. I would like every single prisoner to be rehabilitated. I would like every single prisoner to not return upon their release and that we have the best rate of recidivism, if not any recidivism, in our state, but we need to focus on rehabilitation and I will make some comments in relation to recent announcements by us with respect to rehabilitation programs. I am pleased to indicate that the Department of Justice supports all of the recommendations of the Custodial Inspector in the draft review, with all but one listed as an existing initiative already.

Quite often when the Custodial Inspector releases his reports, the Department of Justice will already be dealing with the Custodial Inspectorate staff and also dealing with all of the recommendations. By that, I mean implementing recommendations or working towards it. Quite often, just through the very fact that the visit to which your report relates may have been 12 or even 18 months prior, by that stage sometimes, and quite frequently, the information in



the report can be somewhat out of date and the Department of Justice may already have implemented the recommendations or is working towards full implementation.

It clearly demonstrates also that the department and the Custodial Inspectorate are largely in agreement with the required approach to improved time out of cells for prisoners in Tasmania. This is why the TPS now has dedicated staff working directly with the Custodial Inspector on matters he and his office raises with the TPS. That is a more effective way of ensuring that these recommendations are dealt with.

Prison management continues to explore a variety of other strategies to minimise the likelihood of lockdowns in Tasmanian prison facilities and takes a planned and structured approach to the use of lockdowns in order to minimise their effects as best as possible, and that is what we all want to see.

As I have said on numerous occasions already in this place, we have recruited 200 additional correctional officers since 2016, which includes the 75 from last year alone which was despite the challenges of COVID-19, with at least two new recruitment courses planned this year and the first of those is already under way. This is at a rate never seen before. We are recruiting and will continue to recruit because of the constant need for additional staff. That is being funded and ironically, and I have to point this out, the contrast with Labor could not be greater.

They have failed to promise one additional correctional officer at the last two consecutive elections. They failed to adequately invest in prison infrastructure during their entire 16 years in government and ironically, they made the mess that we are now fixing, so with the hundreds of millions of dollars we are putting into the prison service, I find it quite galling coming into this place defending our record of substantial investment to -

**Ms O'Connor** - Your appalling record of abusing prisoners' human rights.

**Mr DEPUTY SPEAKER** - Order, Ms O'Connor.

**Ms ARCHER** - It was quiet before Ms O'Connor came in.

**Ms O'Connor** - You're rewriting history.

**Ms ARCHER** - I sat in here quietly so that I could make a contribution in this place.

**Dr Woodruff** - You're taking all the time up. Are you going to leave some time for the Greens to make a contribution?

**Mr DEPUTY SPEAKER** - Order. It is also in the Standing Orders that nobody should interject on the member standing.

**Ms ARCHER** - The simple fact is that I am the minister and I would like to have the right to respond to a fairly detailed motion that covers a number of areas.

We are substantially upgrading the infrastructure with the Southern Remand Centre being finished by the end of this year and operational early next year, and continuing with due diligence for the northern regional prison. We have already made substantial upgrades to the

Ron Barwick Prison at the Risdon site. There has been a number of things that have occurred there. There has been a number of things in terms of rehabilitation as well, with \$2.5 million towards rehabilitation programs recently announced and staff within the prison over a three-year period. As I have stated in an answer in question time yesterday, this includes programs to be run by the Red Cross, Connect 42 and Dress for Success as part of that investment.

As part of that investment we have also commenced the process of recruiting five new therapeutic staff to work within Risdon Prison, with a focus on delivering rehabilitation programs and drug and alcohol interventions.

I also talked yesterday about the new drug and alcohol service for women prisoners: they will have access to drug and alcohol counselling. The innovative new program to change destructive behavioural patterns in prisoners, which has now commenced in the Mary Hutchinson Women's Prison, which is a behaviour therapy program that aims to help prisoners to help change ways of thinking and behaviour that are no longer helpful to them while they are assisting to accept who they are. So, there is some significant investment going into rehabilitation programs. There is significant investment in education training in partnership with TasTAFE on site at Risdon.

In the eight or so minutes remaining, I want to touch on the other part of the motion which was not my portfolio responsibility. I can provide some further information in relation to the Human Services dashboard. I reiterate what the Minister for Children and Youth, Ms Courtney, said this morning in question time: there is nothing more important than the safety and wellbeing of our children and young people and supporting the families in which they grow and love and belong. A strong family, safe kids, child safety redesign has changed the way we respond to concerns about children, how we support them and how we engage across government and the community sector to keep children safe.

All referrals are thoroughly assessed with the new advice and referral line to determine the most beneficial course of action for the specific child or family. Importantly, in all cases, if a child is assessed to be in immediate danger, they are seen within 24 hours. The Government wants to assure the community of this; otherwise, where it is safe to do so, our priority is to intervene early, with wrap around support services for families, not to automatically progress the notification through the statutory system.

In the 2018-19 year, the Liberal Government invested \$24 million for the recruitment of 25 additional Child Safety Officers and other frontline staff.

I am advised that the Child Safety Service has a range of strategies in place to ensure that cases awaiting allocation, do not build up and are actively managed while they are in a period of transition. These include: timely and efficient recruitment processes to lessen the load on operational staff; recruiting over establishment for specific child safety roles to support better vacancy management; recruitment of support workers as designated case aides to undertake administrative tasks of cases that will allow child safety officers to prioritise their work with children and families; reducing the cost of court proceedings and staff by developing a non-label early intervention support service for parents who are on the cusp of legal proceedings to be piloted in the southern region; establish a new case management project to prioritise tasks for children who may be able to exit our system; increasing resources for family restoration for children who are currently in care, where it is safe to do so; and funding family preservation services to work with the families to avoid unnecessary entry into the statutory system.

The Strong Families Safe Kids Reform Actions are changing the way we work, keeping children and families out of the system and working more efficiently and effectively with children and their families within the system.

We will continue to do all we can to ensure the safety and wellbeing of our most vulnerable children, young people and families. And further, the Government recognises the critical role played by our child safety staff in meeting the needs of some of the most vulnerable members of our community.

We understand that ensuring our child safety services are well resourced and supported is of fundamental importance. Ultimately, this is a frontline service based on providing care in really challenging circumstances. I want to acknowledge the incredible work that these staff do. There are now over 160 child safety officers supported by team leaders, clinical practice consultant and educators, child safety liaison officers, support workers, unit co-ordinators, court co-ordinators and staff safety and wellbeing officers.

We are also continuing our strong families, safe kids re-design, which is focused on intervening early with wrap-around support services so we can see fewer families involved with the statutory child safety system.

Mr Speaker, I have endeavoured to deal with most of the issues that have been raised in this pretty comprehensive motion touching on a number of different issues. Regarding some of the things Ms Haddad touched on with respect to some of the Custodial Inspector's reports to which she referred, for a lot of matters with those recommendations, dedicated staff are now allocated to work directly with the Custodial Inspector. I meet with the Custodial Inspector quite frequently myself to track that that relationship is working well and I am confident that that process is working well and matters are being addressed.

I do not shy away from the fact that there are matters that we obviously need to address. That is the whole purpose of the Custodial Inspector, and might I add, Mr Speaker, it was initiative of our Government - a policy we took to the election - before we were elected into government to create the Office of the Custodial Inspector. We do not shy away from the reports and the work the Custodial Inspector does to ensure our corrections system can and does improve and we acknowledge the recommendations put forward by that office.

I acknowledge that there is more work to do in this space but we are doing that. We are resourcing and investing in our infrastructure, our staff, in the safety of our staff and our prisoners, and I thank all of the hardworking staff within our Tasmania Prison Service. I thank the hardworking staff in Community Corrections as well because they are a vital cog in the wheel of keeping people out of prison or working with people post-prison and they are very important in ensuring, hopefully, that people do not re-enter the prison system. They play a vital role now in our monitoring and compliance unit for home detention as an alternative sentencing option to keep people out of prison because that is more desirable. Again, this alternative sentencing option was an initiative of our Government to keep people out of prison in the first place. I cannot stress strongly enough that that is a strong preference of ours.

**Ms O'Connor** - Why is the prison population soaring?

**Ms ARCHER** - Ms O'Connor, I am not a judge or a magistrate. It is up to the judge or magistrate to impose a custodial sentence and, in some cases, they are necessary. We have given the judiciary and magistracy the ability to have an alternative sentencing option. It is pleasing that the uptake rate is very healthy. I know that the assessment rate is very high to see if people are suitable for home detention. Similarly with the court-mandated diversion program in relation to drug addiction, that is a highly successful program and there was a very good write-up in *The Advocate* recently on the success of that program. I can say the success of that program is statewide.

There are very useful alternative sentencing options the judiciary is utilising and they are all initiatives of this Government. We have provided additional resourcing to the court-mandated drug diversion program because it is successful, it is producing great results and it is that last chance that someone with a drug or alcohol addiction has before entering a prison system and hopefully keeping them out of prison.

