

Thursday 27 September 2018

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

QUESTIONS

Health - Consultants Reports

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.04 a.m.]

You were desperate to ensure this report, an analysis of funding for the Tasmanian health service, never saw the light of day and it is easy to see why. The RDME Consulting report exposes everything you have said in your entire four-and-a-half years as minister. We already know people with severe mental ill health are being forced to sleep on the floor at the emergency department and you have endorsed a plan to put patients in storerooms with hand bells to attract attention. Now, this shocking, secret report reveals a black hole in the Health Budget estimated by respected, independent consultant, KPMG, to be almost \$100 million a year and growing. Why did you attempt to hide this damning document from Tasmanians?

ANSWER

Madam Speaker, the Government is investing in Health. Labor cut it. The Government is investing in Health, reversing Labor's cuts, and we welcome advice from whomever it comes about how we can do health better. What we will not be doing is taking any advice from members opposite who savaged Health and cut it to the bone. There will be no cuts to frontline services because we have rejected that advice. We will not be doing that. We know what Rebecca White, Michelle O'Byrne and Lara Giddings did when confronted with advice like that. They accepted the advice. They sacked staff and closed services - a nurse a day for how long? Nine months.

I am not troubled by the Leader of the Opposition raising these issues. We are a Government that listens, we are a Government that invests, we are a Government that is building more services. What do you reckon is the answer when hospitals are very busy? Isn't the answer to open more services and isn't that exactly what we are doing? We have always put in extra resources. The Leader of the Opposition reflects on the last four years, looking backward and that is okay.

We have put more money into Health in each of those years. Thank you to my colleague, the Treasurer, the Hodgman Liberal Government, the Premier, the whole team, that is united around it. I will say it has been very difficult. It would have been much easier if we had not had those cuts made in the previous years. It would have been much easier if we had the Royal redevelopment up and running as it should have been.

Members interjecting.

Madam SPEAKER - Order, please.

Mr FERGUSON - I will also apprise the member of a couple of important facts. We brought down a budget only a few months ago and there is \$465 million more for Health in that budget.

That includes mental health, which was referenced in the question. Who is the hypocrite here? Rebecca White is opposing us opening 15 beds at the Peacock Centre. What goes on? Who can understand the Labor Party? They are only interested in the politics.

We are a compassionate and caring Government. We want to help people get their health care and that is what this should be about. It should be about helping patients who need our services. That is exactly what we are doing. Under the O'Byrne years, our longest-waiting patient had been waiting 3609 days.

Ms O'Byrne - When are you ever going to take responsibility for your role as minister? You are the minister. You have been the minister, and this is your problem. You need to fix this problem.

Madam SPEAKER - Order, Ms O'Byrne.

Mr FERGUSON - I do take responsibility. I took responsibility for that patient. That patient got their treatment, the next patient got their treatment, and it is not the ideal for the longest-waiting patient but we have seen a reduction of 2900 days. We are committed in this area. The Liberals invest and Labor cuts.

Health - Consultants Reports

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.08 a.m.]

The core finding of the KPMG report is that there is a \$100 million black hole in the Health budget that continues to grow. Do you agree with that finding or are you accusing this well-respected independent consultancy of making things up?

ANSWER

Madam Speaker, I am accusing the Leader of the Opposition of making stuff up every day. This morning, we heard the Leader of the Opposition claim that doctors want to put patients into storerooms. You went back to that again. The Government recognises we inherited a hell of a lot of challenges. We have met those challenges and we have a plan to continue to improve.

I would like to put some more facts on the table. This Government has opened 120 beds in the time we have been in office. We have employed 630 additional staff. Those staff need to be paid. We pay our staff with Australian dollars, real money, and that is testimony to the fact that we are putting more money into our Health system. The Labor Party asks questions about Health. I have a question for the Labor Party. Why did you promise \$200 million less than us at the recent election? The Leader of the Opposition says, 'Oh, now you are lying'. Now she doubles down. The Liberal Government has promised and is delivering \$200 million more than Labor. We did not have to write our policy seven times. We are committed in this area. Lest anybody think I believe the health system is perfect, I do not; I am very realistic.

Ms WHITE - Point of order, Madam Speaker. Standing order 45. It was a very brief question asking the minister if he could indicate whether he would look at the finding of the KPMG report

that there is chronic underfunding in health to the tune of \$100 million a year. I ask you to draw his attention to that question, please.

Madam SPEAKER - That is repeating the question. The minister has only been speaking for one minute and 58 seconds, so he has only made a brief answer so far. I am sure he will get to the point.

Mr FERGUSON - Madam Speaker, your ruling calls out the Leader of the Opposition.

To be very direct, we reject the recommendation in the report to cut 100 jobs. We reject it absolutely and we can prove that we rejected it out of hand at the time. We have put on 200 more staff. If the Labor Party wants to ask for forgiveness for what it did to health in 2012 -

Mr O'Byrne - How many consultants are you going to go to, to tell you the same story?

Madam SPEAKER - Order, Mr O'Byrne, warning number one.

Mr FERGUSON - when the Labor Party cut not \$100 million out of Health, which is the question; not \$200 million out of Health; not \$300 million out of Health; and not \$400 million out of Health.

Members interjecting.

Mr FERGUSON - You were there. The Labor Party cut half a billion out of Health. That is a rugged start for us to have to rebuild. I am very proud to tell you, Madam Speaker, and members opposite, who are rudely interjecting, that where those cuts were made we have reversed them. It is the people over here who have worked hard to fix the budget and put that money into Health and that is what we have done.

Why are you so unhappy about the Government reversing your cuts? You should be saying thank you for helping us fix the cuts you made in Health. In the recent Budget that was brought down, if you compare it with the last budget from Labor and the Greens, we are now over a budget cycle \$2 billion more money for Health.

Mr Bacon - There is a \$100 million black hole -

Madam SPEAKER - Order, Mr Bacon, warning number one.

Mr FERGUSON - We are happy to listen to advice from anybody but we will not be taking any advice from the hypocrites opposite.

Health - Consultants Reports

Dr WOODRUFF question to MINISTER for HEALTH, Mr FERGUSON

[10.12 a.m.]

The secret KPMG report shows the truth in hard numbers. You have been systematically underfunding the health service, budget on budget, since you came to office. You refuse to accept

the reality of an increasing demand for health services. You have starved doctors and nurses every year of the resources they need to care for patients -

Members interjecting.

Madam SPEAKER - I take your point, Dr Woodruff. If the Government could practice what they preach that would be great.

Dr WOODRUFF - What this leaked report shows most starkly is the culture of secrecy and deceit that pervades your Government's management style. You persistently hide damning reports and block RTI requests on spurious grounds. You refuse to listen not only to the concerns of doctors, nurses and patients about your deliberate underfunding but your own consultants' reports. Will you stop blaming everyone else, minister, and end your practice of hiding information, obstructing RTI requests and denial? Will you commit to the structural funding increase this KPMG report shows we need?

ANSWER

Madam Speaker, I thank Dr Woodruff for her question. I accept the health system needs more support. That is why we are here. That is what we doing every single year. Dr Woodruff, you were not here, I will grant you that, but the person sitting next to you was. The Labor-Greens government savaged the health budget and we have spent four-and-a-half years rebuilding it. I have been able to put some numbers on the table to indicate that.

I play no role in RTIs and they are done at arm's length from me by the agency under the law. If you are shaking your head as I speak, what you are really saying is, you do trust our public servants. I reject that. You should trust those people because they have to make those judgments, not me. That is how it works.

Mr O'Byrne interjecting.

Madam SPEAKER - Order, Mr O'Byrne.

Mr FERGUSON - As for openness and transparency, Dr Woodruff, one of the first things this Government did was to publish a paper that put out all our dirty linen. We said that we know we have major problems in our health system.

Ms O'Byrne - Cut \$210 million out of health, that was your first -

Madam SPEAKER - Order, Ms O'Byrne.

Mr FERGUSON - We made it clear and we put it on the table. We said that in some cases, we know we do not have safe services. We have to be brave enough to confront that and we have been. We have had a number of people, including in this Chamber, who said 'Good on you, government, keep doing that' - until the going got tough and they backed right out.

We have changed service delivery so babies are being born in a safer environment in Tasmania. It is saving lives.

What about the dollars? We have put back dollars that the Labor-Greens took out. The recent Budget puts in another -

Dr Woodruff - You have been minister for five years.

Mr FERGUSON - You can count to five? I can count to \$465 million; that is what the recent Budget puts in. We will continue to do more. Our focus is not on negative politics, the personal character assassinations, and the lying about our staff around store rooms. Our focus is around helping patients; getting the health system back to what it should be and helping every Tasmanian get access to a health system with less waiting times.

Health - Commonwealth Grants Commission

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON.

[10.15 a.m.]

You have attempted to discredit independent expert reports which reveal a \$100 million black hole in Health. Are you also trying to discredit the Commonwealth Grants Commission, which shows that despite increasing GST receipts, expenditure on Health has fallen under your Government?

The RDME Report shows health funding as a proportion of GST receipts has fallen from 72.5 per cent in 2012-2013 to 58.9 per cent in 2016-2017. It states: 'Tasmania's share is the lowest of all the states'.

Is the Commonwealth Grants Commission also making stuff up?

ANSWER

Madam Speaker, I will not say that the Commonwealth Grants Commission is telling lies. I will not say that good people in the health system who asked for extra help are telling lies, but I will assert that the member who asked the question has made a career out of misleading Tasmanians. I am very realistic about our health system. I get more emails than anyone from people telling me things they are happy about from the health system and the things they are not happy with.

Members interjecting.

Madam SPEAKER - Order, Mr O'Byrne and Mr Bacon.

Mr FERGUSON - On the facts, we have seen spending of our state budget on Health increase over 10 years. It has gone from 24 per cent of the budget to over 30 per cent of our budget.

I conclude on a rhetorical question, which you can answer if you want. You do not have to answer if you do not want. If the Leader of the Opposition wants to maintain that argument, if the Labor Party wants to claim what is asserted in the question, the rhetorical question is this: why did you promise \$200 million more than us at the election and why did you not publish an alternative budget?

