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THE PARLIAMENTARY JOINT SESSIONAL COMMITTEE MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART, ON MONDAY 3 NOVEMBER 2025

RECOMMENDATIONS OF FINAL REPORT OF THE COMMISSION OF INQUIRY

The committee met at 12.00 p.m.

CHAIR (Ms Webb) - Welcome and good afternoon. We're here at today's hearing of the Joint Sessional Committee Inquiring into Recommendations made in the Final Report of the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings.

The committee members who are here today include the honourable Sarah Lovell, member for Rumney; the honourable Cassy O'Connor, member for Hobart; myself, Chair of the Committee, Meg Webb, the honourable member for Nelson; Cecily Rosol, MP for Bass and also Jess Greene, MP for Bass. Roger Jaensch is on leave from the committee today so he won't be joining us.

Before we begin, I'm just going to recognise that the content of this hearing may be triggering for some members of the committee, members of the community watching online, and others who may come into the room or be in contact with it.

I encourage anyone who is impacted by the content matter in this hearing to make contact with support services, these include the Statewide Sexual Assault Support Line which is a 24-hour support from local specialist counsellors, Sexual Assault Support Service or Laurel House on 1800 697 877 or 1800 MYSUPPORT; the Lifeline 24-hour Crisis support 13 11 14 or Tasmanian Lifeline from 8 a.m. to 8 p.m. every day on 1800 98 44 34; or 1300 YARN, a 24-hour crisis Support for Aboriginal and Torres Strait Islander people on 13 92 76; or Relationships Australia from 9 a.m. to 5 p.m., Monday to Friday, on 1300 364 277.

Thank you for joining us and giving us your time today. Could you please start by stating your name and the capacity in which you're appearing before the committee?

Mr BENJAMIN - My name is Robert James Charles Benjamin, and I'm appearing as the Child Safety Reform Implementation Monitor.

CHAIR - Thank you. Can I confirm that you've received and read the Information for Witnesses guide sent to you by the Committee Secretary?

Mr BENJAMIN - I have.

CHAIR - Excellent. All the evidence taken at this hearing is protected by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. I remind you that any comments you make outside the hearing may not be afforded such privilege. This hearing is public, which means members of the public and media may be present. The evidence you present is being recorded and the *Hansard* version will be published on the committee website when it becomes available. This hearing is also being broadcast.

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Should you wish for some or all of your evidence to be heard in private, you must make that request to the committee and the committee will consider the request.

The Honourable Mr ROBERT JAMES CHARLES BENJAMIN AM KC, CHILD SAFETY REFORM IMPLEMENTATION MONITOR, **Ms KATHLEEN MARIE COOPER**, DIRECTOR OF THE OFFICE OF THE IMPLEMENTATION MONITOR, AND **ELIZANNE KADI PHILLIPS**, POLICY OFFICER, OFFICE OF THE IMPLEMENTATION MONITOR, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Thank you so much. I overlooked mentioning earlier when I was introducing the committee members that we are also beautifully supported here today by Jenny, our secretariat, also Allie, and Terry from Hansard. Thank you very much for the support.

Would you like to make an opening statement to the committee before we move to questions?

Mr BENJAMIN - I'd like to do that.

Good afternoon, I'm Robert Benjamin and I think I know all of you in one form or another. I'm a former judge and I was one of the three commissioners who constituted the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. With me today is my office director, Kath Cooper and my policy officer, Ella Phillips, and I'm grateful for them, because they told me a bit about what these scrutiny committees are about and how to think through and prepare for it.

I hope it's going to be a conversational and engaging process, and I'll do my best to give as much information as I possibly can.

I acknowledge the Tasmanian Aboriginal people as the traditional owners of land upon which we meet and pay my respects to their elders, past and present; and importantly, I acknowledge the trauma that continues to affect people with lived experience of child abuse and the families of those children who did not survive.

I will start off by saying that numerous studies over the last 25 years, including the 2023 Australian Child Maltreatment Study, show that between one quarter and one third of all Australians have experienced child sexual abuse as a child. So, for those of us who think that it is a rare instance, it's not. It's endemic and I'm very conscious of that.

The recommendations I monitor and evaluate are designed to create primary prevention approaches across the continuum, and this means the best result, is that we prevent abuse from occurring in the first place.

We develop targeted programs and approaches for individuals who are at higher than average risk of either perpetrating or experiencing abuse. You have to, I think in many respects, look at both sides. I'm not excusing it; I'm just saying that to stop it, we have to understand it, as with any problem. When abuse happens, the child is to be believed, protected, supported, and we manage those who have displayed the harmful behaviour or abuse and appropriately in a manner aimed at preventing it from occurring again.

My role largely mirrors that of the Victorian Family Violence Reform Monitor, set up after the 2016 Royal Commission report into family violence in Victoria. My act, fortunately, gives me more powers, for which I am eternally grateful. It's interesting to watch where that fits within the greater western society. I read a couple of weeks ago that there were two House of Lords' reports, about monitoring reports and monitoring recommendations, and the United Kingdom government is now thinking about doing something which the Tasmanian government has in fact done.

As commissioners - that's a really hard thing to say - we've heard that having someone independent to oversee the reform is effective, because it allows broader gaps to be identified and resolved. I am to hold government to account and report to parliament - not to government, but to parliament - as to my findings. A simple way of thinking about what I do, is to make sure government does what it promised to do. So, it's on the public record and that in itself, holds the government to account, together with committees such as this.

Secondly, and most importantly, I'm to make sure that the reform actually works to enhance the safety and wellbeing of Tasmanian children and young people. We've seen a significant investment so far in child safety reform, both in money and in policy changes. But, to make it work, we must make sure that it's not 'tick-a-box', it has to be substantive. This is why I've taken the view to encourage government to prioritise meaningful engagement, ensuring their actions are evidence-based and take a systemic view of the implementation.

I think I said this last time: although timeframes are important, I'm primarily concerned that the implementation actions are real. I'm open to different approaches that will produce better outcomes for children and young people, provided they meet the underlying principles that led to the recommendation.

The past 11 months has been extraordinarily busy for me and for my work colleagues. I publicly thank them. It is immense. You know, when you start doing things and you think 'I can manage this' and then it just gets bigger and bigger and bigger. But, we have it under control because of these people who support me. So, the work so far has been setting up my office, noting it's novel and unique; recruiting staff - I'm very lucky to have the people I have; creating reporting arrangements; engaging with various individuals and groups including victims, survivors, children and young people; preparing and delivering my first annual report; and developing an implementation framework.

That there, in blue in front of me, is my annual report. I published it on my website. Chair, I don't think it's been tabled in parliament yet. It's likely to be tabled in the next day or so, but I'm happy to leave a copy available for this group if you would like one.

CHAIR - Thank you. If you'd like to offer to table a copy with us, you can do that if you wish.

Mr BENJAMIN - Yes. Do I hand it to you?

CHAIR - Yes, you can. Thank you so much.

Mr BENJAMIN - Even though I'm independent, I welcome feedback and I'm glad to be appearing today before this committee, whose terms of reference are very similar to mine in any event.

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This year, my annual report has taken the opportunity, in the absence of a framework, to highlight what is working well and bring everyone up to date and up to speed about where we are. Bear this in mind: the report is the figures and the status as was in about April or May this year, because I had to do it as at 30 June, so as you may have noticed, some things have happened in the meantime which will have impacted on that.

CHAIR - Certainly in the political space, that's true.

Mr BENJAMIN - Next year my report will take a more critical view. So, when I say things in my report, that's what I've been reported on, and I'm setting those as standards for which I will hold government to account in my next report. So, a lot of the things you'll read and think, well, that's not right; well, it's what I'm told. If I've got a baseline, I can then make formal findings one way or the other. I'm hoping to use that to enhance the reform process.

I intend, as best I can, to be open and transparent with everyone about what I'm doing, what I'm thinking, and how I'm working. There are some things I see are working well and acknowledge that some who sit closer to the ground may have a different view. I encourage them to approach my office and tell us. We are listening, and we all care. This is important work.

For this reform to be meaningful, it's not just about - and this I got confused with this one - about pieces of paper that collect dust, because there's not much dust that collects on a computer program, but if it just sits there and nothing happens, it serves no purpose. It's about what actually happens on the ground and how the children and adults observe it to be working.

My report is available and it's in two parts. The first part is about 103 pages, which is essentially my report telling the story - where we are. We tried to make it as easy to read as a judge can, and people who pushed me into using much very less complex language, less legal language. My office has developed an Easy Read guide, which is on my website for those who don't want to wade through 103 pages. There's about 261 pages of accompanying documents, so that when we've made a statement, we hope to have that confirmed in the second part of the report, so those who are interested in the detail can go to that detail.

We also prepared an audio-visual presentation which runs for about two minutes. With your consent, Chair, could we watch that because it tries to tell the story for someone who doesn't know who we are and what we're doing, if that's possible?

CHAIR - That's absolutely possible. We've prearranged that and we can observe it here on the screen. We will watch that for a couple of minutes.

VIDEO PLAYING:

Implementation Monitor Annual Report 2024-25. An Easy Read guide.

The guide uses pictures to help explain the words. You can ask someone you know for help to read the report. You may want to have a family member or friend with you for support.

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The Implementation Monitor is Robert Benjamin. Robert previously served as a Commissioner on Tasmania's Commission of Inquiry. He wants to make sure children's voices are heard.

The Implementation Monitor assesses if recommended child safety changes are working. The Implementation Monitor is independent of government. He has special powers and functions. The Implementation Monitor has met with many people to develop this report.

The Implementation Monitor has been looking at the progress of the Tasmanian Government's Responses to Institutional Child Sexual Abuse.