**Time expired.**

[4.59 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, I want to say on behalf of the Greens that the matters raised in Labor's private member's time are very important and we support the calls that are made in this motion for the Government to address the understaffing in the prisons, at Ombudsman Tasmania and in Child Safety, also that the Government releases terms of reference for the inquiry into the Public Trustee, which has been done, so the second part of the motion has been achieved. The first part has not, however.

There is barely time for me to touch on the breadth of issues that have been raised in this motion because they cross such important portfolio responsibilities for the protection and support for some of the most vulnerable people in Tasmania. It is a matter of record that both these portfolios have been the topic of controversial media over the last week and that this minister has not covered herself in glory in the way in which she has responded to severe breaches that have been identified, on the one hand by the Custodial Inspector in his report that came out the other day, Lockdowns Review 2021, highlighting severe breaches of Tasmania's corrections regulations, and of the United Nations Convention on the Standard Minimum Rules for the Treatment of Prisoners.

The minister is also responsible for the portfolio where there have been numerous public conversations, building to a crescendo of stories of pain and real suffering of people who have had their liberty denied and been treated like children, who have found themselves to be utterly out of control of their living situation and their ability to return to their house and manage their finances after a period in hospital, and found themselves not even at times able to access a phone to have a conversation with Advocacy Tasmania.

We know that from the moving testimony and really strong statements from the CEO of Advocacy Tasmania, Leanne Groombridge, but she is speaking into a space that many Tasmanians have been speaking into for years now, as individual cases have been dismissed as too hard to grapple with, as the member for Clark, Ms Haddad, commented. It has all been pulled together now, and in fact it was pulled together by the Tasmanian Law Reform Institute in an issues paper which was released three-and-a-half years ago, in December 2017, and then a year later the final report in December 2018.

**Ms Archer** - That is not three-and-a-half years ago.

**Dr WOODRUFF** - This minister has sat there and not acted and it is incredibly important. The issues paper was three-and-a-half years ago.

**Ms Archer** - I am sorry.

**Dr WOODRUFF** - These have been documented in the public domain for over three and a half years.

**Ms Archer** - You don't act on an issues paper - come on.

**Members** interjecting.

**Mr SPEAKER** - Order.

**Dr WOODRUFF** - There are issues of people's liberty being denied and people being essentially treated as prisoners and their property withheld from them, even being denied to return to their house to be cared for by their life partner.

I wrote to the Public Guardian in 2017 on behalf of a person who I will not name because I have not spoken to him about it. He and his wife of 40 years had no children, they had always lived together, she had dementia and he cared for her. He wanted to continue to care for her. She fell over sometimes but did not severely hurt herself. She went to hospital at one point to recover and at that point it was decided that the Public Guardian should be called in - someone in the hospital made that decision - and the Public Guardian decided that she should not return home.

What happened was that there was no documentation in the correspondence. I wrote to Ms Archer, then minister, and she wrote back about this case. I re-read her response to me in 2017 about this very painful case of a person who had been caring for his wife. She was taken and put into residential aged care, BUPA. Yes, she had dementia, and yes, she fell sometimes, but her husband was really aware of that and he lovingly, carefully followed her around, made sure every day she got up and put a skullcap on so that her risk of falling and damaging herself was minimised as much as possible. He would feed her, he would do all the caring things that a loving partner does.

She was put into BUPA residential aged care and had numerous falls because staff were not there to attend her and look after her and make sure she put her skullcap on. She was regularly not fed the sort of food that she wanted to eat, and that she had eaten for her whole life, and her devoted husband who wanted to care for her was denied that right.

The response from Ms Archer - and I just make this as a point that continues -

**Ms Archer** - I cannot comment on individual cases.

**Dr WOODRUFF** - There are so many, this is the point. Ms Archer, who did say she would not like to be interrupted, would like to hear that the thread that follows through all of this is the person whose liberty is denied, is not asked what they think - and this woman was not asked. I do not see any reference in the letter. The reference is what the staff thought, what

BUPA thought, what the Public Guardian thought. There is not a single mention about the woman who was removed from her husband's care, what she thought -

**Ms Archer** - She had dementia.

**Dr WOODRUFF** - what her wishes were, because she had dementia, and this is the point -

**Members** interjecting.

**Mr DEPUTY SPEAKER** - Order. This is not an argument. Interjections should cease.

**Dr WOODRUFF** - Because you have dementia does not mean you are incapable.

**Members** interjecting.

**Ms HADDAD** - Point of order, Mr Deputy Speaker. The member for Clark, Ms Ogilvie, just said that I had no credibility in this because I have no experience of dementia.

**Ms Ogilvie** - No, I did not actually say that.

**Members** interjecting.

**Mr DEPUTY SPEAKER** - Order, order. I will ask the two members to leave the Chamber if that continues.

**Dr WOODRUFF** - The TLRI was very clear that the Guardianship and Administration Act must be reformed to remove the need to establish that a person has a disability, and to reflect whether the person is able to make decisions with the use of appropriate support.

They also said decisions about a person's life must be based on a person's views, wishes, preferences and rights, and that this act must remove the 'best interest test', and the best interest test is being used as a sop for taking away people's liberties, and as a way of dealing with people when they are not cooperative.

So, we have a whole range of people who are allowed to deprive a person of their liberty without an adequate assessment of what that person wants and needs, including social workers, aged care providers and doctors and nurses in hospitals. We have numerous situations where there is dysfunction and abuse in the management and care of people where people are forced from their home without looking at whether home support is possible, without looking at care packages, without looking at alternative housing options. People are able to be processed in one hour, and can be put into care against their will for up to three years. This is a totally dysfunctional system, and it is really on the minister's head that it is taking so long for her to act on the TLRI recommendations, which have been sitting there since December 2018.

We call on the minister, plead for the minister to work with the other departments, especially the Health minister -

**Ms Archer** - I just said they are working on it already.

**Dr WOODRUFF** - Yes, but when? When? You have form in this House, minister, for putting things off. This is something which is occurring for people every single day.

On the matter of prisoners' rights, well, the minister also has four prisoners in Tasmania, breaches to the UN Convention, breaches to her own laws. She might like to say this just happened in a month last year. Actually, the Custodial Inspector is documenting abuses to freedoms that happen all the time.

**Time expired.**

**Motion negatived.**

## **INTEGRITY COMMISSION (MEMBERS OF PARLIAMENT) BILL 2021 (No. 21)**

### **Second Reading**

[5.11 p.m.]

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

That the bill be now read the second time.

Mr Speaker, this is an act to amend the Integrity Commission Act of 2009 to provide the circumstances when a member of parliament is still considered a member of parliament despite the vacation of their seat.

We bring on this amendment bill in our first private members' time because this is a matter of maintaining a robust democracy, integrity during election campaigns, and transparency about the conduct of public officers during the election campaign period.

Just in case anyone is in any doubt, every member of parliament in this place is a public officer for the purposes of the Integrity Commission Act 2009, other than, as the act currently stands, between the dissolution of parliament and the declaration of the polls. We argue, and we will provide evidence, that it is during the campaign period where there is greater opportunity for misconduct, for funds to be donated or contributed, or promises made that do not stand up to an integrity test.

Mr Speaker, on 10 June this year the Greens received correspondence from the Integrity Commission that advised that the Integrity Commission Act 2009 does not apply to members of parliament between the dissolution of a relevant House in which that member is a member, and the declaration of the polls. Between these two periods, a member of parliament is no longer a member of parliament under the Integrity Commission Act.

However, while an incumbent may no longer be a sitting member of parliament, they still retain benefits that the office confers. These benefits include staffing and resource allocations, formal and informal influence during the caretaker period, access to electoral rolls, and general community influence.

This bill amends the Integrity Commission Act 2009 to ensure that an incumbent member of either House of parliament remains a member of parliament for the purposes of the act during an election, between the vacation of their seat and nomination day and, if the person contests the election as a candidate, between nomination day and polling day.

Mr Speaker, this amendment bill ensures that an incumbent contesting an election who retains numerous benefits of office is still accountable under the Integrity Commission Act 2009.

The Integrity Commission website provides the following examples of misconduct, misuse or unauthorised removal of property belonging to a public sector organisation:

- the accepting of a gift or benefit for a particular decision or action
- failing to declare or appropriately manage a conflict of interest, and looking up or releasing information without proper authority.

These examples of misconduct without exception can all still occur during an election period.

We believe this is an amendment that should be supported by all members. Why would this parliament collectively not take the opportunity to ensure that the Integrity Commission Act 2009 is robust and that the Integrity Commission has the power to investigate potential misconduct or unethical conduct during the campaign period. So, we wrote to the Integrity Commission not long after this year's state election and this is the response, in part, that we received:

Thank you for your complaint about the Tasmanian Premier, the honourable Peter Gutwein MP.