Health - Government Investment

Mr BROOKS question to MINISTER for HEALTH, Mr FERGUSON.

[10.18 a.m.]

Could the minister update the House on the Government's record investments in Health in more detail and what this means for the front line? How does that record compare with the former government?

ANSWER

Madam Speaker, I thank Mr Brooks for his question and for his passionate support for our health system, particularly in his electorate. He has been a great advocate and I appreciate that. The Hodgman Liberal Government, which I am honoured to be part of, has made significant investments into Health over the past four years. That is what our future looks like as well; more money, more support and more staff.

It has been our mission to rebuild the health system after the devastating O'Byrne Labor-Greens years which saw \$500 million in vicious cuts. Entire hospital wards were closed and a nurse a day sacked for nine months.

What is 100 per cent clear is that we are investing record amounts and backing our frontline staff, opening more beds, recruiting more staff and building the facilities our hospitals need to expand, including those ones that were spoiled. The facts bear this out. The health score card, which we have here today and which I will be presenting, shows in the clearest terms that this is a government committed to health. Those opposite could not do a health score card when you were in office, because it was all red. This shows that the Government -

Mr O'Byrne - PriceWaterhouse next?

Madam SPEAKER - Order, please, Mr O'Byrne.

Mr FERGUSON - This is a government committed to health and committed to delivering the services that Tasmanians need and deserve. We are part of a team that is doing that together. The starkest figure to come out of the health record is the pure level of investment in Health, which has grown significantly since the final budget under Mr Bacon and the Labor-Greens government. Under Labor in 2013-14 it was \$5.8 billion over those years. Under the Hodgman-Liberal Government in the recent Budget it is \$7.6 billion. This means that you can actually do something with that money such as employ more staff. When you are cutting budgets you have to sack staff - of course, you would know that.

Mr Bacon - Tell us about the \$100 million black hole.

Mr FERGUSON - This has meant that from March 2014 to March of this year we were able to add 630 more -

Ms O'Byrne - Is there a \$100 million black hole?

Madam SPEAKER - Okay - Ms O'Byrne, first warning and Mr Bacon, second warning.

Mr FERGUSON - frontline FTEs into our health system. What does this look like? It looks like 370 more nurses, 90 more doctors and 60 more allied health professionals. These are real people, real staff, getting real wages, because we are funding them for Tasmanians who need care.

We know we can do better, by the way. We do not think it is a perfect system, far from it. We know we must continue to invest. Nothing in our program of health recruitment is more representative of this strong commitment than the way we have accelerated our graduate nurse transition to practice program. We are very proud of this. I was privileged just a fortnight ago to stand next to one of our fine graduate nurses and a clinical nurse educator in Launceston - wonderful people. When we came to government the program took 112 per year and under this Government this year it is 197. Again, this means more opportunities for graduate nurses to get a job and to be supported in their careers in our health system.

We also know that we need to have more on-road resources and that is why we now have 50 more paramedics, bringing down response times and boosting the capability of our service. We know there is pressure in our system; we are very realistic about that. Nobody is saying everything is perfect, but particularly in elective surgery we are seeing shorter waiting times. Shorter waiting times mean a better quality of life for that person.

The starkest number on this -

Members interjecting.

Madam SPEAKER - Order, Mr Bacon, that is your third warning. Dr Broad, you are going very close to a first warning.

Mr FERGUSON - The starkest number on this is the longest-waiting patients, which is an indication of the lag in the tail. That has reduced from 80 per cent. Say that to the person who waited 3609 days. That has come down 80 per cent. That is the record, they are the facts. The Liberals are investing and Labor cut.

Majestic Timbers - Operations

Ms O'CONNOR question to MINISTER for RESOURCES, Mr BARNETT

[10.23 a.m.]

Can you confirm that Majestic Timbers, the company your Government awarded the southern residues contract to in September 2016, has collapsed, its director, Shane Rice, has fled the country, its contractors have not been paid for up to three months, and its employees have been told they are out of a job tomorrow? Will you explain to the House what has happened to this company your Government awarded a multimillion dollar, 180 000 tonne per annum export contract to, and will you take some responsibility for the terrible situation faced by contractors and workers because of your failure to ensure proper due diligence was done in awarding this contract?

ANSWER

Madam Speaker, I thank the member for her question. The member has a disposition to oppose very strongly the forest industry in Tasmania. She has been doing that avidly day in, day out for a

long period of time. It is a policy position for the Greens to kill off the native forest industry and put out of work thousands of jobs across the state.

The Swire Shipping company made a commercial decision to end the Hobart port call for their containerised shipping service from 12 September, earlier this month. Swire advised TasPorts that while volumes have been reasonable, the cargo margins remained low. Bulk log exports from Hobart have not been affected by the decision. The loss of the Swire service impacted only those products that were exported in containers.

Following the closure of the Swire service from Macquarie Wharf, Majestic Timbers has advised Sustainable Timber Tasmania that it has temporarily suspended containerised export operations in southern Tasmania. In recent months Majestic Timbers had been taking up to 2000 tonnes of wood residues per month from southern forest operations for export in containers to South-East Asian markets. Majestic has advised that South-East Asian customer demand for export quality logs remains buoyant and the company is continuing to examine alternative arrangements for containerised exports from the south.

Ms O'CONNOR - Point of order, Madam Speaker, on relevance. This is an important matter of public interest. We need an honest update from the minister on whether this company is operational or insolvent and whether the directors have fled the country.

Madam SPEAKER - I cannot put words in the minister's mouth, so it is not a point of order. Minister, please continue.

Mr BARNETT - Thank you, Madam Speaker. There was a range of questions in the member's question and I am attempting to answer them without her consistent interjections, which is regular for the member for Denison.

Majestic's other operations will continue, we are advised, and they will be meeting with supplies and contractors -

Ms O'Connor - Staff are out of work tomorrow.

Madam SPEAKER - Ms O'Connor, warning number one.

Mr BARNETT - As I was saying, we have been advised that Majestic's operations will continue. They will be meeting with supplies and contractors affected by the decision to suspend containerised exports. On the wider issue of southern forest residues including access to markets, as members in this place know and the public knows and as we have advised, the Government has tasked well-known industry leader Evan Rolley to examine all the options as a priority.

Clearly what we have seen today and what we know from the form of the member for Denison is her usual hypocrisy. When Labor and the Greens were in government we know what happened to the forest industry. We know and the public know that there is no better friend to the timber industry than the Hodgman Liberal Government.

Ms O'CONNOR - Point of order, Madam Speaker, relevance. Can the minister address the due diligence question, perhaps?

Madam SPEAKER - It is not a point of order. Please continue, minister.

Mr BARNETT - Madam Speaker, the member for Denison does not like to hear the truth. She knows she has a track record of decimating and killing off the forest industry and the workers and their jobs, with 4000 jobs lost under the Labor-Greens government - two-thirds. It was the demise of the forest industry and now we have seen the confidence and the rebuilding. You can see it getting back on track. As to this picking and choosing by the member for Denison in terms of her attacks on the industry, you will get no better friend of the rebuilding forest industry than the Hodgman Liberal Government.

Health - Consultants Reports

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.28 a.m.]

KPMG estimates that health costs are growing between 3 per cent and 6 per cent every year. However the RDME report states that excluding funding of deficits and specific initiatives, the annualised growth rate in total state contributions to the THS budget including indexation was 1.7 per cent.

It goes on to say:

KPMG observes that the annual increase in the THS budget is largely for new initiatives and is therefore not addressing the structural deficit.

KPMG's estimate of the structural deficit is \$96.4 million in 2015-16 and it should be noted that it is estimated to increase. Why have you shamelessly misled Tasmanians into believing that your Government is investing in health, when in reality the budget challenge is getting worse?

ANSWER

Madam Speaker, the answer to the last part of the question is because we are investing. We are doing the real work of government - the hard work - of investing in services, which I thought you wanted. Maybe I am missing something but I thought you wanted more beds in our health system. That is what you demanded of us for much of the last four years. I am surprised you would challenge me -

Madam SPEAKER - Mr O'Byrne, you have now gone to warning number three.

Mr FERGUSON - but you are excluding new initiatives. Why would you do that? New initiatives are about providing more support to patients. I am not sure if I have misunderstood the question. I am trying to be sincere; I am trying to take you seriously, but you are a hypocrite. The problem is that you have been demanding that we open more beds -

Ms White - You are not providing base funding, minister.

Mr FERGUSON - We have opened 120 more beds and you are now asking me a question complaining about it and you say it should be excluded because of the new initiative.

Members interjecting.

Madam SPEAKER - Ms O'Byrne, warning number two. Mr Bacon, a reminder that you are on your third warning.

Mr FERGUSON - I reject the allegation of misleading because we have been very honest with Tasmanians. I do not know if she will do this, but if the Leader of the Opposition believes there has been a structural deficit in the health system, why did you not fund it? Why did you not say so?

Members interjecting.

Mr FERGUSON - No, sorry, a structural budget? We have only had it for four years. If you are claiming it is a structural budget, why did you not deal with it?

Members interjecting.

Madam SPEAKER - Order, order.

Mr FERGUSON - It is not a joke, it is serious. You are talking about Health and you are making serious allegations. I will answer the question very directly - because we are investing in Health. I sense that you do not like that. We are putting \$465 million into the health system and I am sorry to disappoint the Leader of the Opposition. That money is going in to new initiatives, more beds, more care, more help. We are going to staff the new, redeveloped Royal Hobart Hospital. We have promised \$200 million - I know it is a lot of numbers - \$200 million more than Labor promised.

Members interjecting.

Madam SPEAKER - Order.

Mr FERGUSON - I suppose that is why you are embarrassed. I guess that explains it. You wanted to jam people into motels with that money. Seriously, have a look at yourselves. The Government is investing in Health. The Labor Party savaged it with a half-a-billion dollar budget cut. The Leader of the Opposition stood here, where I am standing right now, six or seven years ago and said that if we do not constrain Health spending, it will take up 60 per cent of the state budget. They were the words from the person who now wants to play politics with Health. Ms White, who was the parliamentary secretary at the time, was strongly defending those half-a-billion dollar budget cuts. You claimed that spending of the budget would go too high if you did not make those cuts. I am pleased to tell you that we now have over 30 per cent of the overall budget in Health and we are proud of that because it is providing more new services. That is exactly what you can expect more of.