He wants to work out how children can be safer in Tasmania, by looking at government responses to child safety inquiry recommendations. The Implementation Monitor wants to fix problems in the system so that abuse of children can be prevented.

The report presents information received by the Implementation Monitor and makes some early observations on what difference those actions are making. It sets a foundation to build on for future years. The report is on the Implementation Monitor's website www.oim.tas.gov.au. Remember, you can ask for someone's help to read it.

The Implementation Monitor understands the report may be upsetting to read. You are not alone. Support is available here: www.oim.tas.gov.au/get-support. To download the easy read guide, or to find out more, visit www.oim.tas.gov.au.

CHAIR - Excellent, thank you.

Mr BENJAMIN - Thank you, Chair.

Ms O'CONNOR - It was very empathetic.

Mr BENJAMIN - Thank you.

CHAIR - I haven't yet looked at the easy-read guide on your website, but I will now; that's prompted me, actually. So, I appreciate that. That's obviously quite a lot of additional effort to go to that is worthwhile because it opens it up to people who might not otherwise engage with such a dense report.

Mr BENJAMIN - The young people who are interested in this, which is important.

CHAIR - Thank you. Have you completed your opening statement?

Mr BENJAMIN - I have, thank you. I'm happy to take questions. I will see how happy I am at the end of it. I'm sure I will be.

CHAIR - We are far from scary.

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Ms ROSOL - Thank you, Chair. I want to begin by saying thank you for all the work that you've been doing over the last year. Having been on the committee for a while now, it's a huge amount of work and we can appreciate what's gone into this, so thank you.

We can see in your report that you've met with many people and State Service and agency leads. You've talked about also, there's an advisory group that includes senior government representatives. I'm wondering if you could talk a little bit about the reception that you've received from those government representatives and from the agency staff who you've met with.

Mr BENJAMIN - I think the best way to start it is: so far so good. I've seen a genuine - and a real genuine - interest in the changes that the commission's recommendations lead to. I've not met any serious opposition, occasionally you get a road bump, a bump in the road, but, from the government side, it's been strongly supportive of me. It's provided resources, it's provided an office, and it's provided assurances that if I need further support, it will be available to me.

From the state servants' point of view, I've been very surprised. There are people there who are genuinely engaged in bringing about change and talk to me about positive things I can do. So, so far, so good.

At the moment what we're doing is just doing an audit of where we are, and we're not testing how it's operating and the impact of it. I suspect as I go along, I will make some people unhappy and I'm not cheering it, but I'm not unhappy to do so, because that's at the essence of what I have to do. My powers are to monitor, review and evaluate. And, if evaluations aren't good, I will talk to the government or the agency and say, 'Where are you doing well? Where are you doing badly?', and if that doesn't solve the problem in my annual report, or other reports - although I'm not sure I can do many others given the scope of the work - I will highlight that. Does that address your question?

Ms ROSOL - Thank you.

CHAIR - May I ask some details - given it is budget week, we're going to have an interim budget later in the week - around the funding of your office. I note that in the report on page 15, you talk about the fact that the budget was provided for the 2024-25 financial year, and you had originally been with the Department of Premier and Cabinet (DPAC), now switched to the Department of Justice, I believe. I'm interested to unpick that a little bit, about when we are scrutinising spending, are we to look for the funding for your office in the DOJ budget?

Mr BENJAMIN - It will be in the DOJ budget, yes.

CHAIR - In terms of the formation of this interim budget which is coming down this week, or looking ahead to the May budget next year, is your office consulted by the government on what will be required to fully fund your office to do its task?

Mr BENJAMIN - The budgets were set before I was appointed.

CHAIR - Over the forward Estimates or how far ahead?

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Mr BENJAMIN - Well, it was set in the 2024-25 budget and that carried it through to 30 June of this year, and that was adequate for where we are at the moment. I had a look at the budget, which didn't go anywhere for other reasons, and I will be interested to see where it goes now; and I haven't been consulted in respect of that, but I've been assured by government that should my resources be inadequate, they will support additional resources.

CHAIR - Can I just clarify then: so you haven't been consulted for this interim budget, which is the 2025-26 sort of interim budget for the rest of this period.

Mr BENJAMIN - Yes.

CHAIR - So they've carried over the same amount of funding from the 2024-25 period into this period?

Mr BENJAMIN - Is it slightly less or slightly more? Kath, do you remember?

CHAIR - You are able to answer. Yes, you can speak; as long as Mr Benjamin is happy for you to answer questions directly, you're welcome to do that.

Ms COOPER - Thank you. So the budget has increased from the previous budget for the next - this financial year.

CHAIR - For 2025-26? Can you give us details about what your office budget is for this period? If that's something that's easier to provide later, we can write to you and ask you for that data.

Mr BENJAMIN - I will provide that later, I think. Yes. And tomorrow I will know, I think, won't I?

CHAIR - Well, yes, Thursday.

Mr BENJAMIN - Thursday.

CHAIR - I'm just interested, though, looking ahead, will you be putting in a budget submission to the government for the budget that will come down in May next year, which will be the 2026-27 budget? Will you put a budget bid in for your office outlining what you expect?

Mr BENJAMIN - I think I will need to, because next year the work is likely to change. I'm likely to have the Woolcott report delivered. We've had the Professor McCormack and Snell report on freedom of information and personal information protection, and there's a couple of others floating around. So I will be looking at - if I'm going to make a submission, I want to make it based on where we are and where we're going, so it's likely or possible that I will make a submission, but I will wait and see what the level of work is likely to be.

CHAIR - Excellent. Thank you.

Ms O'CONNOR - Thank you, Chair. Commissioner, you were talking earlier in your introduction about part of your job, there's two key parts of your job, making sure that the government is doing what it promised to do, and I guess at this point, it's a bit preliminary to

know because you haven't been able to do a full evaluation: in your view, to this point, is the government doing what it promised to do?

Mr BENJAMIN - I believe so, but I say that with a degree of caution because the only information I have is that given from government, and I know others are saying it hasn't done enough, but I want to test that. I don't want to be critical of the government, because as I've said before, I want to try to keep this as apolitical as I possibly can, and I don't want to get involved in the polarisation which is sometimes the hallmark of politics.

But I think I can see some problems ahead: Ashley's one, out-of-home care is another. There are other areas where problems are likely to arise, but I'd like to see what government plans to do with that. I think in my report I talk about three things which concern me: one is resources - and not resources for me, but resources more broadly; secondly, the possibility of reprioritisation; and thirdly, deferring certain work.

I take government to its word, but I'm not silly enough - not silly, that's the wrong word. I'm not naive enough to think that, particularly in a big budget in tough economic times, hard decisions will have to be made from time to time.

Ms O'CONNOR - Do you have the opportunity to meet with the Minister for Children and Young People? Is that part of your remit?

Mr BENJAMIN - Yes. I did that with the previous minister and I've met by video link with the new minister. I'm hoping to meet with her on a regular basis throughout the year. I think it's important, as I'm happy to meet with members of this committee on those bases.

Ms O'CONNOR - In terms of the operation of your office, we saw in the plain-English video just then, there's an offer of support services, or supports directly into your office.

Mr BENJAMIN - We don't provide support -

Ms O'CONNOR - Or is that a referral?

Mr BENJAMIN - We refer it away. We don't -

Ms O'CONNOR - Are you finding that people are accessing - that they are aware of the existence of your office and that there's a way to ask for support options through the office?

Mr BENJAMIN - My office doesn't have them. From my perspective, we will always refer someone off and make sure they understand that it's available. We haven't - we're still setting up our framework, can I say this?

Ms O'CONNOR - Yes.

Mr BENJAMIN - And part of that is how we operationalise it, and part of that is how we engage with survivors of child sexual abuse and survivors of abuse generally, because the act is a bit wider in that respect. That will be part of the material which we will set up in there, as to how we can effectively make sure that message is delivered.

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But I don't think we have the - we haven't got the resources to provide it in my office. But, there's extraordinary resources in the broader non-government sector to provide for that, I think.

Ms O'CONNOR - Just a last question on this line of questioning, and I know we'll get to some questions on Ashley Youth Detention Centre, but you also said in your opening statement that part of the office's role is to make sure children's voices are being heard.

Mr BENJAMIN - Yes.

Ms O'CONNOR - Do you think good progress is being made on that front? How are children's voices being heard and heeded?

Mr BENJAMIN - There's a couple of things we've been doing: one is I met the Premier's Youth Advisory Council and I've asked them if I can put some ideas and thoughts about what's happening to them. I'm very cautious because of the subject matter. When we were setting up our framework, we had young people involved in the consultative groups that we're talking about. What else is there, Kath? We've engaged through the Voices for Tasmania group and we wish to be involved in that. We've done that in terms of the easy-reading guide which we've brought out, and of course the videos. We engage with children as much as we can.

As an example, last week I'd heard that the Southern Cross University had engaged with 41 children who had been involved, and likely traumatised by, Family Law proceedings. I engaged in that and I'm hoping to have some broader engagement with that group as a different group. I think, as I said in our advisory group to setting up the framework, we had young persons involved in that as well. So, as best we can - as best I can - we're engaging with that process. It's important.

CHAIR - I'm going to go to Ms Lovell in a moment. I wanted to clarify one thing: I was asking before about where your budget now sits, and we established that's in Department of Justice. While I understand that we've created your role under statute, and you're responsible to the parliament as a whole, if we are to scrutinise a minister in relation to your role and your office, who do you believe that responsible minister is, for our purposes?