We understand you are alleging that Mr Gutwein did not properly respond to information he received about Liberal Party candidate, Adam Brooks, and you state that, despite his resignation, Mr Brooks' actions and the actions of the Premier have left 'a cloud hanging over' the 2020-21 election result.

You make further allegations about the decision by the Liberal Party of Tasmania to endorse Mr Brooks as a candidate despite a 'history of dishonesty in public office'.

You requested that all of these matters be investigated by the Commission.

We have carefully considered the information you have provided but for the reasons explained below your complaint is not a matter the Commission can deal with.

Section 4 of the Integrity Commission Act specifies that the Commission only has jurisdiction over public officers. During an election period when a person is and is not a public officer is a matter to be determined on the facts.

On the 26 March 2021 the House of Assembly was prorogued and then dissolved for the purposes of the election.



The impact of a dissolution is that a sitting member no longer holds their seat in Parliament. They cease to be MPs and are no longer public officers or designated public officers under the Integrity Commission Act.

Our jurisdiction over M's is not re-engaged until there is a formal declaration of the polls under section 148(1) of the Electorate Act 2004. In this case, the fourteenth of May 2021.

For the sake of clarification, we acknowledge that government ministers retain their ministerial role during the election period and remain subject to the ministerial code of conduct. However, given we only have jurisdiction over ministers due to their status as MPs I can confirm that we do not have jurisdiction over ministers, including the Premier during the election period, that is, between the dissolution of the House and the declaration of the polls.

That letter was signed by Michael Easton, Chief Executive Officer of the Integrity Commission of Tasmania.

We wrote back to the Integrity Commission that day or the following day and sought clarification over the Commission's determination that they do not have jurisdiction:

Dear Ms O'Connor

Thank you for your letter dated 22 June 2021.

We understand that in response to our letter of 9 June 2021 you are enquiring about whether the Premier and individual ministers are in fact public officers and designated public officers. You suggest that: 'A statutory office is defined as an office, the holder of which, is appointed by the Governor or a minister'.

A minister and the Premier are appointed by the Governor. Our firm belief is as state in our previous letter to you which is that the Premier and other ministers, and public officers, for the purposes of the Integrity Commission Act, by virtue of being members of Parliament and not otherwise.

In essence, this is because a minister can only be appointed to that position by the Governor, by virtue of their office as a member of Parliament.

There is currently in the Integrity Commission Act a loophole that is no less than 30 days long. It provides an excellent opportunity for unethical conduct or misconduct or corruption; certainly, conduct that is not in line with community expectations, albeit they are low in relation to the political class.

But what we know is this. During an election campaign, the opportunities for misconduct, the opportunities to be part of a situation that should be examined by our integrity body are very high.

There are many opportunities. We saw that in the 2018 election campaign where the government of the day, the Liberals, went to the election with an election policy that would,

should it take effect, land a windfall gain to the gambling industry of around \$250 million overnight. We also saw millions of dollars either through the Love Your Local campaign or the Federal Group, poured into pro-Liberal government or anti-Labor and anti-Green advertising, the source of, we would argue, much of that money is still not known.

We wrote to the Integrity Commission at the time and asked them to investigate the conduct of the 2018 state election. There was another referral to the Integrity Commission which has since been named Operation Hyperion, that asked the Commission to examine the Liberals approach to campaigning which was to travel around the various electorates, particularly the electorates it considered marginal and make promises to sporting organisations.

That investigation, was initiated. The Integrity Commission, after a meeting in this response of 22 June 2021 from Greg Melick, AO SC, Chief Commissioner on investigation Hyperion, Commissioner Melick says:

The Board of the Commission determined to undertake an investigation in February 2019.

That is a little bit under a year after the 2018 state election. This followed meetings with the Tasmanian Electoral Commission, Tasmania Police and the Director of Public Prosecutions.

This was not an afternoon tea catch-up. This is a very weighty, in terms of their authority, group of people who were looking at a referral which had been made in relation to the 2018 campaign. Mr Melick says:

The investigation was to focus on policies, practices and procedures under which funding is provided to community groups by examining conduct during the 2018 state election.

The grounds for the investigation involve possible conduct or the systemic issues concerning the scale of the election commitments and whether the process for determining recipients was sufficiently transparent.

As we know, any rational examination of the money that was splashed around during the 2018 campaign would assess that there was not sufficient transparency. Commissioner Melick goes on:

The investigation was also to consider the existing powers of the Tasmanian Electoral Commissioner and whether the Electoral Commissioner should have additional powers.

A draft investigation report was circulated to key stakeholders. I should point out that at that preliminary stage, there was no substance of misconduct confirmed but what we had, following the circulation of the draft report, these are the words of Commissioner Melick:

The Board revoked its original determination to conduct the investigation on 15 April 2021. This means the draft investigator's report will not be finalised and the matter will not proceed to the Board for a determination under section 58 of the Integrity Commission Act 2009.

The Board has considered how it might progress the matter, including changing the terms of reference. Ultimately, the board decided it would not be in the public interest to commit further resources to reinvestigate the matter, noting that to that stage, no misconduct had been identified.

I respect that the Integrity Commission Board has made a decision not to pursue that investigation. It is difficult to hold up an argument though, that it is not in the public interest to examine promises that are made with public funds during a campaign. It is always in the public interest to have transparency around promises that are made by governments or candidates and the policy effect of those promises or the policy effect of accepting donations is from vested interests like we had in 2018.

It is a matter of regret that that investigation was not followed up, because what we had going into the 2018 election was this extraordinary list. This list says 'Regional and community election commitments - 2018-19 Budget and forward Estimates. Table 1 - Schedule of regional and community election commitment recipients.'. Mr Speaker, there are five pages with a total of 280 sporting and community organisations that were promised sums from \$4000 to \$20 000 to \$48 000 for the St Helens Bowls Club. There was a largish sum of money to the shooters club, I recall, but the donations were quite heavily weighted around electorates that the Liberals at that time were targeting.

This is a scandalous list and it goes to an issue that was raised this morning by the member for Franklin, Mr Winter, about the lack of structural reform and substantive policy from the Liberals, but how they win elections is pretty straightforward. That is my summation anyway, Mr Speaker. We have promises and hundreds of thousands of dollars of election commitments to small organisations all over Tasmania, a very substantial proportion of which were allocated to the northern electorates.

This is a matter that should have been investigated. It reminds me of the community grants rort that happened at a federal level which we found out about last year and, most recently, a completely corrupt car park grant round for the most recent election. I do not have the numbers in front of me now, but the reason it is corrupt is about 95 per cent of the public money that was put into that federal pot of funds to construct car parks went to Coalition or highly marginal electorates. That means that the money was not distributed on merit or need, and by definition that is corrupt. It is 100 per cent corrupt.

That is what we have at a federal level. It is dodgy at a state level to wander around during a campaign and splash bits of money around in order to do nothing more than buy votes. That is not the way a campaign should run. It certainly makes the point too that the Integrity Commission needs to have jurisdiction over what happens in campaigns.

I quote now from a former Labor government minister for tourism who used to sit in the seat that Mr Jaensch occupies now and who was constantly heckled by my then colleague, Mr McKim. Ken Bacon from the Longford Golf Club told the ABC he knows how the game works. The former Lyons Labor MP personally approached candidates from both major parties at the rural event Agfest and asked them if they would commit to funding solar panels for his club. The club received \$100 000 after the Liberals were returned to government the same year. 'It is just normal process', Mr Bacon told the ABC, referring to all sides of politics. 'They want votes and sporting clubs want money'.

Of course, during campaigns political parties will make commitments to stakeholders and some of them will be financial commitments. We are not arguing against that in principle, but what we are saying is that there needs to be absolute transparency around those processes and the Integrity Commission should have the authority to examine those processes after an election campaign. We had the frankly dispiriting situation where during this campaign we had money promised to the South Hobart-Sandy Bay Cricket Club, which then got onto social media and urged all its members to vote Liberal. Bingo! That means that promise bought the votes, at least of the management of the South Hobart-Sandy Bay Sharks Cricket Club, and potentially of a number of members. I know there were parents of athletes who were part of that club who were furious and threatening to leave. I am not certain that they did, but the frankly disgusting commentary on social media in an election campaign went to this:

Thanks to the Liberal Government we now have a great starting point for the redevelopment and for all the sporting clubs who use the ground and our community. Special thanks to Madeleine Ogilvie for her help and persistence. We encourage you to vote Liberal.

**Ms Ogilvie** - I worked really hard for years on that.

**Ms O'CONNOR** - Then we had 'Please vote Liberal' in another post. and on it went. We had Ms Ogilvie congratulating herself and the Government - 'Such a great announcement and very kind acknowledgement'.