Members interjecting.

Mr FERGUSON - I am not going to be interrupted; \$465 million is now in our budget. I encourage you to support it, reverse your opposition to 15 more beds for mental health at the Peacock Centre and maybe accept that while we know the health system is not perfect, it is getting better and the extra funding will help it get there.

Child Safety Service - Staff Recruitment

Mr HIDDING question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.34 a.m.]

Can the minister please advise the House on how the Hodgman majority Liberal Government promised to recruit up to 25 staff for the child safety service has progressed?

ANSWER

Madam Speaker, I thank the member for Lyons for his question. Nothing is more important than the safety and wellbeing of our children and young people. Staff in child safety take on the challenge of working with some of the most vulnerable members of our community, often in very challenging circumstances. I am very proud to be part of a government that has announced its intention to extend presumptive PTSD provisions to these workers as part of our broader State Service. These staff are passionate, dedicated and enthusiastic people working right across our child safety services and I thank them today for their commitment and the work that they do.

Our Government is working on our commitment to a redesign of the child safety system. We acknowledge the difficult work and workload of child safety officers and that is why we are investing an additional \$24 million over the next four years to employ additional child safety officers and other frontline staff to support them. This investment will also assist us to continue to support the implementation phase of the redesign and to support vulnerable children with very complex needs in out-of-home care. Through this commitment we are recruiting up to an additional 25 FTE across the child safety service. I am advised the department has been consulting with staff and union representatives on the best use of these additional funds, including where they should be located, in order to improve outcomes for children and families.

There has also been further analysis of the age and duration of orders for children in out-of-home care that will help inform the allocation of child safety officer positions across the state. I am advised that, of the new positions funded at the last budget, 10 permanent child safety officers have now been recruited and these staff have already commenced. The child safety officers provide a range of services designed to safeguard and promote the wellbeing of children and young people and to strengthen families to successfully care for them. Three of these new permanent child safety officer positions are located in the north, three in the north-west and four in the south.

Further, as part of the additional 25 staff, three permanent senior support worker positions are currently open for applications and will be closing on 7 October. These positions will provide support to children and families who are subject to child safety intervention under the Children, Young Persons and Their Families Act 1997. They will also coordinate and assist a team of support workers to cultivate children growing up in safe and supported environments, including providing transport and supervision of client access visits. I am advised there will be one of these senior support worker positions appointed in each of three regions.

The department's recruitment process will continue and positions will be progressively filled over the coming months leading to an increase in the overall establishment of up to 25 FTE. More child safety officers and support at the front line will increase our ability to ensure vulnerable children and families get the response they need when they need it. It is important to note that these 25 positions are in addition to the investment of over 40 more staff to work in or directly support the front line through the Strong Families, Safe Kids redesign of the child safety service. These

positions include child practice and consultant educators, child safety liaison officer positions, support workers, unit coordinators, health and wellbeing officers, mobile child safety officer pool workers and court coordinators.

A key component of Strong Families, Safe Kids is to better support families before they get into crisis. By giving earlier support, children are less likely to be removed from their families and relationship breakdowns can be prevented. This reform recognises the need to get the right help to children and young people and their families at the earliest opportunity, deliver intensive support to families to avoid the need to remove children or young people from the home, provide more support for child safety officers so we get the best outcomes for children and families, and to collaborate with all parts of the service system to deliver an integrated system that can respond innovatively and effectively to support families, communities and professionals.

We have listened to our dedicated staff and we are providing more funding to meet the challenges. More child safety officers in support of the front line will increase our ability to ensure vulnerable children and families get the response they need when they need it.

Health - Consultants Reports

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.38 a.m.]

You received the KPMG report in March 2018, which warned of a \$100 million black hole in Health and you did nothing. Last year, you also received the Deloitte report that highlighted the dysfunction in the THS and you denied that report even existed. You received the RDME report shortly after being re-appointed as Health minister and before this year's Budget. Again, you did nothing. Why did you ignore repeated dire warnings of the crisis in Health, including a \$100 million black hole?

ANSWER

Madam Speaker, we are investing in Health. We are putting more money into Health. There was a question about money, putting more money into Health. It is taxpayers' hard earned money, we are using responsibly and we want to get better outcomes for our community. What does the Labor Party want? Do you want something better or do you only want to play politics? Tasmanians are not served by this at all by you. What you could do is put aside your policy that was rejected by voters and back us. Support our policy for \$757 million more for Health. Support our plan and our 25 extra beds for mental health. Support it.

Do not oppose our initiative at the Peacock Centre. Why do you play the politics all the time? It is your medi-scare.

We are focused on Tasmanians and on providing the services that Tasmanians need. We will not walk away and we will not take lectures from the people who cut half a billion dollars from our health system. You were there, you were there, and you were there too, and you cut half a billion dollars out of the health system. People were hurt by that. Nurses lost their jobs, patients were put on waiting lists. The longest waiting patient I inherited was waiting 10 years for their surgery, and we have reduced that by 80 per cent. We are proud of that but we know it has a long way to go. We do not naively claim that the health system is perfect. We have never and would never say that.

There is always more to do. That is why I am up for this and why we are investing and implementing our policy - \$200 million more than yours.

Ms O'Byrne - You're not up to it. That's the point.

Mr FERGUSON - We will not be taking lectures from the very people who slashed Health, sacked nurses and sent people away from hospitals. You did not just close down the ward, you instructed those beds to be packed up in a warehouse.

Ms O'Byrne interjecting.

Madam SPEAKER - Order, Ms O'Byrne. Warning number three.

Tourism - Iconic Walks

Mr SHELTON question to MINISTER for TOURISM, HOSPITALITY and EVENTS, Mr HODGMAN.

[10.42 a.m.]

Can the minister provide an update on the Hodgman majority Liberal Government's policy to deliver Tasmania's next iconic walk?

ANSWER

Madam Speaker, there is no better place to visit than our state. We are seeing record numbers continue on what is World Tourism Day and I welcome this question from the member. I want to talk about not only Tasmania's great tourism industry, the greatest in the world, but also our plans to take it to the next level, our strong commitment to support the growth in our visitor economy and keep Tasmania as one of the world's great destinations.

It is one of the strengths underpinning our economy which is performing strongly. Business investment and business confidence are amongst the highest in the nation and it supports an ability by government through a strong economy and a much better budget than we inherited. Let us not forget when we came into government we were hamstrung by the fact that we were inheriting a billion dollars in deficit and fast approaching \$400 million in debt. That did not present as a good starting point for a new government coming in wanting to invest more into our health services and improve central services for Tasmanians, but that was the context of what we inherited.

Tourism underpins our strong economic growth, employs many thousands of Tasmanians, contributes more to employing people in this state than any other state, and our budget reflects our commitment, with important investments into tourism, hospitality and our parks, which are all key parts of the visitor economy. Sustainable, sensible tourism development in our natural areas supports the growing number of visitors to our state, creates jobs, stimulates regional economies and provides new and exciting ways for visitors to engage with our incredible environment.

Tasmania already has a strong reputation for delivering great walking experiences including the Three Capes Track, the Overland Track, and the South Coast Track. They are great examples of what enable people to experience the very best landscapes and environments that this state has

to offer, drawing tens of thousands of visitors to our shores every year and contributing millions of dollars to regional communities.

Data received in relation to the Three Capes Walk shows that international and interstate visitors who walked the track had an average length of stay in Tasmania of 10.6 nights, including the three nights they spend on the track. Combined in 2017-18 alone, these visitors spend an estimated \$16.94 million in Tasmania on walk fees, accommodation, transport, equipment, meals and visiting attractions. This translates to an extra 456 483 bed nights on the Tasman Peninsula, which is wonderful for that community and other areas of Tasmania during that period.

With these iconic walks reaching capacity during peak seasons, as they do, there is clear demand for a new multi-day walking experience. My Government is committed to providing new products and experiences to keep Tasmania at the forefront of this very popular tourism market sector and investing in ways to attract more visitors to our regional areas. A key part of our Government's plan is to disperse our visitors, have them stay longer and spend more while they are here by getting out of Hobart and Launceston and into our regional communities that have so much to offer.

We have announced we will start planning for Tasmania's next iconic multi-day hut-based walk and today we are calling for submissions to identify Tasmania's next great walking experience. This is an opportunity for communities, tourism operators and interested stakeholders to have their say and contribute their ideas. The submission period will be open from 29 September to 24 November 2018. Guidelines for the submissions and criteria used to assist in the selection of options are available online at www.parks.tas.gov.au. All submissions will be considered by an assessment panel against criteria under the broad themes of visitor experience, environment, economic, community and operations. We encourage Tasmanian businesses, bushwalkers and anyone else with an interest to seize the opportunity and help shape the future of what will be Tasmania's next great nature-based walking experience.

I again emphasise the importance of investing in our competitive strengths, our tourism sector, our visitor economy and those emerging markets where we are experiencing extraordinary growth. The figures I mention today point to the economic benefit of these sorts of investments but most importantly, they underpin the growth in our economy and the strength in our budget.

Ms O'Connor - Tell us about the 45-year lease on the Three Capes Track.

Madam SPEAKER - Order, Ms O'Connor, warning number two.

Mr HODGMAN - That is not to be underestimated. We received a gift from the Labor-Greens government to the tune of \$1 billion in deficits. We turned that around with a speed we did not even expect and it was because we are good budget managers. That has meant we have put our budget in a position now to allow us to invest more into our health system, employ more nurses and doctors and health professionals and support an uplift in health service delivery. Under our last term of government, we reduced those terribly long waiting lists we inherited to be the lowest ever in Tasmania's history.

We have made progress under the leadership of Mr Ferguson, who had the guts to reform a health system that was broken and has been able to convince this Government of the importance - which we always knew would be our number-one priority - of giving Tasmanians better health care

sooner and improving our health system that needs a lot of work, but as is reflected in our investments in successive budgets, continues to grow.