Mr BENJAMIN - Well, it depends, doesn't it? I mean, it's so broad. There's -

CHAIR - On the content of your work, we can obviously identify responsible ministers across the portfolios, but in terms of your office itself and your role itself.

Mr BENJAMIN - I'm responsible to the minister for Justice -

CHAIR - Thank you.

Mr BENJAMIN - who is the Deputy Premier at the present time.

CHAIR - Thank you, that's good to clarify that. Ms Lovell.

Ms LOVELL - Thank you, Chair. Robert, thank you. I wanted to ask you a little bit more about something you've mentioned a couple of times around reprioritisation. I know we've had discussions about that and timelines that were set by the commission and that there may be

some changes that would be beneficial. Just wondering if you can talk a little more about that, and particularly whether you've had or started any of those conversations with government around what that might look like, and whether there's an openness to that. You might not be at that stage yet.

Mr BENJAMIN - I don't think I'm at the openness stage.

Ms LOVELL - Okay.

Mr BENJAMIN - But when you read the report, particularly in the beginning, it says the timelines are set in those three tranches, but the commission recognised that some of those timelines may need to change, and as I've said, getting it right is more important than timelines.

So in terms of reprioritisation, where I've been talking to the agencies about when they can get things done, how they can get things done, and in the coming year I'm going to invite them to give me the timelines they think are reasonably achievable and under the current funding. That way I can hopefully next year report not only against what's been going on, but also when the timelines are likely to be achieved, and what my thoughts are about those timelines, and also whether I accept that that's a reasonable approach to adopt by government.

If I do those sorts of things, I will probably talk to survivors groups - not probably; I will talk to survivors groups - and I will talk to some of the non-government agencies to get their views. Now that I've got the baseline, I can start fixing that up. It's interesting: the national royal commission, we have no timelines on that at all. On the Weiss report, I have no timelines, although it looks like it's been done in a group lot. On the education report, there's only one or two outstanding on that, and also one or two outstanding - if that's correct, by the way - one or two outstanding on the education report and the health report. I'd like to have some structure in terms of that.

Ms LOVELL - You talked about your reporting on that in your annual reports -

Mr BENJAMIN - Yes.

Ms LOVELL - I'm curious to know, as that information is coming to you throughout the year, if there's something that's ringing big alarm bells for you that might not wait, or that you might think needs more urgent attention than waiting for your next report, what mechanisms do you have in place to address that?

Mr BENJAMIN - I have a couple of mechanisms. One, I can do another report, although I'm reluctant to do that because that takes away -

Ms LOVELL - Resourcing.

Mr BENJAMIN - from the systemic process we're getting involved. I can speak publicly about it. The process I would probably adopt if I was unhappy is to go to the agencies or government and nudge them, I like the word nudge, and say, 'What's going on? Can we sort of kind of sort this out? How are we going to fix it?' If that doesn't work, I can speak in a louder voice and say, 'I'm not happy with this.' Then by that time, we're coming up to our annual report again.

If something is of such concern that it worries me, I'm likely to contact the Chair of this committee and say, 'Houston, we have a problem,' because those are the kinds of structures - I don't want to engage - I think head-to-head fighting doesn't often bring about good results, but sometimes it's necessary to do.

Ms O'CONNOR - As a very last resort.

Mr BENJAMIN -As a last resort. I think treating people as adults, engaging with them, looking at alternatives is a good approach, but if that isn't happening, then I will take it further. The good part is: I'm independent and that's my job.

Ms ROSOL - You mentioned earlier one of the issues that you think you might see issues with in the future is Ashley Youth Detention Centre. We know that the government has been saying for a long time that they're going to close it. They're way behind. They've gone over their own timeframes for committing to close it and their own commitment. We know that the new youth justice facility, the planning approval process is happening and that's in train. What other factors do you think are contributing to Ashley Youth Detention Centre still being open and stopping progress in that?

Mr BENJAMIN - It's such a big process. I mean, if you look at the recommendations about Ashley Youth Detention Centre, it has, I think, 39 parts to it, and it's a great, big jigsaw puzzle. It's not just the detention centre or a safe facility; it's bail facilities, it's broader facilities that need to be created. The government, rightly, is anxious and moving I think as best as they can into building something, a core, but it's building around the core. I speak to - am I allowed to use acronyms, or no - the Department of Education, Children and Young People.

CHAIR - You can say DECYP.

Mr BENJAMIN - I find it easier about what they're doing with that, and I see interesting things. I see they have some really good people on board now. It's changed in the last 12 months. I see they're talking about the people who are going to be at that centre and its model of care and how they will think it through.

I've had a look at some other centres which are somewhat different. I was on a private personal trip to England and I went to Oberstown, which is in Ireland, in August of this year. I believe they have a population of 5.3 million people and they have a detention centre which takes 46, which, if we relate it to Tasmania, it's good for my mathematics, would bring us down to four or five. I wanted to know why so I went to the centre and I saw it was a much outward-looking organisation. One of the interesting things, I'm sorry I didn't bring it, was they engaged the young people, and these are young people who have committed serious crimes, but they engaged them with things like the art gallery and other things.

It's the way, I believe, we're aiming to go, perhaps the start of the way we're thinking to go, but then we have to build the other bits. Where do you put the young people and children who've done something very mild where they're going to be safe? I feel great sympathy for the magistrates when something comes up before them and it's a semi-serious event: do you send the child back into the community - sometimes a community where the child is not safe - or do you send the child to Ashley? That's a really difficult decision for magistrates to make. Sometimes it's the lesser of two evils. So it's the broader picture, which is going to be, I believe, the harder one and I see that as being the more difficult one to deal with in terms of -

Ms ROSOL - So, that's the extra work.

Mr BENJAMIN - That's the extra work, but that's happening. I'm having conversations at DECYP in relation to that. I'm talking about how it can be done and they're telling me what they're doing, and it's starting. Culture change is not easy, and it's the change of the thinking and the change of the behaviour that will drive and implement and embed these reforms.

Ms ROSOL - You talked then about the plans for the new youth justice facility that you've seen and comparing it to other places. We've had stakeholders who've raised concerns with the location of the proposed new youth justice facility. That includes things like odours from the nearby medical cannabis production site and noises from the two nearby rifle ranges. Do you have a view about the appropriateness of the proposed site?

Ms O'CONNOR - Noting that you can smell that cannabis farm as you come down the freeway from Brighton to Hobart.

Mr BENJAMIN - Yes. I've been there. I haven't smoked any of it, you'll be pleased to know. Things can be done in relation to that. I chaired the independent expert committee in relation to Pontville. I believe there were some 200 sites looked at, so it wasn't a grab-it-and-run. I believe Pontville has a couple of problems which you've identified: one is the cannabis. There are steps that can be taken to either reduce or stop the odour, particularly at times of harvesting and cleaning up the stubble. Significant work has been done, as I understand it, in relation to that, so that it won't impact on the centre.

The gun club, or the rifle range, I understand that it operates in limited hours. I have been told that the noise is very low when it does operate. They've done some testing in relation to that. The design of the centre will be such that it will reduce the noise.

Is it perfect? No. But every site you'll go to will have one problem or another. I think we're doing the best we can with that site at the present time. I think the site is likely to be good because when you look at the downsides, it's easily confused with that: one, it is not Ashley; two, it has plenty of room; and three, and I wonder out loud at the moment, if we need something where children or young people can go, it may be, I don't know, I haven't ventilated this, it may be better than the Hobart Reception Prison when children are picked up and young people are picked up.

CHAIR - The Custodial Inspector's Report would suggest so, wouldn't it?

Mr BENJAMIN - Yes, and there was a report of a joint committee of this parliament, it was committee B if I'm not mistaken?

CHAIR - That was an upper House committee. I was on that.

Mr BENJAMIN - Sorry, I am a bit confused.

CHAIR - I know there's a lot of committees.

Mr BENJAMIN - I see it's easy to get to in a practical term by the Red Bus. Often, the best protection for young people who are in that is having family members visit them regularly. Is it perfect? No, but having regard to what I've seen of it, particularly in my former role - I left

that once I took this position up because I was conflicted - I've seen a lot about it. I think it will suit for the purpose. It's not so much the building itself, it's the people around that and how they engage with the young people, how the young people are cared for, the schooling, the health and all of that.

CHAIR - On that, is it of concern to you that the approach to youth detention described in the recommendations from the commission of inquiry report is very different from what's now being proposed at the Pontville site, as in it's not the small home-like environments in the community; it's still fairly distinctly a youth detention centre at arm's length from the community? I know it's closer, for example, to Hobart than Ashley was and it's probably closer to a major centre than Ashley was, but it's still very much a detention centre, not a small home-like environment embedded in the community. That was the description that we were working towards, I thought, from the COI report.

Mr BENJAMIN - It's a hard job to do. It has to be a safe place for the young people. It has to at times be a safe place from the community's perspective in relation to serious crime. I've looked at child detention centres in almost all Australian states and territories. I've looked at them in Ireland and in Scotland, and they all have the same basic structure. The way you get people out of that detention facility is the outlying services, and you won't get all those young people out of that place.

CHAIR - You do also recognise, of course, because you were a member, you're a commissioner on the commission of inquiry and you made that recommendation with a particular description in it, and there were reasons for that, and it is very much that an environment also does create certain cultures and mindsets and can be difficult in itself to break from mindsets once they're established. My question is really about: what level of concern do you have that we've strayed from the recommendation in terms of the model of that youth detention centre?

Mr BENJAMIN - The commission of inquiry recommended a secure facility. I think in terms of secure facilities, it will be state-of-the-art - as close as you can get to that. So, from my perspective, and I'm open to be persuaded otherwise, I believe it meets those requirements.

CHAIR - The intent.