**Ms Ogilvie** - It was.

**Ms O'CONNOR** - Yes, talk about yourself a bit more, Ms Ogilvie. What I disagree with here, Mr Speaker, is the politicisation of a community sporting club which would have members from right across the political spectrum, where the management has made a decision because they have been promised cash to advocate for the government of the day. It is disgraceful and it is one reason that the Integrity Commission should have the authority to examine the conduct of public officers, MPs, who are running as candidates during an election campaign.

Another lovely social media post just from this week connects directly to the \$6.8 million that was gifted to the Tasmanian Hospitality Association after the 2018 state election campaign, and this is from Minister Howlett. It is a glorious picture, with Mr Speaker, Ms Courtney, Ms Petrusma, Mr Jaensch, Ms Ogilvie, the Premier, Jane Howlett, Mr Paul Jubb from the THA, and of course, sitting there in the middle like the cat that has just quaffed a bucket of cream, is Steve Old, who has one of these political parties in each of his back pockets.

There is actually no argument for not confirming that MPs who go into an election campaign as a sitting member should be subject to the scrutiny of the Integrity Commission. There is none at all. It is a massive loophole in the Integrity Commission Act which means that for the duration of an election campaign, ministers, MPs and candidates can conduct themselves with relative impunity, because they know that it has been confirmed by the Integrity Commission that there will be no investigation. We had no meaningful investigation into the 2018 campaign and we had a thwarted investigation into this year's election campaign, because the Integrity Commission, under the act as it currently stands, does not have jurisdiction.

I urge members not to look at this as a Greens bill. Think about this as an opportunity for parliament to tidy up the Integrity Commission Act so that we can hold our heads high during an election campaign and know, as we conduct ourselves with integrity, that we are still subject, should we not, to the reach of the Integrity Commission Act of 2009.

I strongly commend this legislation to the House. It will strengthen integrity, transparency and the public's perception of us as a collective. It is a matter of great regret to Dr Woodruff and I that when we have situations like the Brooks affair, or what has happened to the Labor Opposition today, we are all caught up in the muck, because often the community does not make a distinction between political parties. We are all just politicians. At a substantive level, we are detested because too rarely do we do the right thing as a collective.

I encourage members to make sure that the Integrity Commission Act is as robust as it needs to be so that the commission can do its work should it need to.

[5.36 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Mr Deputy Speaker, I thank Ms O'Connor for leaving sufficient time so that I can put the Government's position in relation to this bill on the record.

The Government will not be supporting this private member's bill today. The reasons we will not be supporting the bill is because we do not believe we should set up a two-tiered system that treats candidates for election differently.

There are a few other things I will raise about it. Obviously, we need to carefully reform matters and not be politically motivated, particularly when we are making amendments to the Integrity Commission Act. These things and the impact on any other legislation need to be thoroughly looked at. As I regularly say in this place, we do not want unintended legal consequences.

Members of parliament are candidates for the purpose of the election, just like all other candidates, such as nurses, small business owners, union officials and any other person who chooses to put their hand up to run for public office, to represent Tasmanians. It would be unfair to treat one set of candidates differently in terms of the applicability of the Integrity Commission Act and the powers of the Integrity Commission. A candidate cannot make any decision on behalf of Tasmanians. They are not public officials; they are ordinary citizens, subject to those laws that apply to public citizens.

The Greens, and I might add Labor, should stop using the Integrity Commission as a weapon to advance their ideological crusade.

**Ms O'CONNOR** - Point of order, Mr Deputy Speaker, we are tired of being accused of weaponising the Integrity Commission. We believe it needs to be -

**Mr DEPUTY SPEAKER** - It is not a point of order, Ms O'Connor. If you feel aggrieved you can take it up on the adjournment with the Attorney-General.

**Ms ARCHER** - Mr Deputy Speaker, I say weaponising because they politicise the Integrity Commission.

**Ms O'Connor** - No we don't.

**Mr DEPUTY SPEAKER** - Order, Ms O'Connor.

**Ms ARCHER** - When they make a complaint to the Integrity Commission they publicise it rather than respect the Integrity Commission Act to remain confidential about a complaint.

**Dr Woodruff** interjecting.

**Mr DEPUTY SPEAKER** - Order, Dr Woodruff. Ms O'Connor, you made your contribution in complete silence with no interjections. I ask that both you and Dr Woodruff afford the Attorney-General the same opportunity.

**Ms O'CONNOR** - With respect, Mr Deputy Speaker, there was constant interjection from the back row there, particularly from Ms Ogilvie. Just so the record is clear.

**Ms ARCHER** - Not by me.

**Mr DEPUTY SPEAKER** - Not by the Attorney-General, who is now speaking.

**Ms O'Connor** - She was muttering under her breath.

**Ms ARCHER** - No, I was not actually. I sat there quietly, deliberately, so that I could actually get through and make a substantial contribution, and explain my reasons and the Government's reasons for not supporting this bill.

I was referring to the annual report but I will get to the comments of the Integrity Commission, in relation to politicising it and its functions. I point out that considerable work is already underway to look at and progress a number of recommended changes and improvements to the Integrity Commission Act in a considered and measured approach. As all members are aware, there have been a number of comprehensive reviews into the Integrity Commission Act 2009 in recent years. This includes the independent five-year statutory review undertaken by the Honourable William Cox in 2016, in accordance with section 106 of the act.

The review resulted in a comprehensive report containing 55 substantive recommendations, including 45 proposed technical amendments, with the final report tabled in both houses of parliament on 23 August 2016. As I outlined in our Government's response to this statutory review, most of the Cox review recommendations have been accepted, either in full or in principle, with an undertaking given to draft amendments in accordance with the recommendations.

In accordance with this commitment, a bill implementing the first tranche of technical and other amendments was introduced and passed by the parliament in 2017. Reforms made in that bill primarily addressed the first six recommendations to provide improved governance and clearer direction to the Integrity Commission.

Our Government values the role of the Integrity Commission in strengthening the standards of behaviour and ethical conduct by public officers. The amendments in the first tranche of reforms provided better governance arrangements to support that important work.

The key features of that bill included changes to the governance arrangements of the board. This included changes to improve the expertise and make-up of the board whilst strengthening the provisions in relation to the suspension or removal of board members, making them consistent with those that apply in similar entities.

It removed the current requirement that the Chief Commissioner and Parliamentary Standards Commissioner be under the age of 72. It also clarified that the role of the board includes providing guidance to facilitate the functions and powers of the Integrity Commission being performed and exercised in accordance with sound public administration practices and principles of procedural fairness, and the objectives of the act.

As we outlined in our response to the report recommendations and during the progression of this bill, we have committed to considering the remaining accepted recommendations and any further requests for reform from the Integrity Commission itself.

The remaining recommendations involve complex policy issues which require a detailed, measured and comprehensive approach in order to progress further amendments to the act.

As Attorney-General and Minister for Justice responsible for this act, I can confirm that the Department of Justice has commenced the work to progress the next tranche of reforms. My department is working with the Integrity Commission to bring forward matters informed by the statutory review, along with other potential issues subsequently identified that require further policy consideration, analysis and consultation.

It is important to note that the issue regarding the ability of the Integrity Commission to review the conduct of members of parliament and ministers during an election campaign has not been previously identified. It was not considered as part of the independent five-year review; nor was it raised as a concern during the previous review, carried out by the joint standing committee on integrity.

As with any emerging complex issue, which not only relates to government transparency and accountability but also to the standards and behaviour expected of all elected members of parliament, it is appropriate to thoroughly consider this issue in the context of the work being progressed through the department.

The Government will not be supporting the attempt, through this bill, to circumvent this process we are carrying out. This bill proposes reactionary change that has not been appropriately considered or consulted on. We remain committed to continuing to progress the important work that is already underway to comprehensively consider any necessary and appropriate amendments to the Integrity Commission Act.

It is important to reflect on this point and highlight my concerns about the reasons this bill has been proposed.

**Ms O'Connor** interjecting.

**Ms ARCHER** - As Ms O'Connor has confirmed, her reason for tabling this bill is a result of her failed referral to the Integrity Commission requesting an investigation into the Premier's response to the Brooks matter during the recent election.

**Ms O'Connor** - You moan about being verballed and you just tried that.

**Ms ARCHER** - I am sorry, say what you want, Ms O'Connor. The Greens will never accept the umpire's decision, it seems, and continue to politicise the Integrity Commission to suit their purposes.

Mr Deputy Speaker, I do not want to comment further on the Premier's extensive responses about this matter, other than to reiterate that this has been an issue that has been discussed thoroughly and extensively debated both during the election and subsequently in this place. However, what I will comment on is the fact that this politically motivated bill is not an appropriate or -

**Ms O'CONNOR** - Point of order. Mr Deputy Speaker, could you please ask the Attorney-General to just stick to the facts. This is not politically motivated. That is why we are doing it at this point in the term.