As a state, the proportion of our budget spend on Health is the second highest in the country. That shows our commitment to increasing and improving health services. Yes, there is another report that has come out but a lot were received by the former government and many of those were never released either. It was during the term of the last government that the unions warned us, as a state and a community, that if they proceeded with the cuts they proposed in their budget it would set our health system back by a decade. I am sad to say the unions were totally right. They set our health system back by a decade by making those cuts, reducing services, cutting staff, cutting boards, and leaving us with a deficit in budget terms and in health service delivery, which we are determined to fix and will get on with the job of doing.

Health - Consultants Reports

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.49 a.m.]

Do you accept the finding of the independent KPMG and the RDME consulting report that there is a \$100 million budget black hole in your Health budget?

ANSWER

Madam Speaker, I thank the member for her question but I have already answered it.

Mr Bacon - Yes or no?

Mr FERGUSON - I have answered the question. We will not be taking advice to cut 100 workers, which was advice provided in April. I can prove that we did not accept that; we put on 200 more. Furthermore, I will not be accepting any lectures from members opposite who slashed and savaged the health budget to the bone. Today I have released our health record; these are the facts.

Ms White - Who wrote that? KPMG?

Mr FERGUSON - Who wrote that? This is sourced from the Budget papers. This is sourced from the department.

Ms White - This one is written by KPMG and RDME. I believe this over your own self-assessments.

Madam SPEAKER - Leader of the Opposition, your first warning.

Mr FERGUSON - If you are having trouble believing that we re-opened Ward 4D, why do you not go round and visit sometime? You will find beds are there. They have been taken out of Coats Patons.

Ms WHITE - Madam Speaker, point of order, standing order 45. I hate to do this to you again but the question was very brief, in keeping with previous rulings in this House, asking whether the

minister accepts the finding that there is a \$100 million black hole in the Health budget. You did not go anywhere near the question, minister.

Madam SPEAKER - You have been allowed to repeat the question but it is not a point of order. Please continue, minister.

Mr FERGUSON - Yes, I will continue.

If you do not believe that we have reversed your cuts, go to Ward 4D and look at what we have done. We have re-opened the Nell Williams Unit, which you closed. Go and look, Madam Speaker, I say through you to the members opposite.

If the truth is that uncomfortable for you, then maybe reflect on where you are at. The Labor Party wants Tasmanians to be scared. They try to frighten them; they do it at every election. It is their stock in trade now. Compare the policies at the last election. Six years for six years, \$200 million down was the Labor Party. They could not say where they had put the beds; they did not promise to open beds in our hospitals. That is a massive hole. They did say that they would be putting people into hotels, for goodness sake. That is what they were promising.

There are questions about money. Let us have a look at our record. In every single year that I have been the Health minister and Mr Gutwein has been the Treasurer, we have provided supplementation to our health system. It demonstrates that we are there every single year for the health system when they need extra money. This year will be no different. We are very busy at the moment. In case you had not noticed our hospitals are flat out. Thank you to our staff for what they do. We know that the best support we can provide in the immediate term is the supports that we have announced. Again, more money than was in the Budget in May, but we also know that longer term the real solution is more beds to support our EDs. We are building the buildings to open more beds.

Why is the Labor Party playing politics on this? As the Premier just said, those cuts set our health system back a decade. In 2011 this is what Ms White had to say defending the O'Byrne cuts.

Members interjecting.

Mr FERGUSON - You are trying to interrupt me quoting your leader - interesting. She said,

The only responsible course of action to avoid net debt is to reduce our public expenditure and that is what this Government will do.

...

... it has been anxious time for many of us and many of the decisions made in this Budget have been difficult ones.

Boohoo for you. Seriously, you savaged half a billion dollars out of Health and you are worrying about yourselves.

Two years later Ms White said this,

... we have also acknowledged that the Tasmanian community cannot sustain further drastic cuts, which is why we have not cut further to the bone. We have made appropriate cuts where necessary but also sustained support and funding to those services Tasmanians rely on.

That was a big call for the person waiting 3600 days for their surgery. That is 10 years. A person would reasonably have thought that they are never going to get the surgery. The Liberal Government has reduced that by 80 per cent. We are damn proud of what we have achieved. We know there is more to be done. Why suggest otherwise?

Our hospital system is as busy as it was last year during that awful flu season. People need to appreciate this. Nobody is to blame for the number of presentations at our hospitals; we are a public hospital system, we will not turn people away. Since 2016 and now, demand in our EDs has risen by more than 7000 patients per year. That is why we have consistently said that there is much more to do in Health and we are increasing our staffing and our spending accordingly.

As I conclude, the question comes down to this: what gives? What does the Labor Party want us to do that we are not doing? We are investing in Health; we are being truthful about Health. We are spending \$200 million more than Labor in Health -

Members interjecting.

Mr FERGUSON - I will make you a deal. If you want me to stop calling out your lies, stop worrying about us telling you your truths.

Health - Consultants Reports

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.56 a.m.]

The report you so desperately tried to hide from Tasmanians highlights the extent of your incompetence and apathy towards fixing the health crisis, as did your last few answers. It states that over a period when the state has experienced significant growth in GST receipts, Health spending has not increased in line with this.

You claim we are in a golden age with GST receipts increasing year after year, and yet you have failed to address the black hole in the health budget. How can you remain as Health minister when you have so fundamentally failed to fight for essential funding for the health system?

ANSWER

Madam Speaker, this is a government that is investing in health. We are putting more money into Health.

Dr Broad interjecting.

Mr FERGUSON - I know you do not like that, Dr Broad. You seem uncomfortable about this, but that is what we are doing. You have obtained a report and that says to cut 100 staff. We reject that; we are not going to do it.

Members interjecting.

Madam SPEAKER - Order, order. I am going to have to start evicting people if this keeps up. It will not be until the end of question time, it will be for an hour. We only have a few minutes to go.

Mr FERGUSON - Madam Speaker, why the quarrel? What is the problem here? We are working hard to improve our health system. We have now opened up every one of those areas shut down by the Labor Party. We understand our hospitals are still busy. In order to support more beds and patient flow, we are building the buildings right now.

Do I have to tell the Leader of the Opposition again that we are now in our final year of the construction project of Tasmania's biggest ever public sector building program, just down the road at the Royal Hobart Hospital? I wish I could have it finished tomorrow. If it had not been ruined by your deputy leader, it would have been built years ago. You talked about the Royal Hobart Hospital for over a decade and you did not lay a single brick.

Ms O'Byrne - That is not true.

Mr FERGUSON - It is true. I do not understand your denial of your own history. It is your history; own it.

We are building it; it is in its final year. It is the tallest building in Hobart and it will accommodate 300 beds. This Government has committed to opening those beds as soon as possible.

Madam Speaker, we are putting more money of the state's revenue into our health system. I am a member of a committed team. You are focused on me; that is your politics. This is a team committed to Health. The Premier and the Treasurer are committed to health, as is every member on this side of the House.

As to responsibility, I take responsibility for the things I have done well and for the things I have not done well. I also take responsibility for the things that you did badly, which we inherited. We do not shirk from that because that is what Tasmanians expect from their elected government.

The Labor Party has no policy, no alternative budget, and nothing of hope to offer to Tasmanians. You play politics with mental health, including children, and yet you oppose our measures to open more mental health beds in Tasmania. What gives, Madam Speaker? Where is the Labor Party to be taken seriously at all? I remember a time when people were marching in the streets, when they signed petitions, not in their hundreds, not in their thousands, but in their tens of thousands. It was when you were in office cutting the health system to the bone. Dr Nicklason from the MSA said these cuts will linger for a decade. They will hurt the system for a decade.

We invested every year. Not only did we invest in every budget, but we invested in between budgets as well, every year. We intend to do so again. The Treasurer, the Cabinet and I deal with these matters. We support our health system. We are there for our staff. If that were not the case, I could not tell you that while you cut hundreds of staff from our health system, we have put in 630 more, a further 200 staff since the election. That is 800-plus more staff and what are those staff doing? They are supporting our patients. They are providing more care. We are paying them real

money with real funding from our Government and it is possible because of the strong financial management this Government presides over.

If the Labor Party wants to do more than play politics, personal character assassinations and medi-scare campaigns putting faces of the Premier on television telling people they might die, which is what you did do, put out your plan. Put out your alternative budget. You failed to do that. Take away your policy to put sick people in hotels and motels and back us, back our plan, which has \$200 million more and 15 more mental health beds than yours. The capital program at the LGH and the Royal, which you forgot about; we are staffing the beds and the theatres we are building. If you back our plan, you are backing more money into Health. If you back our plan, you are backing Tasmanians getting their healthcare. If you fail to back our plan, you will be called out for playing personal politics, character assassination politics and medi-scare politics, which will help zero people in the community.

Mining Sector - Growth

Mr BROOKS question to MINISTER for RESOURCES, Mr BARNETT

[11.01 a.m.]

Can the minister update the House on the continued growth in the mining sector in Tasmania and the Hodgman Majority Liberal Government's actions to further drive this job-creating industry?

ANSWER

Madam Speaker, I thank the member for his question and his strong support for the resources sector. I am delighted to note that the mining and mineral processing sector is a key pillar of our economy in this state. It employs thousands of people, particularly in rural and regional parts.

Ms O'Connor - Tell us the truth about Majestic. You backed in a one-dollar company and now it has fallen over and people are out of work.

Madam SPEAKER - Ms O'Connor, warning number three.

Mr BARNETT - Tasmania's total export is \$3.7 billion, a huge increase in this year to July; a 29 per cent increase compared to the previous year. Of this, mineral and mining-related exports account for more than 50 per cent, \$2 billion of that total figure, with a value of non-ferrous metal exports increasing 31 per cent of \$366 million over the past year. The value of the metallic ores and metal scraps was at 33 per cent or \$137 million over the past year. That is an increase of \$500 million in the value of mineral and mining-related exports in the 12 months to July 2018. That is the same amount as the budget cuts to Health under the previous Labor government so well noted today by the Minister for Health.