Mr BENJAMIN - Yes.

CHAIR - Can I also ask about: is it your expectation, or would you be concerned if key staff from the existing AYDC were to be moved down and into that facility once it's operating, or would you expect to see it with a freshly staffed team on board?

Mr BENJAMIN - That will be an operational matter for DECYP, but I've spoken to them about that.

CHAIR - Do you have a view on whether that's desirable? Not desirable? What things would they need to be mindful of?

Mr BENJAMIN - It depends on the staff. A good example is the principal of the Ashley School, who I understand is a very, very good principal. Very fine. Why wouldn't we have that expertise brought down to the new facility? So, it's almost on a job by job, person by

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person. I'm sorry I mentioned him, but he just does such a good job. That's a good example. I would expect there will be a significant change of staff, the extent and nature of that will be determined, I think, over the next year or so because if we're building the place, we have to build the capacity and the people around it at the same time.

CHAIR - Yes, and you'd understand that because of the comments in the commission's report, reflected in the recommendations about the difficulty of not sufficiently qualified youth workers, for example, and also questions over the qualifications and capabilities of leadership at the AYDC facility, we certainly wouldn't want to see that replicated in a southern-based facility. That's where my question is coming from about transfer of staff or transfer of leadership from one facility to the other. Even if the Pontville facility is vastly better in terms of its practical arrangements and its environment, if we bring a staff and a staff culture - and the problems that were identified in the commission's report - into that new environment, we'll see the same outcomes, I would imagine.

Mr BENJAMIN - You can't set up another smaller Ashley, that's absolutely clear.

CHAIR - What will you see as being important then from the government's point of view, in terms of staffing?

Mr BENJAMIN - The building of a structure, a staffing structure, and the thought processes which I know are underway at the present time about how we staff that centre. Who we use to staff that centre, the level of expertise of that staff, whether it's at a low level or a high level, that is something I intend to monitor and keep my eye on. We have time in the next two years or so to recruit appropriate people to do that, but that has to be funded properly.

We're hoping to drive it down. I mean, if we build a youth centre there with 16 beds, my hope is that most of those beds aren't filled.

CHAIR - I think we share that hope.

Mr BENJAMIN - But at the same time, we're going to have Ashley likely operating until that time - although hopefully some of the other things will start to drive down the numbers in Ashley through bail facilities and and broader facilities - but you've got to have sufficient bed there to cope with a changeover. Recruitment, thinking about what people do, thinking about the model of care, are all essential to make that a knew child-centred, trauma-informed organisation.

CHAIR - I absolutely agree. We would all agree with the theory of that. We would all be very interested to see how that plays out in practice and hopeful that your oversight of that is going to deliver a good outcome.

Mr BENJAMIN - It has to because if it doesn't deliver that then it hasn't succeeded in the reform. But yes, sorry,

Ms O'CONNOR - If you want to finish that thought, I can hold the question.

Mr BENJAMIN -No, no.

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Ms O'CONNOR - From your earlier answer, it sounds like the timeframe for the opening of the new therapeutic youth detention facility is about two years from now.

Mr BENJAMIN - Yes, I would assume that.

CHAIR - As a former commissioner of the commission of inquiry, you know that some of the most confronting and distressing evidence that was given to the inquiry was from former detainees of Ashley Youth Detention Centre. There's a lot of eyes on Ashley now. I guess the question fundamentally is, are children and young people who are there safer now than they were as a consequence of the commission of inquiry and a real focus on what's happening and has happened in Ashley?

Mr BENJAMIN - That's a really hard question, can I say. I hope they're safer. I know that enormous resources have been put in there to make sure they're safer. I know that the good youth workers are under pressure there, and we have to have good youth workers in there. I know in my meetings and regular meetings with the independent regulator and the interim children's commissioner that they're up there all the time and watching things. I also know from my discussions through the Ombudsman's office with the custodial inspector and the OPCAT inspector that things are better, but then we see things arising in recent times which cause you to worry whether it is better or not.

I'm anxious to see something put in place, but something different put in place to make it safer. You can get the little bits, but it's getting the whole process put in place which is the real art form, I guess.

Ms O'CONNOR - Yes, because part of it is the fabric of the place and part of it is about whether or not hiring processes have changed. I gather that even though there's lots of statutory eyes on Ashley, we can't be certain it has moved past its abusive -

Mr BENJAMIN - That's why I gave you the frank answer that I gave you. I'm sorry, I didn't mean to interrupt.

Ms O'CONNOR - No, thank you.

Mr BENJAMIN - That's why the broader issues have to be addressed sooner rather than later, which is the bail facilities. So somebody who shouldn't be there isn't there, but they're not sent somewhere which is not safe. I'm sorry, go ahead.

CHAIR - Don't apologise. I'm thinking about the order of questions. I'm going to ask a follow-up in the same sort of area and then move to a different area, I think.

In relation to the measures that are being put in place in AYDC currently toward that end of making it a safer environment in the short-term until we close and that new facility is open, do you have oversight over - or any line of sight on - the measures being taken now to make that environment safer, and have you been looking into that as part of your assessment of recommendations?

Mr BENJAMIN - That's very broad. I meet with the Interim Children's Commissioner and the regulator on a regular basis, and this is a significant feature of what we talk about. It's informal and we're going to make it formal into the future. I don't know that me turning up at

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Ashley every week or every fortnight is going to help because we have the custodial inspector, the children's commissioner and others turning up there. It's very regularly and thoroughly monitored. We've got additional CCTV cameras there.

Is it on my radar? Of course it's on my radar. I like to know what's going on, but it's not directly attending there. I don't think that answers your question though, does it?

CHAIR - That's fine. Where I'm coming from with that is, I'm aware of new CCTV cameras and body-worn cameras being operated, and new policies about how things should be done, reported and investigated; mechanisms like an incident review committee that's supposed to meet at a certain regularity to review things.

However, I'm also aware, through it being brought to my attention, privately, that many of these things don't necessarily operate - or are not necessarily complied with - in the way that it looks on paper like they should be. I'm interested in, at this present point in time, while we're in this intervening time of Ashley being open before the new facility is ready, how are we ensuring that those measures - all that money being poured in and all those measures towards a more safe environment - are actually, in practice, being adhered to, and delivering that safer outcome? I'm wondering what your line of sight is on that.

Mr BENJAMIN - My line of sight is through the independent regulator, through the children's commissioner, through the custodial inspector, and through the OPCAT inspector. That's the only way I can do it.

CHAIR - That's fine. It's not your remit specifically.

Mr BENJAMIN - I'm not blind to it, it's important, but the individual cases go to the individuals, and they have duties to do. Then I sit back and see how this impact other systems working. If they are not working, I will want to know why.

There are issues that come up from time to time, and there will be issues that come up from time to time, where we have to change and rejig that, rejig how often they go there, rejig how they report, where they report.

If systems like the incident review committee -

CHAIR - How would we know if that committee had met as it's supposed to, say, over the last month or six weeks, for example?

Mr BENJAMIN - People like Louise Coe and I sit down and say how is it working? What's it doing? What do we need to do if it needs repair to fix it up? That's not a criticism, but it's the type of conversation we do have. If someone comes to us and says it is not working, well we want to know how it's working, if it is not working well, and how it can be fixed in a temporary way.

CHAIR - It is also, don't you think, going to be a function of who you ask about whether it is working? If you ask the people who are in charge, they might well say yes, we are doing that, it's working. It may be that if you had a quiet conversation with someone lower down in the system they might say to you actually, we don't do that, or actually that's done after the fact and not done according to policy, or that actually hasn't been done, we just did them all in

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retrospect at the end of the month, or whatever it might be. That auditing function or something to tangibly check in on, is this functioning?

Mr BENJAMIN - That's generally done by the children's commissioner -

CHAIR - That's something we can talk about.

Mr BENJAMIN - and the independent regulator because that's the type of thing. But again, we're going to have many doors so that if something comes into me in relation to that, I will send it off to them and I want feedback and vice versa. It is us working harmoniously, which can make a difference in relation to that, I hope.

Ms ROSOL - This is a change of topic. I have been looking through the recommendation statuses and those that say they are complete. In the appendices, you refer to recommendation 12.37 and in that, the Ombudsman was to write guidelines on managing reports of child sexual abuse. It says that is complete, but in the related ongoing activity, it says it is in draft form and further work is underway to finalise them, which seemed to me a bit of a contradiction because it was complete but not complete.

Do you think that means the recommendation is complete or not and then, is there a possibility, or what is the possibility, or what are your thoughts on other recommendations that the government has said are complete but they may not be as complete as we have been told: Are there other recommendations you feel fall into that category?

Mr BENJAMIN - All of those recommendations, which I have put in the second volume, are what the government or agency say they are. My task this year was to set up a framework and understand where we are. With some of those, hopefully as many as we can possibly manage, we will go back and check those against reality and ask are they complete? If you've only done a draft, where is the final and is it working, because it's more than just the paper. You have to read the report as when it was prepared back in April or May this year. So yes, I will be doing a retrospective check in relation to quite a few of them. I think I said that last time, didn't I? I am moving backwards and forwards to make sure what's complete.

CHAIR - This is the first time we've had this conversation on the public record. So, yes.

Mr BENJAMIN - Yes, sorry.

CHAIR - It's useful to have in this part of this hearing.

Mr BENJAMIN - I am looking backwards and forwards. I am looking retrospectively to see if things are complete, if they have been done in my evaluation process, and I'll be looking forward to see what is being done and whether that's going to meet the requirements of the recommendations.

DEPUTY CHAIR - At the moment, you cannot specifically say any recommendations that you think may not be as complete as the recommendation status on the Keeping Children Safe website might say, but you will be looking into it further?