**Mr DEPUTY SPEAKER** - That is not a point of order, Ms O'Connor. You know full well that I cannot direct the Attorney-General to say anything in particular in her contribution. It is her time to make her contribution as she sees fit.

**Ms ARCHER** - It is my view that this is politically motivated. I am entitled to express that. It is not an appropriate or sufficient reason to progress any rushed legislative amendment to the Integrity Commission Act.

I wish to again acknowledge the comments made by the Chief Integrity Commissioner regarding his view on the commission's ability to investigate conduct or behaviour of incumbent ministers or members in the intervening period between the dissolution of the House and nomination day. My department will continue to engage -

**Dr Woodruff** interjecting.

**Mr Ellis** - The best election of all time.

**Mr DEPUTY SPEAKER** - Order, Mr Ellis and Dr Woodruff, please. I have warned both of you.

**Ms ARCHER** - My department will continue to engage with the commission to work through the remaining recommendations of the Cox Review and progress the next stage of the reforms. Section 6 of the Integrity Commission Act outlines that members of parliament are designated public officers under the act which are defined as being a member of the Legislative Council or the House of Assembly.

The commissioner has stated in the media that as a result of the dissolution of parliament, ministers and members cease to be MPs and are therefore no longer considered public officers under the act. Consequently, it is stated that they do not fall under the commission's jurisdiction to investigate any complaints or suggested breaches under the act. It appears that it will cover all sitting members of parliament for the period up to nomination day, regardless of whether that member does not subsequently nominate to be a candidate in the election.

While I appreciate that it may not necessarily be the intent for this change to have greater impacts other than to allow the Integrity Commission to be able to deal with matters that arise



during this period, there are significant issues with this approach that must be pointed out. Principally, the amendments being proposed today would result in a significant change to current understanding and legal status of members of parliament following the dissolution of parliament. I would like to think it is unintentional in that this has not been worked through to that extent.

**Ms O'Connor** - I would like to see your advice.

**Ms ARCHER** - Okay, it is reckless, then, rather than unintentional. There are complex procedural and timing requirements that must be adhered to regarding the period between the dissolution of parliament and nomination day that may be impacted. For example, under section 63 of the Electoral Act, the writs for holding an election are to be issued not less than five days and within 10 days of the publication of a proclamation dissolving the House of Assembly or expiry of the terms of members by the effluxion of time.

Section 69 of the Electoral Act further provides that nomination day is to be not less than seven days, nor more than 21 days after the date on which the writ for the election is issued, or such later date as the Governor may fix by proclamation.

I note that the Legislative Council elections are different from House of Assembly elections in that there is a periodic election cycle with elections held each year. However, there are still prescribed timings that must also be adhered to. These are all matters that need to be thoroughly examined before you start fiddling with the Integrity Commission Act.

**Ms O'Connor** - But you're not going to, are you?

**Ms ARCHER** - I am. I have just said we are committed to looking at the next stage of reform.

Section 65 of the Electoral Act provides that the writs for Legislative Council periodic elections are to be issued not earlier than 51 days nor later than 14 days before the date fixed in accordance with section 19(4) of the Constitution Act, which is generally the first Saturday in May. As with the House of Assembly, nomination day is to be a day which is not less than seven days nor more than 21 days after the date on which the writ for an election was issued, or such later date as the Governor may fix by proclamation in accordance with section 69 of the Electoral Act.

My concerns relate to whether these new proposed provisions would impact the technical details in relation to the electoral procedure, time frames and processes in other legislation such as the Electoral Act 2004 and, indeed, the Constitution Act 1934.

Given the very little time provided to consider this bill, these are questions that need to be looked at not only by my department but they may need to be the subject of legal advice before any proposed change could even progress.

There is an important aspect to highlight and that is I am wondering whether or not Ms O'Connor has received advice on the application and potential impact of the proposed changes, because these matters that I have just run through are quite complex issues that need to be taken into account for any election period.

**Ms O'Connor** - This is like the furphies you chucked out on the transgender reforms.

**Ms ARCHER** - No, it is a bill and you are entitled to question me on bills. It is a necessary part of bringing any legislation before the House to make sure that appropriate consideration and advice be given and taken to all of the technical details of a bill. This includes looking at whether there are any unintended consequences that may affect other legislative frameworks, and if there are, steps must be made to remove them or at the very least minimise them.

**Ms O'Connor** - The same thing you did with Births, Deaths and Marriages.

**Ms ARCHER** - I can hear the member complaining about this thorough approach but we cannot make laws ad hoc, on the run -

**Ms O'Connor** - It's not ad hoc. We've done this in a very robust way.

**Ms ARCHER** - It is. You cannot move amendments to an important act like the Integrity Commission Act that may impact on the Electoral Act and the Constitution Act without thoroughly looking at these things. All members of this place like to say we make good law. This is what my concern is as Attorney-General.

In this case, the frameworks in question that have a high likelihood of being impacted are the Electoral Act and the Constitution Act. It appears that there has not been consideration of these impacts and I believe it would be irresponsible for this bill to pass. As with any legislative reform, it is entirely appropriate and, more to the point, the principal role of the parliament, to ensure there are no unintended consequences or procedural fairness issues resulting from legislative changes.

**Dr Woodruff** - This is what you said about Births, Deaths and Marriages and the sun's still coming up.

**Ms ARCHER** - All members in this place use that terminology, Dr Woodruff. It should always be a consideration of this House. As I have stated, my department is currently undertaking this process and working with the Integrity Commission to progress the next stages of reforms. All members here should agree that this is the appropriate next step to progress consideration of the technical details of any proposed changes due to the nature and importance of this act.

I flagged earlier on that it is important to recognise there is a process in place in this parliament for a review of Integrity Commission matters which I believe addresses the concerns the Leader of the Greens has raised. It is called the Joint Standing Committee on Integrity. There are three members of each House who sit on that committee and its purpose is to monitor and review functions, powers and operations of the Integrity Commission and report to both Houses of parliament as it considers appropriate. As all members should be aware, this committee also has legislatively enshrined broad powers to refer any matter to the commission for investigation, advice or any appropriate action.

It appears that it is also necessary to highlight that all ministers of our Government are bound by the Ministerial Code of Conduct.

**Ms O'Connor** - It is irrelevant for the purposes of the Integrity Commission Act.

**Ms ARCHER** - It is not irrelevant, Ms O'Connor, because the Code of Conduct in this place ceases to exist when parliament is dissolved and members are not covered by anything.

This is yet another demonstration of our clear commitment to act with integrity and propriety for the people of Tasmania. We have made it abundantly clear that every member of our Government is held to account to uphold the high standards of public office and to act honestly, professionally and with accountability in the performance of our duties. We strive not only to meet but to exceed the expectations the Tasmanian community places on us. Our Government has been clear in our commitment to carry out -

**Ms O'Connor** - How many millions did you take from the gambling industry in 2018?

**Mr Tucker** - We're not talking about David Walsh again.

**Mr DEPUTY SPEAKER** - Order, Ms O'Connor and Mr Tucker.

**Ms O'Connor** - You're not even -

**Mr DEPUTY SPEAKER** - Order, Ms O'Connor. I warned Mr Tucker not to interject and I am asking you to do the same.

**Ms O'Connor** - Thank you, Mr Deputy Speaker. I was trying to help you to get Mr Tucker back to his seat.

**Ms ARCHER** - Mr Speaker, I am almost finished, members will be pleased to know. Our Government has been clear in our commitment to carry out a considered and measured approach to reforming the Integrity Commission Act and will continue to engage constructively to progress the work already underway to ensure that the Commission is able to efficiently and effectively carry out its functions independent of government or political interference.

For all the reasons I have outlined, this bill serves nothing more than to prosecute political agendas and would result in no better outcomes for Tasmania when it comes to government transparency and accountability.

**Ms O'Connor** - That is the way you think. It is not the way we think.

**Ms ARCHER** - Ms O'Connor, we beg to differ on this point. It is highly well timed with certain comments that you have made in the media in not accepting the umpire's decision.

This bill is politically motivated. It has not been thoroughly looked at with regard to the impact on other legislative frameworks. As I have outlined, you cannot make amendments to an act in isolation without looking at the unintended consequences. For this reason, we will not be supporting the bill.

[5.56 p.m.]

**Ms JOHNSTON** (Clark) - Mr Deputy Speaker, I rise to speak in support of this bill but I want to be clear that this is only a small step in the right direction.