Projects announced and underway will see a major revival in Tasmania's mining industry continue. So far, we have seen an increase in the job numbers at Grange Resources, Savage River and associated Port Latta operation to around 560. That is a terrific result. Of those, there are 50 new jobs in the mining sector in Grange Resources, Savage River and Port Latta. They have plans for a \$10 million investment in the first stage of a feasibility study to do further mining underground. This is very exciting news. We have the granting of approval for our new \$100 million iron ore project at Rogetta, at the back of Burnie, creating scores of jobs and a very

significant boost to the north-west coast. We also have the Government's \$9.5 million investment in CMT to help bring forward a potential restart for that iconic Mount Lyell mine.

We have relocated MRT to Burnie. This was so strongly opposed by those opposite and the Labor Party, a shameful attempt against the move of the mining sector centre in Burnie on the north-west coast. We have Dundas Mining, which recently announced a plan to restart mining operations at the Avebury nickel mine. That is very encouraging, particularly for the west coast and it is aiming to have that mine back in production from next year, with anticipation of 200-plus jobs. The Hodgman Liberal Government is backing the re-opening of the Avebury mine and we have delivered \$3.5 million in payroll tax relief. These are all the initiatives the Hodgman Liberal Government is delivering to support our mining and mineral processing sector.

I am pleased to update the House on a further positive development in the mining industry at the Hellyer mill near Tullah, where successful tails, dredging and pumping slurry to the mill has commenced. NQ Minerals plans to reprocess gold, silver, lead and zinc from previously discarded materials, creating an estimated 50 ongoing jobs, another major boost particularly to our export figures. NQ Minerals attributed the fast progress on this project to the exceptional skills of its north-west coast workforce and the company has committed to give Tasmania's preference for jobs. At the reopening of the mill, Roger Jackson, executive director, who I met on the day, said this of Tasmania:

Tasmania has been welcoming ... I've worked in most states over the years and still do a little bit in other states - this is the best State to work with.

He went on to say -

You've got direct contact with all the authorities, whether it's the EPA or the Mines Department or the Government offices; it's a very very good place to work and the people are also very accommodating here.

This is encouraging. It is a vote of confidence for this Government, for this state and for mining and mineral processing. The project remains on track to produce and ship concentrate by the end of this year, 2018. It is a very exciting time for both the company, Tasmania's north-west coast and the state as a whole.

The Hodgman Liberal Government's exploration drilling grants, \$2 million, have been allocated in the state Budget and that is all consistent with our target to double new mining ventures in the state over the next five years. The grants are used to fund up to 50 per cent of direct drilling costs incurred on successful programs and these guidelines are out, applications have been received and are currently being assessed. I look forward to providing a further update on those exciting initiatives.

There is confidence, investments have returned, it is on the up and this is happening under the Hodgman Liberal Government. We want it to continue and we will do everything we can to make it continue.

Time expired.

LAND TITLES AMENDMENT BILL 2018 (No. 22)
HEALTH COMPLAINTS AMENDMENT (CODE OF CONDUCT) BILL 2018 (No. 26)

Bills agreed to by the Legislative Council without amendment.

ANZAC DAY OBSERVANCE AMENDMENT BILL 2018 (No. 23)

Bill returned by the Legislative Council with amendment.

Mr FERGUSON (Bass - Minister for Health) - I move -

That the amendment be made an order of the day for a later date.

Motion agreed to.

MENTAL HEALTH AMENDMENT BILL 2018 (No. 43)

First Reading

Bill presented by **Ms Archer** and read the first time.

POLICE OFFENCES AMENDMENT (BEGGING) BILL 2018 (No 44)

First Reading

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

SITTING DATES

Mr FERGUSON (Bass - Leader of Government Business - Motion) (by leave) - Madam Speaker, I move -

That the House at its rising adjourn until Tuesday 16 October next at 10.00 a.m.

Motion agreed to.

MOTION

Seek Leave to Move Motion Forthwith

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, I seek leave to suspend Standing Orders to move a motion of want confidence in the Minister for Health.

Government members interjecting.

Ms WHITE - I am not surprised to hear the cries or derision from the Government benches because the information that has now come to light warrants a debate calling into question the want of confidence in the minister, and that is why are seeking leave to suspend Standing Orders so we can move the motion forthwith. I will move that this House has no confidence in the Minister for Health for the following reasons -

Mr BROOKS - Point of order, Madam Speaker. The Leader of the Opposition does not understand this. She has to be relevant to the seeking of leave.

Ms WHITE - I thought I would help the House by providing reasons for the seeking of leave. If the House is not interested, we can move through the next phase which is that Standing Orders be suspended so we can debate the motion without delay.

Members interjecting.

Ms WHITE - If the Government is not interested, Madam Speaker, that is a matter for them. I note the interjections from the Minister for Health who is particularly sensitive this morning.

The reason why I will continue to speak on the motion to seek leave is because in the past, when the Labor Party has sought to seek leave and done so in a way that is brief, we have been criticised by the Leader of Government Business, Michael Ferguson, for not explaining our reasons. It appears that no matter what we do we are criticised by the Leader of Government Business. I will indulge the House by providing the reasons, given this is such a serious issue.

We have had a report that has been leaked and published in the media today that discloses a \$100 million black hole in the Health budget that the minister has been happy to see in his Health budget year after year and ignore the impact it has had on the ability of staff to perform their jobs and the impact it has had on patient care. It is a \$100 million black hole that has no doubt been endorsed by his Cabinet colleagues, who sit there looking smug. They are happy to build a budget surplus on the back of the misery of Tasmanian people who cannot get the health care they need.

That is why this is an urgent motion and we are seeking leave to bring on this debate without delay. It is why we have no confidence in the Minister for Health. Not only has he misled the people of Tasmania about the true state of the Health budget for years now, but he has not even bothered to lobby for the funding necessary to provide the essential services at a time when GST is increasing to the state.

He is either incompetent or ignorant or both. He does not have the confidence of this side of the House and it is a serious matter that needs to be brought on for debate. That is why we are seeking leave to allow the suspension of Standing Orders so we can have this debate now. I hope the Government allows the seeking of leave and the suspension of Standing Orders that will be sought following that and that they do not gag debate.

[11.15 a.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Madam Speaker, the Government will not stand in the way of the Leader of the Opposition moving this motion to seek leave. We note, however, that there is significant business on the notice paper and I will speak to that a little later on.

[11.15 a.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Madam Speaker, Dr Woodruff and I most certainly support the seeking of leave. This is a debate that the House has to have. A want of confidence in the Health minister has been expressed and the House must examine his failings and the merits of the want of confidence motion. We support the seeking of leave.

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Move Want of Confidence in Minister for Health

[11.15 a.m.]

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

That so much of Standing Orders be suspended as would prevent a motion of want of confidence in the Minister for Health being brought on for debate forthwith.

I note the comments made by the Deputy Premier that they will be supporting the debate but he did indicate that there are items on the blue today for debate, Government business, that indicates to us that the Government is about to gag the debate. The matters for debate today are important and we have no problem with sitting late to get through the business that is necessary for this House to continue to operate as it ordinarily would, but we would not support gagging debate on such an important motion.

A want of confidence in a government minister is the most serious motion this House can consider. It is serious given the fact that we have now been repeatedly misled by this Health minister. The independent reports by KPMG and RDME both find that there is chronic underfunding of the health system to the tune of about \$100 million each year. This Government is systemically underfunding the health system at the time they are using the rhetoric that they are investing more in Health. The reports find that they are refusing to provide adequate base funding for the hospital and health system to provide the services that are essential for all Tasmanians.

One of the reports finds that there is a \$100 million black hole, which the minister did not deny today in question time and yet he has not addressed it - not in this Budget, not in last year's budget, not in the budget before that. This is a report that he received in March 2017 from KPMG and then backed up by another consultant, RDME, who examined that and found those findings in the KPMG report to be truthful, upheld them, and found that there is a \$100 million black hole.

We need to suspend Standing Orders in order to debate this motion forthwith. A want of confidence motion is serious. I ask the Government to take it seriously and not gag debate, particularly not in the manner they have done in the past when they have only allowed an hour for the debate. That does not allow for the number of speakers who want to have a say to have time to speak. We need to ensure there is no gag and the motion can be debated until its appropriate conclusion.

[11.20 a.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Mr Deputy Speaker, on the matter of suspension of standing orders, I have an amendment -

Members interjecting.

Mr ROCKLIFF - The Leader of the Opposition admitted herself the very important matters that were on the agenda today. You said they were very important, and they are important. In recognising that I move an amendment that -

after 'forthwith' insert 'debate on the motion be completed by 1 p.m.', -

Members interjecting.

Mr DEPUTY SPEAKER - Order, this House will come to order. This is a serious matter. The Deputy Premier will be heard without interjection.

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Mr ROCKLIFF -

... that the Premier and the Leader of the Opposition shall speak for no longer than 20 minutes each and all other Members speak for not longer than 10 minutes each in speaking to the motion, and that immediately following a vote on the motion the House proceeds to Government Business.

Ms O'CONNOR - Point of order, Mr Deputy Speaker. I seek some clarification. Are you suggesting that at the end of the vote on this gag of the want of confidence that we will go to the matter of public importance debate?

Mr DEPUTY SPEAKER - That is not a point of order; it is an interjection. The Deputy Premier has the call.

Mr ROCKLIFF - Mr Deputy Speaker, the motion clearly states that the Government will be returning to Government business.

Ms O'Connor - We will not be supporting that because on the last want of confidence, you let Mr Brooks run the Liberals MPI.

Mr ROCKLIFF - Ms O'Connor, you can make your arguments. I am sure you will.

Ms O'Connor - That is all right. We will just run urgency on foreign influence. See how we go with that. Do it the easy way or the hard way.

Mr ROCKLIFF - Mr Deputy Speaker, this is a sensible amendment. It allows members of this House to have their say. Tasmanians expect their members of parliament to work hard to deal with legislation and not to engage in stunts, as we are very used to the Labor Party engaging in.

For the record, we look forward to contributing to this debate. We have a very proud record when it comes to Health, as the Minister for Health outlined a few moments ago. The record is very clear about the four years between 2010 and 2014, and the decimation of our health system

under the Labor-Greens government. Very few people will forget the 2011 budget, when a process was put in train to rip \$500 million out of the health system. Our health system is now rebuilding from that decimation. These are the challenges that confront the Hodgman Liberal Government.

Mr DEPUTY SPEAKER - Order, Deputy Premier, you need to be relevant to the motion from the House.