Mr BENJAMIN - Yes, and again, I will pick up the ones - there are ones that stand out and perhaps that's one of them, but again, I have to prioritise them in where I get the most

impact, that if I can't - I mean, if I do an analysis on every one of the 395 recommendations – is that the number. That is a huge task, and then you add another, whatever it is, from the Woolcott report and the others, I have to prioritise that so I can put the effort where it gets the most response.

And, as I'm rightly reminded, we have a really good appraisal process. Many of my appraisals differ from the agency's perspective. I will meet with the agencies and say that it's not done if I don't think it's done and then review the evidence from an opinion which will be captured in my annual report.

I planned initially to take a collegiate approach to that and say, well look, I know you say it's done, but it's not done. What is it going to take to get it finished? Then when it's finished, we still have to assess what the impact of that is, whether it's doing what it's intended to do and whether it brings about the changes that it intends. That gets back to your Ashley question. We look at the systems that are there. We see whether they're working, and you just don't take the view of the government. You take the view of the independent regulatory groups and of course the young people themselves.

That's not a simple task, but it's a task which I'm up for, but it has to be prioritised because I can't do it to each one of those recommendations. Some are not going to be difficult, they'll be clear and to appoint an independent monitor, it was a pretty simple one that's been done. Others I will have to go through and work out where we are and how we develop from there.

CHAIR - On that, you will have your framework that comes out in December, which is about being able to make those assessments of implementation and successfully achieving the outcomes. Is there going to be some potentially helpful capacity building that goes back into some agencies because we're not always that good at setting up data collection or measurements in order to see whether our policy implementation has actually delivered outcomes. That's not necessarily given that's in place in terms of data collection or measurement.

Do you anticipate that your framework and what you will want to know and collect in terms of information to decide on successful implementation or not, that that's going to also potentially feed back into agencies some requirements about data collection or particular measurements or information?

Is that going to be a potentially a nice loop that works positively?

Mr BENJAMIN - My office is time limited. I have five years. The legislation will lapse after 10 years, so it seems to me that I have to build into the agencies the structures to make sure it's doing what it's said it's doing so that when this office disappears, which it will, the agency has that. You don't want an office sitting there full time. You want the agency to know what they're doing and report and understand what they're doing. That's the goal so that when I finish, whether it's in five years, six years or seven years, because your legislation says I can recommend an earlier finish if I choose to, that all the systems in place are resting within the agencies or within the other regulatory authorities to make sure that the change sticks.

Ms O'CONNOR - Mr Benjamin, we've had in previous hearings a number of stakeholders including Legal Aid Tasmania, United Workers Union, and other organisations that work with children and young people talk about this three-tranche process that we have for recommendations. They make the observation that a lot of the most difficult or politically

testing recommendations - such as raising the age of criminal responsibility - don't come into effect until 2029. Has that sort of feedback come through to you that maybe in the ordering of the recommendations there's potential for some work to bring some of them forward because 2029 obviously is four years away? Some of the most significant changes in out-of-home care, all of that is sort of put off a bit. Is that part of your remit yet, or is that something that might come through in the evaluation that you could look at juggling the recommendations a bit?

Mr BENJAMIN - That is in my remit. I think it's out-of-home care isn't it, as an example? I'm told the answer is yes. I believe the answer is yes. We do talk to the agencies and they are talking to us about reprioritising different things. Often you're looking at the systemic approach that you need to do something before other things get done, and that may well be one of those. I have my focus on finding an answer to a problem that I wasn't asked, rather than answering the question. So yes, we're open to reprioritising and I'm happy to seek reprioritising to bring things forward which may not need to be done until 2029 but bring it forward to make sure that the real change comes about.

Ms O'CONNOR - I'm really pleased to hear that. It's been a recurring theme during this committee's life where key stakeholders are worried and this goes back to your three concerns about reprioritisation. Four years is a lot of time for a change of government or a change of politics or a worsening budget situation. There's a whole lot of risk here in making sure all the recommendations are delivered.

Mr BENJAMIN - Most of those times were set in about April or May 2023, which is a long time ago. The report itself recognises that there will have to be rejigging of that and leaves that open to the independent monitor to be a significant part of approving or not approving, I think that's the wrong word, but facilitating or not facilitating that outcome.

Ms O'CONNOR - If there was a recommendation or an area of recommendations within that stage 3 implementation timeframe, is there any area of public policy as it relates to children and young people through the recommendations you might like to see brought forward?

Mr BENJAMIN - There are a couple, I think. Was it in relation to the out-of-home care? Probably the best one is the workforce strategy. I mentioned that in my report when I was looking into the future, that unless we have the workforce, this can't be done and to bring some of those aspects back into an earlier time would be a better outcome.

CHAIR - This committee certainly heard evidence in previous public hearings, and I know that you've engaged with all the evidence presented to the committee that's in the public domain, and you would have seen in some of the transcripts, in particular with some stakeholder groups that the out-of-home care area was one where there was the sequence and timing of certain recommendations coming into play did not seem to necessarily make sense, that there seemed to be ones that were far down the track that really needed to be brought forward in order to help others.

That certainly, from what we heard from relevant stakeholders, an area that I would encourage you to look at as well and engage with stakeholders about the sequencing of recommendations relating to out-of-home care. Out-of-home care to some extent is a bit of a poor cousin across this and it's been kicked down the road quite a long way. It is a challenging area, I know; but it's one to think of, if I may say that, for resequencing.

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Mr BENJAMIN - I am thinking about it, and the fact that you've mentioned it will focus it in my mind a little bit more intently. But all those dates have to be fitted in, in an effective way.

Mrs GREENE - Thank you, Chair, and thank you, Mr Benjamin, for appearing today. It's my very first committee hearing for this.

Mr BENJAMIN - We're both in that area. It's my first public one; so we have something in common.

Mrs GREENE - Thank you. I want to place on record my appreciation for your work. As a slight change of topic though, I'd like to talk about the Arch multidisciplinary centres. It's my understanding that both the interim and final evaluation report have been done into the multidisciplinary centres for both the north and the south. I don't believe those reports have been made public. My question to you is, do you think that they should be, and have you had time to look through those reports?

Mr BENJAMIN - I have seen the reports. I can't say that I've read them in detail at this stage. I've scanned them. The Arch centres seem to be making a difference.

There are some issues that are arising from those reports. I think the wider the distribution of those reports, the better. They are an extraordinarily greater improvement in relation to that than we had seen prior to the commission of inquiry. That's one of the success stories from what I can see so far.

Have you been to one?

Mrs GREENE - I have.

Mr BENJAMIN - So have I. I'm looking forward to the opening of the Burnie one. It makes it a safe place for people to report sexual abuse on a broader level. Also, what impressed me when I was there was the focus on the survivor, and going at a speed that the survivor wanted, and that success was measured not in conviction, but in looking after somebody who'd been abused. I think part of that was the interaction between the police and the social scientists where they are each learning from each other. I think that's a good outcome. I'm not across the detail of the report - which is quite voluminous - enough to make any further meaningful comment.

Mrs GREENE - Thank you. Transparency is obviously important, so I do hope that those evaluations are released more publicly, particularly given that we have the Budget in a few days time. I'd like to see what the funding model will look like going forward for Arch.

During the responses to commission of inquiry in December 2023 and the Change for Children Strategy, the government committed to being really collaborative with survivors and the non-government sector. Do you have a view on what's working well and what needs to improve to ensure that these groups feel that their expertise is being fully realised?

Mr BENJAMIN - It's a start. Recommendation 19.1 required government to develop a whole-of-government child sexual abuse reform strategy. It's there. I think it can be improved,

but a lot of effort and thought has gone into it. When you talk to the people who are involved in that strategy, they are driving the change.

Whilst different parts of it come into DPAC and get worked over - I'm not sure if that's the right word - and then go back to the department, what they are doing is breaking down the barriers. In their 2024-25 report - sorry, they reported to us in our report that progress is on track. The challenges and delays - I think sometimes their definition of 'complete' and mine is a little different. We're setting up a structure for the agencies to report to us, which is whether they're complete, whether they're in progress but significantly complete, whether there's challenges or delays or whether it's on track. So, that change for children process is good. It can be improved, but I am content with the way it is going at the moment. Does that answer your question, or did I deflect myself halfway through?

Mrs GREENE - It does, thank you.

Ms O'CONNOR - Just a quick one in a related area, we now have in place the Child and Youth Safe Organisations Framework, a key recommendation actually going back to the royal commission, and now that framework and the obligations that it places on employers is being rolled out statewide. Do you have any update on how that framework is working, given what frontline significance it will have in protecting children and preventing abuse?

Mr BENJAMIN - I don't think we have much data on that. do we? There's going to be an evaluation of it. I am concerned about it, particularly in some areas, particularly in early education. I have read some of the cases that have gone through in the last couple of years which tell me that, in its initial stages it wasn't operating as well. Particularly in early education, we are seeing both, at times in Tasmania and probably worse more broadly, a reluctance to report, a reluctance to adopt some of the broader aspects of it. So -

Ms O'CONNOR - Not that it's optional.

Mr BENJAMIN - Pardon?

Ms O'CONNOR - Not that it's optional - I mean, for an employer.

CHAIR - It's a legal requirement.

Mr BENJAMIN - It's not optional, but there's still a reluctance - a great reluctance to report at times.

Ms O'CONNOR - What's the government doing about that, given that this is a statutory framework and a requirement on employers, and particularly you would think there'd be a focus on it in childcare?