On the points that the Attorney-General, member for Clark raised, regarding the two-tier system she suggested would occur if this bill were to pass, I point out to the House that under the Electoral Act 2014, section 187 refers to electoral bribery. Subsection (1) refers to:

A person must not directly or indirectly -

- (a) promise or offer, or
- (b) give, or
- (c) ask for or receive -

any property or benefit of any kind with the intention of influencing a person's election conduct at an election.

It then further goes on under subsection (5) to say:

The crime of electoral bribery does not include -

- (a) a declaration of public policy or promise of public action;

What this bill would do, is address a situation where government and government members can make statements of public policy clearly designed to influence and induce people's votes.

The Tasmanian integrity Commission is in serious trouble. I, and many other Tasmanians have lost confidence that it can deliver on its state and legislative mandate to promote and enhance standards of ethical conduct by public officers. The Tasmanian Integrity Commission, in its current form, may be beyond repair or redemption and it may be best to legislate for a new Integrity and Anti-Corruption body with real teeth and governance transparency.

In my inaugural speech last week to this House, I noted -

**Ms Archer** - You can tell you are a novice. You just criticised an independent body.

**Ms JOHNSTON** - I sat quietly whilst you spoke. Please extend me the same courtesy.

- the need to uphold integrity to uphold integrity in our public affairs. Integrity goes to the core strength of institution, be it our parliament, our courts, the police or regulatory bodies. However, integrity is compromised when people with responsibility make decisions that put personal interests or the interests of friends and colleagues above that responsibility. Those decisions may be to do something that is wrong, failure to step outside where there is a conflict of interest or, in the case of parliament, not strengthening legislation when it is clearly required.

Today, I want to outline some apparent failures in the governance and practices by the Integrity Commission that will leave little doubt that very urgent reform is needed to restore public trust in the Commission's capacity to improve the standard of conduct, propriety and ethics in public authorities in Tasmania.

I begin by highlighting concerns raised by the Integrity Commission's decision not to pursue an investigation for the so-called Operation Hyperion into the funding of the 2018 election campaigns, due to, amongst other things, legal arguments over terms of reference and reportedly over the ballooning costs of the investigations.

We are all aware of media reports from the 2018 election's consistent claims of influence and pressure from the powerful gaming industry hidden political donations and questions of the Liberals' promise to regional community groups, such as halls, churches and sporting clubs.

It all turned to nothing, bogged down and eventually buried by legal bluster. The Commission's hands were tied; the lawyers won again. That is not good enough. There must be certainty in the Commission's terms of reference that it is able to investigate actions taken during an election period that encompass the behaviour of political parties, associated entities to the campaigning on behalf of parties and a member of parliament, even if that member's seat is subsequently vacated.

That is why I support this bill before the House: only a fraction of the reforms that are needed but it is a start.

Another concern I have goes to the conduct of the commissioners themselves. I will say no more here now as there are some matters currently before the courts, except that no one would disagree that commissioners, at all times, should be held in high standard of behaviour and ethical conduct.

Tasmania needs a properly resourced, unfettered, anticorruption body with a wide-ranging powers to detect, prevent and tackle integrity breaches. Is it any wonder that people don't trust politicians? We hear a lot about the pub test. Let me tell you that out in the cafes and pubs in my electorate, the community is sick and tired of what looks like to them dodgy behaviour by politicians doing cosy deals with mates and supporters and being free and easy with taxpayers' money - their money. If it looks like a duck and quacks, it is a duck. In this case, it is a dead duck.

In 2019 the Australian Institute looked at anticorruption bodies around Australia and found that the Tasmanian Integrity Commission to be the weakest in the country. That is no surprise if recent events are any guide. For the community to have faith in the institutions of government, we must have an effective, well-resourced integrity body, perhaps modelled on the New South Wales Independent Commission Against Corruption Act which has an excellent reputation for tough and decisive action.

Why not? What have our present crop of politicians got to hide? The period research for the Australian Institute for the New South Wales Commission made 123 corrupt findings. The Tasmanian Commission, none. That is an extraordinary fact. Over the period the report looks at, the Tasmanian Commission never once referred someone to the Director of Public Prosecutions and never even held a public hearing.

I think I have made my point. The Tasmanian Integrity Commission is broken. It is either not able or not prepared to do the job that Tasmanian people want it to do. I want to see the Government recognise the Commission's shortcomings and bring legislation into this House to fix it. If they do not, I will bring my own private members' bill using the New South Wales Independent Commission Against Corruption Act for reference to the House.

In the meantime, this bill put forward by the Leader of the Greens, Ms O'Connor, improves the current legislation and should be supported by all in this House.

[6.02 p.m.]

**Ms HADDAD** (Clark) - Mr Deputy Speaker, I know that I have very limited time but I intend to, if I need to, continue my comments on this bill on the adjournment. It is a very simple change that is required. We will be supporting the bill put forward by the Leader of the Greens.

I daresay everyone in this place would expect that we would still, as public officers, recontesting an election, come under the jurisdiction of scrutiny from the Integrity Commission. It is concerning that in the response to Ms O'Connor's reference to the Integrity Commission that she was told that they do not have jurisdiction not only over MPs but also over ministers. It is my understanding that ministers remain ministers until new ministers are commissioned by the Governor.

I remember the time when I was working for Lisa Singh when she was a state member of parliament. She lost her seat but she remained a minister which was quite a strange situation. She, of course, stopped being a public officer on election day 2010 but she still remained with the responsibilities of a minister right up until a new minister was sworn in.

The issues that Ms O'Connor raise are important and, I believe, what the public of Tasmania would expect and what we all should expect. Indeed, it is a different case in the Legislative Council. I understand that it was debated in the Legislative Council yesterday that incumbents recontesting elections can still be investigated right up until midnight on the day before the poll.

I did not intend to go into this but by complete coincidence, while I have been sitting at my desk listening to the contribution from Ms O'Connor, I received a response from the Integrity Commission on my complaint that I put forward during the election campaign and just after the election campaign. That related to the use of public funds to print and distribute brochures to the Tasmanian electorate. I have copies of them here. I referred it in the first instance to the police. It was dismissed by the police and then I referred it to the Integrity Commission.

The police determined that it was not electoral material because it didn't say 'Vote 1' or refer to candidates, only to sitting members. But each brochure used Tasmanian Liberal Party logos and Tasmanian Liberal Party language. For the benefit of the House, I have printed one that does say, 'Vote 1' with the Liberal Party logo 'Securing Tasmania's Future'. It was on all of the corflutes; it was on all of the electoral material. It was also on these brochures, one for each electorate, that do not say, 'Vote 1' and were deemed not to be electoral material.

My complaint has just in the last half an hour or so been dismissed by the Integrity Commission and the wording is exactly the same as that in the letter received by Ms O'Connor, that they do not have jurisdiction over public officers from the time of the proroguing of parliament and the time that members' seats are vacated - in this case 26 March - until the declaration of the polls.

I contest that the complaint that I made had a very important different element. That is that the brochures that were ordered by the Premier's office were paid for with public money - members' resource allowance. That was confirmed during the campaign by the member for Bass, Mr Ferguson, who was the election spokesperson. He also confirmed that they were arranged before the election was called. We all know the election was called on 26 March. Parliament was prorogued.

The Integrity Commission argues that their jurisdiction over public officers evaporates because we are not considered public officers. However, the brochures I referred to the commission to complain about public funds being used to produce what I believe is electoral material were arranged before the election. That was confirmed. On 17 and 18 April, an article by Matt Denholm in the *Weekend Australian* said:

Liberal campaign spokesman Michael Ferguson confirmed the use of MPs resource allocation, which combined could amount to \$150 000. However, he denied any breach of the Tasmanian government members' handbook rules.

He said:

the brochure was organised prior to the election being called and was funded by members' through their members' resource allocation.

We have confirmation from the member for Bass that public funds were used and that the brochures were ordered and potentially printed but certainly arranged prior to the election being called, but delivered miraculously during the election campaign. The other defence, of course, is that no one knew when the election was going to be called so they organised some brochures that happened to look exactly like their electoral material and, lo and behold, they were going to be delivered on 12 April during the election campaign. What a remarkable coincidence.

I have photos from constituents who had letter boxes jammed full of everybody's electoral material including this one. They had brochures from the Labor Party, from Independents, from the Greens, and from the Liberal Party during the campaign. These brochures were distributed during the week of 12 April. The defence was that they were ordered before the election was called and the election came as a surprise. They were ordered by the Premier's office. The Premier called the election. That is how it works. It is an absolute blatant misuse of public funds. It is an absolute coincidence that the dismissal of my complaint came in during the debate on this bill that the parliament is debating today.

I did have the intention already of supporting the motion put forward by the Greens, notwithstanding the fact that the situation is different in the upper House. It was going to be my main argument but why should we be any different and we would be expected to be under the scrutiny of the Integrity Commission during campaigns, especially recontesting elections - as Ms O'Connor said, still with the benefits of being members of parliament, still with the resources of members of parliament. In this instance those resources were used, I believe, for electoral purposes.