Mr ROCKLIFF - Yes, Mr Deputy Speaker, I am relevant. It is important that a number of people get to contribute to this debate. That is why we have limited the time to 20 minutes for the respective leaders, the Leader of the Opposition and the Premier, and other members have 10 minutes each. This side of the House would also like to defend our Health minister and his record. This Government is very proud record when it comes to Health.

In the dark days of the Labor-Greens government, when the economy was going south, when 10 000 jobs were being lost -

Mr DEPUTY SPEAKER - Deputy Premier, you need to be relevant to the motion in front of the House. You need to talk to your amendment.

Mr ROCKLIFF - Thank you, Mr Deputy Speaker, I respect your ruling on that matter. I make the point that members on this side of the House will want to speak against this want of confidence motion for very good reason - so we can remind the Tasmanian people what it was like under the Labor-Greens government, ripping \$500 million out of the health system and sacking a nurse a day for nine months and of the investment that this Government has made over four years.

[11.25 a.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the amendment to gag the debate is a disgrace. Yet again it shows it is how this Liberal Government treats the processes of parliament as a joke. It is utterly cowardly to squash a reasonable debate on such a serious topic.

The evidence that was provided for everyone to read on the front page of the *Mercury* today makes it abundantly clear there are important issues like structural underfunding in the health system that have to be discussed. The minister's responses this morning made it clear that he does not accept structural underfunding - the evidence of his own consultant. It is an absolute abhorrence that we would gag a debate on something as important as this. Many Tasmanians hold, as their most dear treasure, a functioning public health system that is there for them when they need it. It is a disgrace. The Greens do not support gagging the debate. The Deputy Premier should be utterly ashamed of the amendment.

[11.26 a.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, what a cowardly attempt to gag debate. We have seen time and time again in question time this woeful, out-of-touch, deceitful minister get up, patronise this side of the House, patronise the Tasmanian people, using an amendment in an attempt to avoid scrutiny and to avoid the debate. It culminated in one of the most appalling performances in question time that I have ever seen of a minister. It was so bad that the Premier got up on a Dorothy Dixier.

Mr DEPUTY SPEAKER - Mr O'Byrne, you will be relevant to the motion. You are not being relevant. You are to talk about the amendment moved by the Deputy Premier.

Mr O'BYRNE - This House needs time to debate this most serious matter. It was so woeful. None of them want to get up and defend him. In question time, the Premier had to answer a Dorothy Dixier about an iconic walk. He immediately started to talk about Health. We are talking about Health, Mr Deputy Speaker.

Mr DEPUTY SPEAKER - Mr O'Byrne, you are off again. I will ask you to sit you down if you cannot be relevant.

Mr O'BYRNE - The iconic walk he needs to make is to sack the Health minister. That is what the Tasmanian people want. This is not just a political stunt. We are representing the people of Tasmania in wanting a health system that delivers for them. We want a health minister who will have some level of accountability. How many more reports are you going to try to bury before we can debate them in this House? This House needs to devote the time to debate these most serious of issues - confidence in a health minister, a portfolio that is about life and death in our community. It is a portfolio that is a key determinant for Tasmanians' health outcomes and their life outcomes. This is the most important debate we can front. They mealy-mouth that we have so many other things to talk about. We want to talk about the health system in Tasmania, the lack of accountability this Health minister is showing to the system and the deceit he is showing to the people of Tasmania and this House.

Time and time again in question time we have asked for answers. The minister gets up and patronises. He is deceitful. The only thing he can talk about is ancient history. He refuses to take responsibility for his five years of shame, of mismanagement, and five years of deceit. We need time to debate; we know why they are gagging the debate. It is because none of them want to be on the record defending him. The Premier, the Deputy Premier, the Treasurer, the rest of the frontbench and the backbench do not want to defend him.

We want to get up on our feet. The members for Braddon want to get up and talk about the health system and the lack of support for their community. The members for Bass want to get up and represent the nurses who are day in, day out taking industrial action and who you refuse to speak with. The members for Lyons want to get up and talk about rural health and the lack of support they are getting from their minister. Franklin, Denison - we all want to get up and talk about this minister who refuses to take responsibility. With the amount of deceit and mistruths he has uttered in this House, he would not know the truth if it hit him in the face.

How many more reports are there that we do not know about? Deloitte, KPMG - how many more reports that you say do not exist? This is the kind of debate we need to have in this House. To gag it to 1 p.m. shows that you are cowardly and cannot defend your own record. If this amendment gets up, it means that you do not want to defend your Health minister. You do not want to defend your record on Health because the bell has tolled for you mob. The community knows what is going on. It is not just us: it is the thousands of Tasmanians who tell us the story every day about their experiences of their health system.

Mr DEPUTY SPEAKER - Mr O'Byrne, you are not here to debate the motion. You are debating the amendment.

Mr O'BYRNE - The fact that they are choosing to guillotine debate and not allow this House to properly debate this matter shows they do not support him. We all know that none of them want to replace him because he is hanging in the breeze and the minister is smiling about the fact. This is not a stunt. This is the first time in this parliament we have dealt with a motion of want of

confidence. We do not do this lightly. This is one of the most important motions. We are not like you in the term before where it seemed like every second day you wanted to have a crack at it and waste the parliament's time. We have brought this on because in the public domain a report has been leaked which has contradicted and made the minister an absolute fool, it shows that he is deceitful and that he has misled the Tasmanian people.

We need the time to debate this. For the Deputy Premier to say there is a lot of other stuff going on - maybe we will debate it till 1 p.m. and then have a nice little lunch - I am sorry, Deputy Premier, but we do not accept that. We need the time to debate this. The protection racket you are running for an out-of-touch, incompetent, deceitful Health minister is an absolute disgrace. We know it, the other place knows it, they are all talking about it, but most importantly the people of Tasmania know it. The people of Tasmania are rising up against this Health minister because of his incompetence and deceit. This amendment is a disgrace and should be seen for nothing more than that.

[11.33 a.m.]

Mr GUTWEIN (Bass - Treasurer) - Mr Deputy Speaker, Tasmanians will understand exactly what is going on here. This is nothing more than a stunt. A very sensible time frame has been allowed for. Your arguments will not get any better the longer you go. Want of confidence is not about attrition. The simple fact is - and Tasmanians will understand this - that we have a motion of want of confidence in a minister who has recruited 630 staff, opened 120 beds and is doing the things that those opposite could not do and, in fact, doing the things that the other side did in reverse.

Mr O'BYRNE - Point of order, Mr Deputy Speaker. I ask you to bring the minister's attention to the matter we are debating, which is the amendment on the time.

Mr DEPUTY SPEAKER - I remind all members that we are on the amendment as moved by the Deputy Premier. Debate will be relevant to that subject.

Mr GUTWEIN - I can understand him being twitchy about this. He was the bloke that the Police Association had a want of confidence in.

Mr DEPUTY SPEAKER - Order, Mr Gutwein, that is not relevant. You know that.

Mr GUTWEIN - Through to 1 p.m. is more than enough time to explain that on this side of the House we will defend a minister who has put on 630 new staff and opened over 120 beds. He has not sacked 120 coppers. We think 1 o'clock is a perfectly reasonable time frame because Tasmanians would not want their parliament to waste time with a stunt like this. Let us be clear. They want to move a motion of want of confidence in a minister who is doing his job, who has recruited 630 staff and opened 120 beds that were closed by them.

Mr DEPUTY SPEAKER - Order, Mr Gutwein, on the amendment, please.

Mr GUTWEIN - Mr Deputy Speaker, I am speaking to the amendment because I am making the point very clearly that it is a stunt. Giving them until 1 o'clock is a luxury, to be frank, in terms of the context they want to bring this forward in. They are bringing a want of confidence motion forward on a minister who is putting on staff, opening beds and investing in the health system. Tasmanians need to understand that this is simply a stunt.

Mr O'Byrne - Why bother with the reports, then?

Mr DEPUTY SPEAKER - Order, Mr O'Byrne.

Mr GUTWEIN - To give them until 1 o'clock is a luxury they do not deserve for a stunt like this.

Mr O'Byrne interjecting.

Mr DEPUTY SPEAKER - Order, Mr O'Byrne.

Mr GUTWEIN - He cannot help himself. Your arguments will not get any better the longer you go. On this side of the House we will point out that this minister is doing his job, he is recruiting staff, putting on more nurses, doctors and allied health professionals and he is opening beds that that side of the House closed down.

[11.37 a.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Mr Deputy Speaker, it is important the House understands how utterly misleading the contributions from Government members have been in relation to the gag. If you have a look at the parliamentary record from 2014 to today, any time this House has debated a no confidence or censure in a minister, the debate has been gagged.

Mr Hidding - It was with you, too. You did it when you were in Cabinet.

Ms O'CONNOR - We hear interjections from the member for Lyons, Mr Hidding, who has made no effort to go back and have a look at the parliamentary record of the Labor-Greens government. There were times when we ran any one of your weekly no-confidence or censure motions you brought on into the wee hours of the night. We started to bring the guillotine down on your no-confidence and censure motions when they had gone on week after week and were frivolous and time-wasting. We had reached more than 50 hours on no confidence and censure debates from the Liberals in this Chamber, but the gag has been pulled on no confidence and censure motions by the Liberals in government every time a motion questioning the capacity or integrity of minister has been brought on. This Government uses its numbers every time to shut down legitimate debate about whether this House has confidence in a minister or whether a minister deserves the censure of the House.

The dishonesty at the heart of the contributions that have come from Liberal members here and the interjections needs to be called out. The parliamentary record speaks for itself. We have never had a free-flowing debate in this place since the Liberals took office on a question of confidence or censure, not once. Every single time the gag has been pulled and it is because they are sitting over there in coward's castle and they do not want to have these debates and have the truth laid bare.

[11.39 a.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, I have never seen a government that is so afraid of scrutiny, that is so afraid of honesty, that is so unprepared to back its own minister. If those on the other side truly backed this minister then every one of them would stand up and say those words. Every one of them would staple themselves to his side, but they are not going to do that because none of them back this minister. They are all sitting there going, 'Oh my God, we didn't know about the report! What report - there have been reports?'