Mr BENJAMIN - I'm probably not focusing so much on the state of Tasmania. I'm focusing more broadly, and I think there's a lot more work to be done on it. It's as simple as that. The Working with Vulnerable People and Working with Children, they are just starting now, to go into a national basis and that's in very early stages. The CYSOF is much more important than that: it's a positive obligation and a child-safe organisation with a reportable conduct scheme, if it's really operated and really embedded, will make a profound difference.

That's how you drive it into there. I think DECYP are doing it, from what I have seen. This is not empirical, it is observation, but outside there, I do not think it's really understood and sometimes not recognised.

Ms O'CONNOR - The onus then is on government, isn't it? Unfortunately, we always expect the government to solve every problem, but this is a problem that is the responsibility of government to make sure employers understand their obligations.

Mr BENJAMIN - It needs both clear education - and I think there's a lot of education planned and going on - but it also needs some steps to be taken to ensure that it happens.

Ms O'CONNOR - Some accountability, yes.

Mr BENJAMIN - There has to be. I think in peering into the future part of my report, it talks about some areas there where the consequences of not doing the right thing can be really clear. I think I talk about, not a Tasmanian case, but a New South Wales case, where a school did not report and the principal, school council, and the particular organisation that ran the school are personally liable for the damages that will arise.

Ms O'CONNOR - Good.

Mr BENJAMIN - I think that's a good thing.

CHAIR - Do you think there's a potential risk that in terms of the reportable conduct and the requirement to make those reports, if people feel perhaps there's not a closing of the loop, so often people might make the reports and then have no concept that anything much has been done with that, or that it's come to anything, or the degree to which it's been investigated, so what's really important as well as the obligation on people to be participants in that legal requirement is that they need to have faith in it and confidence that it's a system that works and and is effective in providing greater protection.

One of the things that worries me, and I'm wondering if you could comment on it from your perspective, is how we can ensure people have faith in that system and confidence that something is being done when they participate and make a report of these things when they have no line of sight over what happens next?

Mr BENJAMIN - And sometimes whether they're effectively shut out -

CHAIR - Yes.

Mr BENJAMIN - as we saw in Queensland in one of the cases I refer to where a whistleblower was prosecuted.

CHAIR - Whistleblowers historically come a cropper.

Mr BENJAMIN - They do. It's a good place to be.

CHAIR - No.

Mr BENJAMIN - That's what I talk about, the jigsaw puzzle.

The police, with things like the Arch Centre, can provide some level of care that CYSOF, the child safe organisation, the Reportable Conduct Scheme, but that has to work also in terms of the operation of the Working with Vulnerable People.

That's not a matter of proving something. It's a matter of assessment of risk. Whether you get a Working with Vulnerable Person Registration should not be that you've been proved to have done something wrong, it's that when you see all the straws in the wind, would you put your children in the care of that person? That's a really hard test for some, because I believe it will impose some bad results for people who may not deserve those bad results, but at the same time it better protects our children.

If you have sufficient bits of information and there are a couple of cases - I'm sorry if I go back to cases but it's sort of where my thinking comes from - where they talk about it being a prospective test. An English decision talks about you don't wait for the bombs to start dropping before you set off the air raid warnings.

I believe the Full Court of the Family Court said in relation to child sexual abuse that you don't wait till it's proven - because that has to be proven on the balance of probability. If you have three people in a school or an institution one of whom is an abuser, so there's only a one third chance that your child would be abused, would you send your child to that place? They are really good analogies in the task we have. When you put all of those things together, we can much better protect our children.

Ms O'CONNOR - Did you say 'perspective' test.

Mr BENJAMIN - Prospective. Did I say perspective?

Ms O'CONNOR - I'm not sure.

Mr BENJAMIN - Sometimes I mumble, and if I do, please -

Ms O'CONNOR - I just wanted to clarify.

Mr BENJAMIN - It is prospective. It is a good test. It's a risk test. It is the risk we take when we build bridges. We say, how big is the bridge? What's the risk? If it's going to fall down, you make sure you put more steel in to make sure it doesn't fall down. And we should do the same in relation to our children.

CHAIR - Is there a way that we can improve people's confidence in, say, the Reportable Conduct Scheme through reporting on it or reporting back? Obviously, you can't do personal report backs to people to raise these things because it's not going to be appropriate, but how can we build confidence by being able to talk about its success or its benefit?

Mr BENJAMIN - That's a really good question. I'm sorry I don't have an answer for you.

CHAIR - That's alright, we can all contemplate it further.

Mr BENJAMIN - It's a good question. It's how we report stuff. We have to be careful between the rights of the individual and the protection of children. As long as you put children

at the centre, and they have the priority - but how do you report on that? How do you report without causing irreparable damage to the child, and perhaps irreparable damage to an adult? I don't know.

Perhaps we should go back to Professors McCormack and Snell and see if they can find a good suggestion in relation to that.

One of the things I believe we can do - and my staff are now going pale, I think, all my colleagues are going pale - is little things. I was reading a case where somebody had worked at a child centre and subsequently was found to have accessed inappropriate material in relation to young children. I wondered out loud, who told the parents of that centre about that person in that circumstance? Because that can make a difference. If suddenly your child comes home and starts acting really differently and you think, well, perhaps it's the genes because I married the wrong guy or the wrong girl, or perhaps it's our parenting incompetence; suddenly, you learn that one of the teachers has a bit of a history. That might not solve the problem but at least give you a tool to understand where the problem may be coming from. It gets back to what I said at the start, that one in three to, one in four children are impacted.

If you give responsible parents the right information, and it doesn't have to be about a person, just a circumstance, that may better protect children. How you persuade centres to provide that information is through CYSO. Things come up in a court or an investigation, shouldn't we let the parents know?

Ms ROSOL - I wanted to come back to resourcing, because we talked about it earlier and it was a recurrent theme through your report about funding, the importance of funding, the necessity of funding for the long term and prevention. A quote from it was at one point you said that you think that, 'Recent hiring restrictions on non-essential staff and uncertainty around the State Budget quite possibly have impacted culture.' We've talked about the importance of culture and culture change here today.

I understand that what you've done so far is the audit and the baseline. Are there any recommendations that you are concerned, with the information that you have now, are being impacted by insufficient funding and budget issues?

Mr BENJAMIN - Not at present, but ask me this time next year.

Ms ROSOL - That was my next question.

Mr BENJAMIN - That was it. I'm seeing a lot of work done. To be fair to government, they are really working hard, both at the political level and at the State Service level, but I would like to see where the funding, if it's reduced, how it impacts, and then I'm in a position to report on some, but perhaps not all, of that next year.

Ms ROSOL - There seemed to be a shift in the government's language around the time of the budget that was handed down but then not passed in May. They started to talk about the commission of inquiry funding as if it was in the past and saying that we have the budget problems now partly because of commission of inquiry costs. I just wondered what you make of that change in language. I felt it was concerning that the language had shifted, and they were talking about funding as a past thing. What do you make of that shift in language?

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Mr BENJAMIN - I didn't notice that language. I did notice the suggested reduction in funding, and I was going to, if the budget had passed, have a look at that and make some comment. I will wait and see what happens on Thursday. I don't like punching at shadows. I like punching at reality, but, doing that in the sense of, well, how is it going to affect this particular program? Is it going to put it back, how it's going to affect the priority of children?

So I can't answer that question directly, but I will say something if need be, and as I've said in my report, and as I say publicly: the child has to be the centre. The child has to be prioritised. We have to drive those numbers down. And as a reminder, ongoing funding is important, because I think the real funding is in front of us, not behind us.

Ms ROSOL - I agree.

Mr BENJAMIN - Thank you.

Mrs GREENE - I don't think we're punching at shadows with this question here, because we know that there's been a number of reports in the media about difficulty in accessing a forensic medical examination in the north and the north-west. Are you satisfied with the progress that's been made on recommendation 16.6?

Mr BENJAMIN - You're going to recommendation 16.6, and it requires, among other things, that the government ensures in areas where Tasmania has no sexual assault forensic medical examination - and that's really hard up there, because if somebody is abused in the north and particularly the north-west, sometimes in reality they don't get access to forensic services for hours and hours and sometimes have to go to Burnie, Launceston, or even worse, to Hobart. It's a real issue.

I've been told by government that they're continuing to identify staff who have the training to assist in carrying out forensic medical examinations, and they're going to try to upskill staff. In that respect, am I satisfied? No. They have some very good forensic nurses, and they use that, as I understand it, in Victoria. As long as the training's there and it stands up in any trial, and also the person who's been assaulted is treated sooner rather than later, there are things that could be done there.

But I haven't focused my mind on it greatly. I know that it's there. I know of the problem. But it's not something - and I do apologise for that - it's something to which I need to turn my mind in a further way to.

Mrs GREENE - Thank you. In relation to police responses, so recommendation 16.7 on police-perpetrated domestic, family and sexual violence, I understand that there's no longer an independent or community member on the police review panel. Have you had any oversight at all on that process?

Mr BENJAMIN - I think the answer is it's not something we've been told about.

Mrs GREENE - Sure. Perhaps I can share some information with you after this.

Mr BENJAMIN - Can you do that?

Mrs GREENE - I will.

Mr BENJAMIN - I'd be pleased to hear that.

Mrs GREENE - Sure.

Ms ROSOL - I was going to ask a question about YADS, because the Youth After-hours Diversion Service that you referred to and you said you had anecdotal conversations with people and you've had briefings; I'm just wondering if you could expand on that at all and explain more about what's happening there?

Mr BENJAMIN - I think that arose in the tough-on-crime debate just before the last election. I don't know if you've read the PhD thesis of Vanessa Goodwin where she talks about sending people to Ashley doesn't fix them, it just gives them a university education and all those things. I spoke with DECYP and they told me about the program. I had a look at it. It was a pilot program. Apparently it was making a difference, but with very small numbers.