We have confirmation that public funds were used. We have got confirmation that the brochures were arranged before the election campaign to be delivered during the election

campaign. There was ample time to halt the delivery. If they really wanted to do the right thing they could have said, 'Those brochures, they could be construed as electoral material. Let's halt the delivery because we are going to do the right thing; we are now in an electoral period. We will save them until after the election'.

They did not do that because, clearly it was an intention to use public funds, possibly up to \$150 000. As I said, I was not expecting to talk about that on this bill today. It is coincidence that that refusal came in at that time but it is incredibly good timing and it gives me pleasure to say that we will absolutely be supporting this bill.

**Mr SPEAKER** - The question is that bill be read the second time.

**The House divided -**

**AYES 11**

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

**NOES 11**

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ellis (Teller)  
Mr Ferguson  
Mr Gutwein  
Mr Jaensch  
Ms Ogilvie  
Mr Rockliff  
Mr Street  
Mr Tucker

**PAIRS**

Ms White

Mrs Petrusma

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

**Question - That the Bill be read the second time - negatived.**

**ADJOURNMENT**

**Mr FERGUSON** (Bass - Leader of the House) - Mr Speaker, I move -

That the House do now adjourn.

**Tasmanian Hospitality Association Awards  
GroWaverley  
Loaves and Fishes Winter Solstice Splash**



[6.16 p.m.]

**Ms FINLAY** (Bass) - Thank you for your indulgence, Mr Deputy Speaker. It is much appreciated. The many businesses of northern Tasmania, particularly in the Bass electorate, will also appreciate your indulgence on this matter.

On Monday evening many of us had the pleasure to attend the Tasmanian Hospitality Association official awards dinner for 2021. A number of small businesses, hospitality businesses and medium businesses were recognised and in my role as parliamentary secretary to the Leader of the Opposition with a focus on small business start-ups and the northern economy, it gives me great pleasure to recognise the wonderful businesses that received awards on that night.

I want to start with a number of individuals who were recognised for their investment and contribution to the industry. A couple who have invested over four decades into this great place and made an impact across the country are Suzanne and Ralph Norton from the Norton Hospitality Group. They were recognised for their contribution and it was wonderful to see them and to know that in Launceston their businesses have a great reputation and great regard, and it was lovely to see them on stage on Monday evening.

Similarly, one of Launceston's favourites on Charles Street, Ritsa Nicholas was recognised for her incredible work. Although there were many highlights on the evening, for me personally coming in to this whole new world and everything being serious and important and people being recognised, which is wonderful, who could forget the fantastic introduction by Anne of the Bertie Tucceri Award. Anne was splendorous in her introduction of the evening and she did not want to give the microphone up, but I love people's passion and particularly in hospitality people have a passion and that was so great to hear and also for Ritsa to be recognised.

A number of local establishments have given so much to our community over what has been a really tough almost two years now. Many of the organisations in this industry across Tasmania have been generous and kind in their difficult times to people in our community. I want to recognise the Metz in Launceston, which pivoted through this time through COVID, and many of the recognitions given on the evening were not only for the significance of each of these organisations but also for the way they go about their operating and for their tenacity to survive through what has been difficult times, so I am recognising the Metz in Launceston, Tonic Bar and Black Cow, Stelo at Pierres, Rupert and Hound, the 9/11 Launceston and Cataract on Paterson.

We are blessed in northern Tasmania, particularly in the Tamar Valley and especially in Launceston, to have incredible operators in the hospitality industry and this afternoon I rise to congratulate them all.

Mr Speaker, this afternoon I had the honour to give my first speech to this House and I talked much around the possibilities and the opportunities for not only families, individuals and communities but also for business and industry. There is no doubt why we recognise and celebrate much that is good in our community. We also spend our time here reflecting on the ways that we are able to make contributions to people finding it tough at the moment.

There are two organisations that I want to raise and acknowledge this afternoon and individuals who support these organisations. Danielle Watkins has been the inspiration and

the big idea behind of GroWaverley. She is an incredible woman: a family and community member who is making life a little better for people in the local community in Waverley.

At the moment they are implementing an initiative with the support of the Salvation Army, the Tassie Face Mask Project and, in fact, with the support of Richard Archer, the member for Bass at the federal level, with their winter warmer packages. They are going through the process of providing for the kids at the local school, the young kids in the local community and their families, with the utensils and ingredients required to make simple meals for winter.

Many of the young people who have provided feedback on this incredible program talk about the joy of making meals for the first time together as a family, the joy of having a beautiful warm meal to enjoy, and whether it is something simple like veggie fritters or baked potatoes or spaghetti bolognese, in the winter warmer packs that are provided at the Waverley Co-op, everything is in the package that is required to put together these meals. This afternoon I wanted to recognise Danielle for the work she does with the community in bringing in volunteers to provide these great opportunities for locals in Waverley.

Finally this evening, I want to reflect on something that Mr Ferguson rose to speak about last week, which is the incredible work of Loaves and Fishes and their winter solstice swim that happened at the lovely, and I could almost say tropical, Greens Beach on Sunday morning. It was pretty warm and I think we are pretty lucky because initially it was intended that our dip was to raise funds to provide nutritious and affordable meals. This initiative is about raising money in order to provide these meals into the community and they had set an early target that was smashed and now I think with just a few days to go they are seeking to raise \$60 000, which is an incredible amount of money and provides great food for people in our community.

On Sunday it was meant to be freezing but I think it was probably around 14 degrees, and there were around 50 people who took the dip in the morning and by the time we got in there, supported by St Johns Ambulance volunteers and the Surf Lifesaving Association, everyone was enjoying it, which was great. Sometimes you have to get out of your comfort zone and do things you are not intending that may scare or worry you, but you do that to support people raising funds in our community. We all know what it is like and to be in a position to be able to support that organisation in their community is something really special.

### **Animal Welfare**

[6.22 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I want to say before I get to my substantive contribution what a delight it is as someone who has been here for quite a while to see all our newly elected members just take off flying. From Ms Finlay, the member for Bass who has just sat down, to Mr Winter, the member for Franklin, to my colleague the Independent member for Clark, Ms Johnston, it is just a delight to watch and I want to put that on the record.

Mr Speaker, I wanted to talk today about animal welfare and the pressing need for the Government to fulfil its commitment to deliver the second tranche of reforms to the Animal Welfare Act. We had the situation in 2014-15 where we had a promise from government to deliver on the Animal Welfare Advisory Committee's recommendations to strengthen the

Animal Welfare Act. What we got from the then minister was a bill which is in fact part of this Government's modus operandi where they do the easy part of legislative reform and promise more substantive reform later, and we are seeing it in relation to changes to the Guardianship Act. At that time in 2015 what we got from the then Minister for Primary Industries and now Deputy Premier was a piece of legislation which tinkered with the Animal Welfare Act, increased some penalties and put in a couple of extra clauses, but the substantive reform, the recommendations made by the Animal Welfare Committee, have not been delivered.

The reason that this is so timely now is because of an awful story that was in the *Mercury* last week about the death of a dog in Sandy Bay. I am sure many members of this House have pets. I am sure many members have a dog they love and would agree that having a dog or dogs in your life is such a blessing. When I go home after a hard day in parliament, there are Rocky and Frankie, and it does not matter how I had been that day, the joy they greet me with is part of what sustains me in this job. It is always hard to understand how people can be cruel to animals or hurt a dog, but this is the story. I read from the *Mercury*:

The death of a dog at Sandy Bay this week has prompted calls for stronger animal welfare laws with revelations RSPCA inspectors have attended the property in question several times in recent months to investigate complaints of mistreatment. RSPCA Tasmania Chief Executive Jan Davis said its inspectors had been left devastated by the news after the dog, a german shepherd, was found dead on Tuesday.

Tasmania Police said it was aware of the incident and attended the scene but said the RSPCA was the lead agency for cases of animal cruelty.

The cause of the dog's death is not known. Ms Davis confirmed inspectors had attended the property on multiple occasions, culminating in an infringement notice being issued in March to the dog's owner. As a result, the dog's owner had been convicted of an animal cruelty offence. Ms Davis says:

Our inspectors have returned to the property on a number of occasions since March in an attempt to ensure the dog's safety. However, the legislation only permits our inspectors to seize a dog under certain very limited circumstances. Unfortunately, we have been unable to meet the required burden of proof to remove the dog from this environment.

The story goes on:

A nearby resident said she had held fears for the dog for several months and even approached the dog's owner herself and offered to help but she said the owner declined. The resident said her partner had seen the dog hung out of a bedroom window on Tuesday afternoon and saw that it was no longer alive and called the RSPCA. He is very traumatised, she said.