This minister has been deceiving the Tasmanian people and his colleagues and that is why they are too frightened to stand up and debate it. We did the work. You have been minister for nearly five years. Own up to it. This is you.

This is a debate we need to have in its entirety. This Government says, 'no, it is all very normal to stop things at 1 p.m.', and Ms O'Connor has raised that issue. I went through the records of want of confidence motions. We did not have to find all the censure records and there were loads of those as well. The only government that has consistently and habitually gagged debates in one of the most serious debates this parliament can ever have is sitting on that side of the House right now. It was not until we were seeing weekly, 'no confidence Tuesdays', that we started to put some limits on it. When you go back through the evidence, you will see we routinely debated for four or five hours until the conclusion of the debate, again and again. In government, we had the ticker to stand up and defend the decisions we made and to defend our colleagues. There is not a person over there who is not secretly thinking, 'Dear God, I hope he stays in the portfolio because I am not brave enough to take on Health'. There is not a person who thinks he is doing a good enough job.

Members interjecting.

Ms O'BYRNE - You are the Government. You have the Treasury benches.

Madam SPEAKER - Order. You can hear this rabble right down the hall. I expect everyone to behave in a parliamentary fashion. I understand it is a heated debate but please use some decorum. I remind members that we still have people on warnings and they are on warning number three in many cases, that being Mr O'Byrne, Mr Bacon, Ms O'Byrne; Ms O'Connor with two; and Ms White with one. I will be applying warnings to both sides of the House should there be any more drama.

Ms O'BYRNE - Madam Speaker, you are right. This is a heated debate and this is because it is time that this House could do what it has the power to do, what it has an obligation to do and that is to hold ministers to account. This minister is failing our community. There are significant concerns on this side of the House and all around the state about the dishonesty, the lack of transparency; you squash RTIs.

Who on earth has ever used copyright to hide a document? You paid for the document to be done. You own the document. The only people claiming copyright were you because you were too gutless to have the report out there. It is out there, confidence in you has gone and you will not let this House have a decent amount of time to debate it.

What is the story today? Is it only that this minister is incompetent, or is the story that this Government is afraid to stand up and back him. Not one of you want to stand beside him or be his mate in all of this. There he was in Question Time, calling in all the people who support him and you all looked pretty sheepish at that point.

We have had in previous governments, before this kind of lack of transparency, there were multiple opportunities where want of confidence motions were debated until the conclusion of the debate. Do you know who moved those motions? The Premier and Deputy Premier moved those motions. The former minister, Mr Hidding, moved those motions and demanded this parliament be able to have its say. Sitting on that side of the bench, they were the voices that said, 'this is the right of the parliament'. They are over there now and have lost all of their ticker, because they are gutless.

You have not initiated any decent reform in Government and you have not delivered reform. You are coasting on the wave of a better economic position. You have done nothing. Worse than that, in doing nothing you have failed people in Tasmania. There is a document that shows, again, that you are failing Health; a \$100 million deficit, a structural deficit. You can produce your own documents, Mr Jaensch, which you wrote in the back office. You can wave them around if you want. These are independent reports this Government has paid for and are now so frightened of that they will run away rather than defend them, rather than admit the independent reports you commissioned have shown you are failing.

This parliament takes want of confidence motions as the most serious motion we move. That is why there is another option. That option is to censure and it is a milder option. To call a want of confidence motion is the most serious thing this parliament has done. When they were called in previous governments they would continue for three hours, four hours, five hours, until the conclusion of the debate.

The only people who have been so cowardly, so gutless, so embarrassed by their own performances they will not stand up and defend them sit in the Treasury benches right now. They sit alongside Mr Ferguson and they do so knowing he has failed Tasmanians and they are not gutless enough to defend him.

The House divided -

AYES 11

Ms Archer
Mr Barnett
Mr Brooks
Mr Ferguson
Mr Gutwein
Mr Hidding
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mr Shelton (Teller)

NOES 11

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

PAIR

Ms Courtney

Ms Houston

Madam SPEAKER - The result of the division is 11 Ayes and 11 Noes.

As there is an equality of votes I am called on under standing order 167 as Speaker to give a casting vote and state the reasons for my vote, which will be entered into the Journals of the House. As the end result of this motion would be a vote of want of confidence in the minister, and you would be aware that I publically committed to supporting the Government in confidence and supply, so I will be supporting this amendment to limit the debate to 1 p.m. Therefore the result of the division is in favour of the Government.

Amendment agreed to.

Motion, as amended, agreed to.

MOTION

Want of Confidence in Minister for Health - Motion Negatived

[11.51 a.m.]

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

That this House has no confidence in the Minister for Health for the following reasons -

- (1) Despite five years of cover-ups, reports from independent consultants, KPMG and RDME, reveal the Minister for Health has systematically underfunded the Tasmanian health and hospital system.
- (2) The Report shows that there is a \$100 million black hole every year in Tasmanian hospital funding.
- (3) The Reports show that despite increasing demand, the Minister for Health, Hon Michael Ferguson MP had a savings program to cut 100 full-time jobs in 2017-18.
- (4) The Report shows that although Tasmania has experienced significant growth in GST funding from the Commonwealth, Health spending has not increased in line with this.
- (5) The Minister for Health, Hon Michael Ferguson MP has failed as Health minister and the Tasmanian community is suffering.

Madam Speaker, this is the most serious motion that the House can move and we do not do so lightly. Given the report that was released and published in the *Mercury* newspaper this morning, we have no other option. It is quite clear that the Minister for Health has been misleading Tasmanians for years now. A \$100 million blackhole has been uncovered by KPMG, an independent consulting firm employed by the Government. The KPMG report has been backed up by the RDME consulting firm.

The minister has been presiding over a \$100 million blackhole in the health budget each and every year that he has been minister. It continues in this Budget. The arguments from the minister that there is nothing to worry about, ignore the fact that for the last couple of years we have been duding you, from now on it will be better, is a complete farce.

The Budget papers quite clearly show that the demand for health spending is not being met by the allocation made in the Budget each and every year. The KPMG report demonstrates very clearly that health expenditure and demand is growing. The demand for health services is growing at around 4.6 per cent per annum. This Government's Budget increases health spending by just 1.7 per cent per annum. Things are not going to get any better; they are getting worse. You only

have to look at the stories that have been shared with us, both by patients and by the staff, to understand that this is not just the Labor Party raising these concerns. It is not just the KPMG report, the RDME report or the Deloitte's report raising these concerns. The Government has chosen to cover up and ignore independent advice because they do not like it. It is the stories of the patients who shared what experiences they are enduring in the Tasmanian health system.

I say 'enduring', because it is not appropriate for a mental health patient to be sleeping on a towel in the emergency department. It is not appropriate for patients in the emergency department to be waiting six days before they get treatment. It is completely unacceptable and distressing to hear the stories of patients who have shared these stories publicly because they want something to change; about how, after presenting for support, mental distress, even suicide attempts, they have been turned away with a bus ticket. This is shameful.

The Government cannot say, as the Premier tried to, that Health is their number one priority, when you see how badly let down the system has been by this health minister.

After five years of this minister, things are not getting better, they are getting worse. We have seen the Government continue to systematically underfund the health system by \$100 million every year. They are not providing adequate base funding; they are not providing the adequate, essential funding that provides the services that Tasmanians depend upon.

The minister has done his very best to cover up this report. The first report was received by him in March 2017. Did anybody in this place know about it then? That is a very good question. Presumably colleagues on his frontbench may have been made aware of it. Certainly the report the Government received in March 2018 made it clear that from the March 2017 report, nothing had changed.

In March 2018, when you sat around the table with your Cabinet colleagues, Minister for Health, did you disclose the report to them? Did you disclose to them that you chronically underfunded health by \$100 million a year; that there was a blackhole in the health budget, which sees staff scrambling to provide solutions? It is why they are now offering alcoves and store rooms, and a handbell to patients because they have nothing else to offer. They have not been resourced to provide adequate services and support. They are desperately trying to provide care to patients in need. Nobody could say that is an appropriate way to treat patients, but the minister came into this place and he backed it. Rather than backing them with extra resourcing or the demands they have on the table now for solutions to this problem, he backed that because they had nothing else.

The report was released, not by the Government, but leaked by somebody who wants to uncover what is happening in the health system and make sure that everybody in Tasmania fully understands the problems and the crisis in our health system. The report shows that in the 2017-18 financial year savings strategies were in place for the Department of Health and the Tasmanian Health Service. They were supposed to find savings strategies of \$21 million. At the same time they are chronically underfunded to the tune of \$100 million. One hundred jobs were proposed to be cut to help find those savings. At the same time we have patients lying on towels in the emergency department. At the same time we have nurses who have been protesting for 85 days in front of the Launceston General Hospital because they are so stressed about the workload in the emergency department. Has the minister been to see them once? No. Not once has he been to see the nurses who are campaigning on the pavement and spoken to them about their concerns as they stand in the wind and rain in the horrible winter months that we have had. They are still standing there. Today they would be standing there. What does it take for this minister to listen?

These reports demonstrate that not only has he ignored the advice of clinicians, and the stories of patients that he said he receives regularly, but he has ignored the advice of independent experts, KPMG, RDME, his own experts that he engaged as the minister for health services and he has ignored that advice.

Let us have a look at some of the litany of failures under this Health minister.

Members interjecting.

Madam SPEAKER - Order. You are on your third warning, Mr O'Byrne.

Ms WHITE - I have spoken already about the use of handbells by patients who have been allocated alcoves and storerooms to wait in because there are not enough beds in the hospital. The minister claims that he was going to open mental health beds but now he does not even know when or where they are going to be placed. Cutting the number of acute mental health beds in the hospital from 42 to 32 has led to a coroner's report that blamed the death of a man on the fact that there were not enough mental health beds. Even the coroner's report on the minister's own watch has not compelled him to increase the number of acute mental health beds in the hospital system. How much more damning does it have to get? People are shamefully dying and the minister still refused to address the causes of the problems.