I spoke to - was it Anglicare who were providing that, and looked at what they were doing, because normally it involves having someone go out there and make sure the child or young person has something to drink, something to eat, help assess risk for the child in going home - sometimes taking the child home puts them in greater risk than being out - and what other options. I'm told that it arms the police who go to these things with an extra solution rather than the criminal justice system.

It struck me as a better start. I'm told that there's some discussion about extending it further out, I think it's in the Glenorchy area, that may go to other areas. That struck me as very, very good, but it probably needs a much broader approach.

One of the things I'd learnt when I went to Oberstown was the use of non-criminal ways to address some of those issues, although I haven't looked at that deeply enough now to see whether it can operate, which is to place the children somewhere safely as a requirement, but not as a punishment. I haven't thought that through, but it's a good start, I think.

Ms ROSOL - When you say it needs to go further, do you mean like geographically, or -

Mr BENJAMIN - Geographic and numerically further, but that fits in with a whole lot of things - having magistrates available on a Saturday or a Sunday; I think we talked about that, so that young people who would normally get bail, get bail - but also to engage with other services so that there's housing and health and safety.

I discussed in my report where the National Children's Commissioner is getting some research done in relation to young people aged between 12 and 18 who leave home or leave out-of-home care, that's broader than just out-of-home care, and are suddenly confronted with these young people being provided with mobile telephones, drugs, accommodation that puts them in greater danger; and how we manage that is a huge issue as well. I think we talk about in our report about using things like harbouring laws, and I've been speaking to the police about that and the difficulties that - procedural - do you know what harbouring laws are?

Ms O'CONNOR - Presumably you provide safe harbour for -

Ms WEBB - No. It's when criminals recruit children.

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Mr BENJAMIN - No, when a child, a young person suddenly turns up with a mobile phone, drugs, and they have a new friend who's a 38-year-old fellow.

Ms O'CONNOR - Who's harbouring.

Mr BENJAMIN - Who's harbouring. There's provision under the state laws where you can make a direction that that person not engage with that child, and that person gets prosecuted. If used, it's a powerful tool, but it's hard to prosecute because of some evidentiary issues in relation to it.

As a parent, whether you're an out-of-home care parent or a real parent and things like that are starting to happen, it gives a stronger solution than simply trying to keep them at home. It breaks up that thing. We're seeing that particularly in the mainland now where criminal groups are using young people for prostitution, which is the interest that attracts in relation to the work I'm doing, but also in serious crime. I was at one of the Uplifting Care panel meetings, and they talked about people looking for safety and only finding danger. I think I've deflected, haven't I? I didn't mean to.

Ms ROSOL - I think the link is, isn't it, that YADS is a way of preventing that from happening, reducing that risk?

Mr BENJAMIN - Preventing that and finding a safe place for the child.

CHAIR - On YADS, if I could follow up, you mention in the report that it's a pilot, and you've just said that here today as well. Which is the responsible department, and is there an evaluation being done of that pilot that may then facilitate it, but to be expanded in the way that you've indicated; do you think would be worthwhile?

Mr BENJAMIN - It's DECYP, and - are they doing an evaluation? I think they are. I'm not sure, but I think they are. I will take it on notice. It is run through a non-government agency, but DECYP have facilitated it.

CHAIR - Okay. Thank you.

Ms O'CONNOR - The government's currently developing the legislation to establish the Commission for Children and Young People. I think it's taken a bit longer than they expected it to. Have you been consulted on this office and the legislation, which has gone through a number of iterations and is still, as I understand it, or last time I looked, in draft form?

Mr BENJAMIN - The answer is yes. When I first took on this role, within about a week I received a 30- or 40-page letter from the interim children's commissioner telling me what was wrong with the first iteration. So she managed to chew up a fair bit of my Christmas holidays, for which I thank her. The government then - I think it was Justice, at that stage - contacted me, and I've had a number of meetings with them in relation to what they were doing in respect of the act. They've been quite - it's gone through - I think we're up to iteration 21 or 22 at the moment.

Ms O'CONNOR - Is the Premier and Cabinet involved as well, though? I thought drafting was happening through DPAC.

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Mr BENJAMIN - They were, originally, but it's now back in Justice. I understand that it was to be tabled in parliament just before the announcement of the previous election, but I'm not sure. I believe that there may be an iteration available, and it's going to be tabled in the next little while.

Ms O'CONNOR - Little while, is it? So possibly tabled this year.

Mr BENJAMIN - I think so, yes. Yes. I've spoken with the interim children's commissioner, and I'm not speaking for her, but it's okay. She will probably make some other submissions, but it's had a lot of work done to it. The real bite in that will be how they select the three commissioners, because given that you've got three heads of the organisation, they will need to be able to work cooperatively together -

Ms O'CONNOR - And be resourced to do the job effectively -

Mr BENJAMIN - And be resourced to do that, yes. Yes.

Ms O'CONNOR - because it's a much expanded scope of the commissioner now.

Mr BENJAMIN - Yes, it's a much expanded scope, yes; but there will be three commissioners. I'm not sure if they're doing all three at the one time.

Ms O'CONNOR - Last draft - I don't know about the staging. I think it does -

Mr BENJAMIN - It has been tabled, apparently.

Ms GREENE - It was, last sitting.

Ms O'CONNOR - Was it? Downstairs? Well, excuse me.

Mr BENJAMIN - There we are. So it's on its way. And yes, I have been consulted, and yes, I am involved in that.

CHAIR - I'll go to another area if that's okay. I noted, and had some sympathy for, the observations in your report about the need to coordinate consultation, and there being the risk of consultation fatigue for a lot of stakeholders in this space, whether it's community-sector organisations or victim-survivor groups. Also people within agencies, I'm imagining, in the bureaucracy too, are probably feeling a bit fatigued. I wondered if you'd like to talk to us a bit more about what you're doing to help frame up how that might be addressed in terms of coordinating that side of things more effectively?

Mr BENJAMIN - Yes, I am. We're doing a couple of things. I'm trying to think of the scope of your question.

CHAIR - Sorry. The heading in your report is 'Coordinating Consultation', and under that you mention the consultation fatigue problem that can be there. I'm wondering, what does it look like, coordinating consultation, and what's your role in helping frame that up?

Mr BENJAMIN - I suppose there's two parts to that. It's how I consult and who I consult with outside the agencies. If there are consultative arrangements with the agencies, I try to use

those if I can, because sort of getting 10 consultative groups for 10 different departments just doesn't serve; so I'm trying to do that as well. With the agencies themselves - and I speak to them on a regular basis - we're trying to organise our requests for information so we don't tire them out and so they don't they spend a huge amount of time responding to us and not doing the job.

That's what we need to be careful about. We need enough information so that I can do the evaluation and the monitoring, but at the same time, let them have sufficient time to get on with the job that they're doing. I started off getting reports four times a year, which I think exhausted all of us after the first two or three. This coming year we're going to get two reports: one on what is completed so we can focus on that systemically, and the next one will probably be in about March or April, which is the incomplete ones. Then we will switch to an annual reporting system, but have a requirement for the departments to tell us when things are seriously spinning out of control so that we can try to manage all the work in a thoughtful and effective sense, rather than spend our time simply churning through information. That we get regular, good information.

We are looking at ways how we can match our computers, some things that our partners need, some we need so that we take some of the burden off them. Then we can focus on the areas where they're not meeting expectations, rather than the areas where they are meeting expectations. That is what I meant about the breadth of the question. Does that answer your question?

CHAIR - Yes. Are you also coordinating with them? There are government agencies for different activities and recommendations progressing them, doing their own consultations. There's a timeline to those and probably a picture of when and where those are happening. Do you communicate with them about that also, so if you were to be doing any external consultation, you will be aware of what else is happening?

Mr BENJAMIN - Absolutely. I have regular consultation with the lead agencies. We talk about these things. We look at what I'm doing, what they are doing and we try to use the resources of the state as best we can without unnecessarily replicating them.

CHAIR - Yes. I was probably more thinking from the perspective of the people being consulted, that don't necessarily want overlapping consultations on similar matters from within an agency from your office.

Mr BENJAMIN - It is at both levels - or all three levels.

CHAIR - On that matter of governance and lead agencies, it has been a bit of a moveable feast. Some things have been with an agency or they have been taken into a central agency, then they are put back to the other responsible agency: One of the things that worries me is that makes it difficult to be doing oversight goals, whether it is your role or whether it is our role as parliament, and keeping a track of who's responsible for what and who we are to be scrutinising when it comes to the progress on these matters. Do you feel like there's a readily available way for those outside of the bureaucracy - whether it is you, whether it is us, whether it is a member of the public - to be able to see what the governance structure looks like here and which agencies are responsible for what aspects of that for progressing this effort?

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Mr BENJAMIN - That is really, again, a difficult question because the design of the reform is that parts will be taken into DPAC to really get it organised, to make sure it cuts across the various silos that is often government. Once that's put into effect, it goes out and there's a lot of that going on at the moment and that is pretty sensible.

CHAIR - And yet challenging to scrutinise then?

Mr BENJAMIN - Well no, I don't think it is from my perspective.

CHAIR - Perhaps from ours. I can guarantee you when we get to Estimates and we want to ask questions about certain aspects of this and we think, right, DPAC's been responsible for that, we'll ask the questions in the relevant time of DPAC, they will tell us 'oh no, it's DECYP who's now doing this' and we will have missed the session. You know, that would have happened yesterday or vice versa. We have had that tennis game before in Estimates. I am wondering about where we can see that captured and detailed in a way that's effective.