It is not good enough. We know that our animal welfare laws need strengthening. The Animal Welfare Advisory Committee has on it members of the Tasmanian Farmers and Graziers Association. Farmers are represented on AWAC. As we know, Dr Malcolm Wells, who was the vet advising AWAC, resigned in about 2016-17 in dismay over the way AWAC

was being marginalised by government and the fact that our Government had not delivered on reforms to the Animal Welfare Act.

The community expects this parliament to make sure that the laws we have in place to protect animals are robust. Where weaknesses have been identified, the strong community expectation is that we will address those deficiencies. It is now six years since the then minister for primary industries promised the second tranche of reforms to the Animal Welfare Act. We heard nothing from government during the election campaign on animal welfare. That said, we also did not hear anything from the Labor Party on animal welfare. Our constituents, our communities expect us to do the right thing by animals, whether they be domestic or wild.

We have robust recommendations from AWAC. We had the buy-in of farmers through the Tasmanian Farmers and Graziers Association and we have a strong community will, evidenced by support, for example, for a ban on greyhound racing and an end to battery hen farming. There is a strong community will to make sure that Tasmania has the strongest animal welfare laws in the country. They are not strong enough clearly, because RSPCA, which is the statutory body to prevent cruelty to animals, or to protect animals who are subject to cruelty and neglect, does not have the power to do that.

It is entirely arguable that if the RSPCA had been given those powers, as was promised by the previous government, that dog in Sandy Bay would still be alive. It is not good enough. We are calling on the current minister for Primary Industries, Mr Barnett, to take this issue up, to understand that we have a responsibility in this place to give voice to the voiceless and to make sure that our laws on animal welfare are robust. It is clear from the RSPCA's own advice that our Animal Welfare Act is not robust enough.

I do not know what the blockage is but it needs to be addressed. This is a Government that makes much of meeting its promises. It has promised to fix up the Animal Welfare Act. It has failed to do so and we call on them to do it urgently.

**Time expired.**

### **Queen's Birthday Honours Rosebery Mine - Tailings Dam**

[6.30 p.m.]

**Ms BUTLER** (Lyons) - Mr Speaker, as I rise on the adjournment this evening, I would personally like to acknowledge my beautiful daughter, Madelaine, who is in the House tonight, my sister Kirsty, and my niece Abigail Reid, who has an interest in politics, so if you can all behave a little bit while she is in the Chamber. We do not want to put her off so early in the piece. Welcome.

This evening I would like to talk about the Order of Australia recipients and congratulate the Tasmanian residents who are being recognised with the Queen's Birthday honours for their significant contributions to their communities. I will quickly run through some of those recipients.

Robyn Moore AM, for significant service to charitable organisations, and to the performing arts.

Barbara Baker AC, for eminent service to the people of Tasmania through leading contributions to the law, to the judiciary and to the administration of justice, particularly in the area of family law, the professional legal organisations, and as a mentor and role model for young women, and as the 29th Governor appointed in Tasmania.

Pauline Samson OAM, for service to swimming.

Noel Beven AM, for significant service to horticulture, to agriculture, and to rural youth.

Dr John Paull OAM, for service to medicine, and to history.

James Wilcox was recognised and awarded a Medal of the Order of Australia in the General Division in the Queen's Birthday honours list.

I would like to read into the House a little bit about Mr Wilcox, who I know quite well. He is a resident in Longford and he has made significant contribution to that community.

James Wilcox worked in human resource management for over 40 years prior to retirement in 2016, and he has a diploma in HR. James has been a Rotarian for 34 years and is a very active and leading member of the Rotary Club of Longford. He is also a prominent member of the Rotary Tasmania district leadership team. He is recognised as being a leader within his community and has been a key member of several community organisations.

James Wilcox has served with distinction at district - meaning state - level for almost 24 years, including the past 14 years on the Rotary Tasmanian leadership team. He was the district governor in 2012-13, and has since served as district Rotary foundation chair for three years, and vice-governor district training, and council on legislation representative for three years.

James has been extremely active and successful in obtaining funding for both small- and large-scale projects for the Rotary foundation. On behalf of the Rotary Club of Longford, he has acquired for the purchase of equipment for the Eskleigh Community Shed, Longford Men's Shed and Longford RSL Club.

James has also obtained funding for reading programs at both Cressy and Longford schools, and recently a school garden project at Longford School. He has also obtained funding to support the construction of schools in remote areas of Nepal, and to fund cataract screening and surgery camps in Nepal.

There are other people I will speak about as we continue on the adjournment during the week. Mr Wilcox well and truly deserved that recognition.

On the adjournment this evening, I would like to state for the record that I echo the comments of my colleague, Shane Broad, in relation to the Rosebery mine and the building of the new tailings dam. The Rosebery mine has been operating since 1930 and needs to build a new tailings dam in order to survive past 2024.

The Rosebery mine has produced more wealth than any other mine on the west coast, yielding copper, gold, lead, zinc and silver with an estimated value of \$8 billion. That is a fact.

Minerals are Tasmania's biggest export, and we need that revenue. Our state desperately needs the revenue that mines such as the Rosebery mine generate.

Tasmania has some of the highest disadvantage indicators in the country, the worst health system, and with over 50 per cent of Tasmanians being functionally illiterate, we need to make sure that we can continue to raise revenue so we can pay for Government services.

For Tasmanians, our mining industry is our biggest export and the industry generates revenue which provides services for all Tasmanians, our roads, schools, health system, transport and unique lifestyle. We must be practical about the future we leave our children and we must protect our beautiful wilderness and our natural habitat. That is why 50 per cent of Tasmania is locked up and we are net zero carbon emitters.

We need to find a balance where we can support all Tasmanians. Good jobs are really important. The township of Rosebery is reliant on the mine at Rosebery. Without it, there will be no future for the people of Rosebery and at least 500 people will lose their jobs.

Half our state is already in reserve. The 200-hectare site is already on an existing mining lease that was approved under the TFA as a permanent timber production zone. These are the facts. The Greens signed off on the TFA and there was a balance. I want to make sure that is on the record. We need to come up with a proper balance around how we generate revenue in our state, how we can support government services, and we need to make sure 500 jobs are protected and find that proper balance.

### **Boat Harbour SLSC - Polar Bear Swim**

[6.36 p.m.]

**Mr ELLIS** (Braddon) - Mr Speaker, I rise tonight to congratulate the Boat Harbour Beach Surf Life Saving Club for another excellent Polar Bear Swim this year. The Polar Bear Swim is a wonderful event run around the solstice. It is the biggest, most important swim in very cold water in Tasmania. Do not believe the hype about Dark MOFO, Boat Harbour Beach is where it is all at.

As we know, Boat Harbour has probably the coldest water in Tasmania, if not the world. It is staggering. For some unknown reason it is probably about 5 degrees colder than the rest of the north-west coast. You can go to Sisters Beach, a little way up the road, and it will be warm. Then you go to Boat Harbour and it will be absolutely freezing.

One of the special things we make sure we do during the Polar Bear Swim is that everyone has to go for a swim but cannot wear a wetsuit. That means everyone gets dressed in as many layers as they possibly can to try to keep warm. We had people this year dressed up as B1 and B2, the Bananas in Pyjamas, we had people dressed up as fairy godmothers and a big shout-out to that wonderful organisation Jellyfish. I went as my former self when I first moved to Boat Harbour as a plumber. Unfortunately, the work boots were probably a bad idea because I did feel myself struggling towards the end to get out of the water, but we made it just in time.

One of the most important things about the Polar Bear Swim is that it is all for a good cause. It supports a wonderful organisation which many people in this House and right across

Tasmania and Australia will be well aware of, Fight MND. Motor neurone disease, as Neil Daniher has put it, is a beast, a terrible thing. There are about 2000 people in Australia currently fighting MND and about 800 people a year sadly pass away from the degenerative disease.

It is a disease where families and sufferers need a lot of financial support as well and the money that has been raised through Fight MND selling beanies, getting people to get dunked in very cold water and a whole range of other things has been a real blessing for those people who are on a very difficult journey.

It is also a wonderful acknowledgement of surf lifesaving and the surf lifesaving movement. It is Australia's largest volunteer organisation and Boat Harbour, my club, is a very small but very important part of it. These clubs are often the backbone of communities, particularly on the north-west coast, from Boat Harbour, Somerset, Burnie, Ulverstone, Penguin, Devonport and Port Sorell. Surf lifesaving brings together people from all walks of life committed to the good cause of saving people on our beaches and keeping them safe but also many more causes such as Fight MND.

Congratulations to the organisers, particularly Suzanne Fairbrother, who organises almost everything for the Boat Harbour Surf Club, and I am sure she will not mind me saying that, as well as the Fairbrother family and all the people who have been involved in the Polar Bear Swim over the years.

**The House adjourned at 6.39 p.m.**