Mr BENJAMIN - The trouble is that capturing it is retrospective because I was thinking as you were talking well, we could always ask them a question: who had responsibility for it, when did it change and what have you. But that's a retrospective and to know what happened six months ago doesn't impact on what you want to know now. I don't know the answer to that.

CHAIR - Is there somewhere we can look to see the governance framework of all this and who is responsible for what, at this current moment for example?

Mr BENJAMIN - It is not within our current capacities. It may well be in the capacity of DPAC that they may think about doing it that way because -

Ms O'CONNOR - We have the Premier on the first day of Estimates, you can hit him up with this question because -

CHAIR - Don't you worry about that.

Ms O'CONNOR - That's right.

Mr BENJAMIN - What does it serve, do you think?

CHAIR - From our perspective as a parliament - scrutiny.

Mr BENJAMIN - You explained it to me. You said, you need to know of whom to ask the question, and that you don't go to Department 3 and find that Department 1 you saw three days ago is the one you should be talking to.

CHAIR - It is an interesting little conundrum for us. That's fine. I just wondered whether you're aware of somewhere that captured the governance and laid it out so that we had a real-time understanding of how that looked.

Mr BENJAMIN - I can probably say that's probably out of my remit, but nice try.

CHAIR - Any further questions?

Ms ROSOL - Just a question around out-of-home care because you've alluded to foreseeing difficulties or seeing difficulties there. I'm wondering if you could give us some more information about the issues you see there.

Mr BENJAMIN - As far as I'm aware, the capacity in the non-government providers isn't sufficient at the moment to meet the needs. It is capacity-building which has to take place. There's no point handing children over. Of course, you have to look at the individual child, where they are and how they're managing. It's complex and the capacity issue and that other complexity is going to slow that down. Again, to do it properly is needed, because we're talking about how we look after human beings and young, vulnerable human beings.

Ms ROSOL - Is that capacity for children in packages or children with carers.

Mr BENJAMIN - It is the out-of-home care group. I'm not clear where the problem arises. I've asked about and I've been informed that there is likely to be a problem in that area, which I like. I like people to tell me that this is going to be a difficult area, and I will be investigating that over the next few months in that particular area.

I'm sorry if it's not a straight answer, but it's as good as I can get.

Ms O'CONNOR - This goes in part, doesn't it, to your concern about prioritising workforce? Where does that workforce come from? Do you think there's a role here for UTAS to step up? Is there something more TasTAFE could be doing? Is there something we're not seeing here or driving, or do we have to import?

Mr BENJAMIN - I'm seeing it from a much higher level. I'm seeing every state confronting the same problems that Tasmania is confronting. I'm seeing states with a lot more resources than Tasmania who can afford to outbid you on these people. The best way to get these people, frankly, is building capacity in Tasmania.

Ms O'CONNOR - Through education and training here and skills development here, yes.

Mr BENJAMIN - Because Tasmanians are likely to stay here, because we stick if we've got a job, and having a job in Tasmania is a really important social structure. One, I think we'll have difficulty importing; and two, if we can train our own people, it will be better because they're likely to stay here and stick with the job.

It also means, particularly for a young person, if I've learned nothing from the commission of inquiry, if you as a child have one responsible adult, just one, to care for you and they stick around, you have a good chance of succeeding in life. If you don't have one responsible adult to stick around, then life gets pretty hard and pretty dismal when you're very young.

So, if we get people who are Tasmanians and do stick to the job, I think we will get better results. It's that micro level where you can make a difference, I think.

CHAIR - One of the things I was really pleased to see in your annual report was some good, straightforward statistics about the activities that your office has been undertaking across the time, and that's appreciated. Obviously with our role to be also scrutinising the work that

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you're doing, and having that interaction with you about it, is it possible for us to receive some more granular information or detailing of, for example, the list of the meetings and stakeholder interactions that you're having so we can get a picture of what the more granular detail of that is? Not any of the ones that would be with individuals or sensitive stakeholders, but if we were to ask you on notice to provide us with a more detailed, more granular outline of those activities, is that possible?

Mr BENJAMIN - Yes.

CHAIR - Excellent. I will follow that up with you. From our perspective as a committee, I believe it'd be interesting to see what that looks like as a balance of that.

Mr BENJAMIN - It's also handy for me to know where I'm putting my efforts and that I'm not doing it all one side or not the other, and it's working as a conduit between government and agencies, survivors, their families and non-government agencies, which is important.

CHAIR - That would be very useful for us to have some better understanding of too. Thank you. We will ask that on notice.

The other thing I wondered about is, I'm imagining that your office may be contacted from time to time by people who want to do so in a private capacity and confidential capacity, potentially individuals who are involved in implementing matters. What protections are available within - I'm just trying to refresh my memory about the legislation under which you and your office are formed. Are there protections available for people who come to you - whistleblowers, I guess - who want to disclose information to you about implementation and how that is protected or ensured to be safe for them to do so?

Mr BENJAMIN - It's protected under the act. I can't think of the -

Ms O'CONNOR - Public interest disclosure.

Mr BENJAMIN - No, under my act.

CHAIR - I was trying to remember, there are specific protections.

Mr BENJAMIN - There is provision under my act where I can't disclose certain information, and I treat that information as not being available. I don't think I'm subject to the RTI, and it's not publicly available. I believe I'm in breach of the provision of the act if I do make it publicly available.

In addition to that, one of the things I did when I took on the role is I insisted that I keep a practicing certificate, so I can treat some of it as legal profession privilege, which makes it impossible to get in one way or the other. I'm very aware that people will tell me things and want to be assured that it doesn't go any further. It's designed for me to lead to investigation, but not to identify the person. I've thought carefully about that in the last 12 months, and having the structure of the act plus the exclusions, plus as a legal practitioner treating it as legal profession privilege.

I'll always advise people to do a couple of things: one, to seek treatment for the trauma that they're obviously encountering, and two, to consider how they can report that to authorities.

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There's one exception which I always put in place that if somebody - and I say that in advance - tells me that child is at risk, irrespective of the act, I will notify to protect the child.

CHAIR - Thank you.

The other thing I wanted to ask, and I'm mindful we're nearly out of time, your view in relation to the situation where we're still having staff members from various departments and various aspects of departments being suspended and having investigations around ED5s and the like. In a broad sense, so not commenting on any specific circumstances, are you satisfied that the processes that are currently underway for those investigations and the timeliness of those investigations is satisfactory at this point in time and is it something that you engage with as part of your work?

Mr BENJAMIN - In answer to that, yes. The Woolcott report will be dealing with that in detail.

CHAIR - Yes.

Mr BENJAMIN - I've seen privately some parts of it, although the full report - I believe part of it was delivered to government -

CHAIR - Yes, it has been, this month. We're expecting it should get tabled at some point soon.

Mr BENJAMIN - That will make a difference because it will deal with timeliness, it will deal with some better protections under the *State Service Act*.

There's a whole lot which will go there, which I believe if implemented will make a difference in that regard. It's clear from what we report in the commission of inquiry that those inquiries took too long. There was always this process of the initial inquiry, the inquiry to determine whether you're going to have an inquiry, followed by the inquiry, which sometimes took years. The initial inquiry needs to be much faster, and the subsequent inquiry needs to have a lot more thought put into who does the inquiry and be a lot faster.

CHAIR - Yes. Looking ahead, no doubt the Woolcott review will have good recommendations towards improvements there. Of course, we have a current suite of matters in this space that have been going on for years and are continuing.

Mr BENJAMIN - It will need someone like Peter Woolcott and Radha Thomas to really dig into it and do a thorough and meticulous job. That's what I believe is likely to be the case. It's important because the way we protect children and provide procedural fairness to people, people can't be unfairly damaged.

CHAIR - Thank you. I'm mindful we've come to the end of our allocated time, I believe, for our session, and want to thank you all very much for making yourselves available and coming to have the conversation with us.

Is there anything that you wanted to say in a concluding fashion before I wrap up our session?

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Mr BENJAMIN - Yes, if I can. As I said earlier, this is about a need to protect and care for Tasmania's children. To ensure that each has a real childhood for the present and sustain them as adults because our childhood does sustain us. There's a combination of numerous recommendations that represent a huge and really complex reform plan.

Unlike other jurisdictions, the Tasmanian government and the Tasmanian parliament have adopted and approved them, this massive reform agenda, and have bravely established my office - I'm not sure that it's politically savvy to do something like this - to ensure the changes do both occur in a effective and a timely manner.

The changes need to be real, not mirages, and for my part and the part of my staff, we are committed to that outcome. I'll do the best to answer the questions. I'll do the best to bring about better safety for Tasmanian children and thank you for that opportunity.

CHAIR - Thank you very much. I know that there are some matters that we noted as we went that we would send you on notice, we will write to you with those questions for follow-up after the session.

I would also like to note on behalf of the committee that we all recognise that we're here because of some outstanding bravery of Tasmanians, both victim-survivors and whistleblowers who have led to the commission inquiry itself and now the implementation of the recommendations. Our task in oversight of those matters, all of us have some frustrations about some of those things, but also there's clearly some things that are positive progress to be made. I'm recognising that work is ongoing and we're all committed to it.

Mr BENJAMIN - Thank you.

CHAIR - I need to say as a matter of formality, as well as thanking you for your time, that the evidence you've provided at today's hearing is protected by parliamentary privilege. I take the opportunity to remind you that any comments you make may make to the media or others outside this room, even if you repeat what you have said here, will not be protected by that privilege. Do you understand that?

Mr BENJAMIN - Yes, we understand that.

The witnesses withdrew.

The committee adjourned at 2.03 p.m.