We have nurses at the LGH who have been campaigning on the pavement for 85 days. We have child and adolescent mental health staff who are speaking out and taking industrial action in the north and the north-west. We have patients who are sharing their stories, which have been covered by SBS in a feed showcasing the youth mental health crisis in our state. We have doctors speaking out at press conferences. Dr O'Keefe bravely spoke out at a press conference, asking the minister to address his concerns about the adequacy of the services in the hospital and whether the minister is finally going to listen. The Minister for Health, Michael Ferguson, dealt with that in a dismissive manner. He did not even acknowledge the doctor, or say thank you for raising those issues. 'Address that would you, Marcus', he says to the gentleman to his left. What kind of person does that? Any ordinary person being asked such a question would say, 'Thank you for raising that concern. Let us have a chat'. As he walked out of the room, he did not even make eye contact with Dr O'Keefe.

Members interjecting.

Madam SPEAKER - Order. I have given a warning that people will be thrown out of the Chamber.

Ms WHITE - We have seen assaults at the Royal Hobart Hospital. Nine code blacks have been called, which usually means assaults or threats of assaults on doctors and nursing staff, and that was in a single night at the Royal Hobart Hospital in July. The pressure you are putting our staff under in our hospital system because you fail and refuse to adequately resource them is putting them in danger, minister. We have Royal Hobart Hospital workers who walked off the job because of your failure to acknowledge that they need to be paid properly. On the Royal Hobart Hospital redevelopment, there were 12 weeks when workers were not paid at all. You are not going to fund your Health budget by cutting the wages of staff or failing to pay them in the first place.

We have the problems we saw with the provision of surgical terminations in this state and the refusal of this minister to make sure there are safe, accessible, affordable services for Tasmanian women in their own state to access a legal health service. Even now there are no services in Tasmania that support women to access affordable terminations. It is the minister's failure to act that led to this problem. That brings me to the scandal around Cricket Australia and Angela Williamson and what involvement this minister had in her sacking. What information was shared? What private personal medical information was shared with her boss? That remains unresolved.

We have a report before us that is damning. There are some key findings in this report that the Government has obviously refused to take notice of because they have not provided the adequate provisions in the state Budget to fund Health and address the fact there is a \$100 million black hole. Key quotes from this report highlight that the Department of Health and Human Services commissioned an independent assessment of health expenditure drivers from KPMG in 2017. They knew there were problems. This analysis shows a difference between the actual and budgeted expenditure that is structural, persisting and increasing.

The Department of Health sought advice. The Tasmanian Health Service sought advice because they are concerned about their ability to perform the functions required of them by the minister with the funding they are being provided by the Government. They found there is not enough money and the situation is getting worse. They also found the THS has operated in an environment of successive yearly cash deficits and it is highly likely that there exists a significant and growing structural deficit in THS funding. Although this report did not attempt to quantify this, the KPMG report estimates this structural deficit is in excess of \$90 million and predicts that it will continue to grow beyond \$100 million.

All of this is occurring at the same time the state is receiving increased revenue. Over \$1 billion more in GST came to this state than the Government expected when they handed down their 2014 state Budget, and yet they continue to chronically underinvest in the health system. The report highlights that when it says that over a period when the state has experienced significant growth in GST receipts, health spending has not increased in line with this.

There is no reason why the health system should be in this state, given the fact there is money to fund the services the Tasmanian public requires. It is only because of this Health minister and his decision to not prioritise spending on the areas of need in Health that we are debating this motion right now. We have no confidence in him because even though there is money in the Budget to be allocated to Health, he has not secured it. Even though there is provision made for providing services to Tasmanians, he has not made sure that it happens. Even though there are two independent reports, plus a Deloitte report, which we can only guess what is in it because he kept it under cover for so long, that demonstrate the structural deficit in the Health budget, this minister has done nothing about it.

There can be no argument made by him that in March all the problems were resolved with their election promises because most of that money is in years five and six and not even in this Budget. That was the biggest lie of all that this Government made to the people of Tasmania. What a broken promise. You promised them a bucketful of money and they have to vote for you again if they want to get it delivered. What a joke. What a broken promise.

This report is incredibly damning. In fact, it was curious to see the Minister for Health go out on this with the Treasurer this morning; he had to have the Treasurer there to hold his hand. It made

me wonder if the Premier had seen the KPMG report. Premier, have you seen the March RDME consulting report from this year?

Mr Hodgman - Yes.

Ms WHITE - Presumably it has gone through Cabinet. He has a copy. You can see it for yourself, Premier. I am surprised by that because when I saw the Minister for Health go out this morning, having his hand held by the Treasurer, it made me wonder what had been stitched up between the two of them. Had they stitched up a deal to decide they were not going to properly fund Health and not told the Premier about it? Is the Premier in on the scam? You either see a report like that which proves unequivocally from independent advice that there is a \$100 million black hole in the budget and you do something about it, or you ignore it, which is what you have chosen to do at the expense of patient welfare and pressures on our staff in the health system.

It reminds me of another time that the Minister for Health had to have his hand held. That was when he went out with you, Premier, to make an announcement about your backflip on gun laws. Every time things get a bit tricky around here, the Minister for Health cannot go out and defend his own decisions - he has to have someone hold his hand. He is getting you all in on his little scams; he cannot actually defend himself. Every time things get a little bit tricky he has to have someone go out and hold his hand. First it was you, Premier, and now he has roped you in, Treasurer. Either you are all being duded by the Minister for Health or you are all in on the scam - one or the other. You cannot have it both ways, but he is playing tricky buggers with you and you ought to be very careful about what path he is leading you down.

Madam Speaker, we have very clearly seen that this report sets out what the Government needs to do to address the problems in the health system. It defines the structural deficit in Health as the total excess of actual expenditure over budget expenditure less the actual increase in expenditure that year, and it finds that there is a \$100 million structural deficit, a black hole, every year.

The Government cannot say their March promises fixed things because if you look at the 2018 Budget which showed a Health spend of \$1.806 billion, if you compare that to what was actually spent in the years 2017-18, it is \$4 million less. You are not fixing your black hole. You are continuing to ignore it. You have not provided enough money in this year's Budget to even cover what was spent last year. We know that the costs go up in Health by around 4.6 per cent per annum; that is in the KPMG report. If the Minister for Health does not believe the KPMG report he needs to say so, but he cannot refute the Commonwealth Grants Commission, because they demonstrate exactly the same issue - that this Government continues to chronically underinvest in Health.

The Australian Institute of Health and Welfare report shows that the average growth rate in Health is about 4.3 per cent. They have not provided adequate money in the Budget to fund the health system this year. The average annual increase is around 2 per cent. The structural deficit, that \$100 million black hole, is still there. There will still be requirements to either do one of three things that have been outlined by this report. One of them is to cut jobs. You can increase our funding or decrease your activity or decrease the complexity for a given degree of activity, or you can increase inefficiency for the given level of activity in a fixed budget.

That makes many staff work harder with less money. Our staff cannot work much harder. Of those three options, which one are you going to take, minister? The only option is to increase the funding, and given the GST receipt this state has been in benefit of, you should do it. The Budget

does not reflect the fact that you have done that. If you look at the 2018-19 Budget, you will see there is \$4 million less there than what was actually spent in the previous year, the 2017-18 year.

This Government continues to chronically underinvest in Health and this minister has failed the people of Tasmania. He has been caught out by this independent report. It is only because somebody has been brave enough to leak it that we are even talking about because the minister tried to cover it up. He has been sitting on one report for over a year; the KPMG report. If there is nothing to be ashamed of, what you are you hiding? If you want to have an honest debate about Health, let us put the facts on the table. Let us talk about what is going on in the health system because the Government has been hiding the true crisis in the health system. It has been exposed and the minister has been exposed. He has been able to articulate to his colleagues the need for more money to be provided to the health system to address the structural deficit, the \$100 million black hole, because it remains in the budget.

He is a failure as a minister. He is a failure in the Cabinet because he has not been able to get the money necessary to support our staff and to support patients to access quality care in Tasmania and he is a failure to the people of Tasmania. He continues to mislead them about what the Government is doing, when we can see now in black and white you are not doing those things at all. You are not doing what it is you say you do. You are chronically underfunding the health system and patients are suffering.

It is the stories of patients who come to use every day that are compelling us to continue to raise issues like this. They are the patients who are waiting in the emergency department for hours and days, the patients who cannot get beds, the patients who were turned away, the patients who were given bus tickets to go home after they have presented to the emergency department with mental ill health issues, including attempted suicide. It is the patients like Theo in the north-west, who has been waiting to get his surgery far longer than clinically recommended. It is affecting his quality of life. It is affecting the quality of life of so many Tasmanians, let alone the health and welfare of staff in the system who have had enough of this, minister, and that is why we are seeing the industrial action taken. They have no confidence in the minister and neither do we.

Time expired.

[12.12 p.m.]

Mr HODGMAN (Franklin - Premier) - Madam Speaker, I welcome the opportunity to speak on behalf of my team -

Mr O'Byrne - Not for very long and not all of you. Rubbish.

Mr HODGMAN - Your Leader only just got over the line at 20 minutes. Until 1.00 p.m. is perfectly adequate to demonstrate this is the latest in a long list of puerile political stunts concocted by Labor and supported, as always, by their colleagues, the Greens. The people of Tasmania well know that political stunts are not going to help our health system. Political stunts might occupy your time and it might be the focus of your attention in this place. Our focus is on delivering results, improving the health system and doing so courageously under the leadership of Michael Ferguson, well supported by each and every one of this team to do what is necessary to turn our health system around and give Tasmanians the health service they deserve.

Yes, it is important to reflect on what was occurring only a few years ago, not ancient history. There were people who were waiting on lists to get their treatment for a decade when we came into Government. To say four-and-a-bit years ago is ancient history -

Mr O'Byrne - Take responsibility now.

Mr HODGMAN - You take responsibility for what you left us, tough guy. You will not, will you?

Members interjecting.

Madam SPEAKER - Order. Listen to yourselves. This is disgraceful behaviour. There are people here on warnings. If you wish to be here for the vote then you must calm down. Premier, please proceed.

Mr HODGMAN - Thank you, Madam Speaker. We will point to the track record of members opposite to highlight their hypocrisy and to provide some context with respect to what we have inherited as a Government. I will tell this place and the people of Tasmania what we are doing to improve it. We were warned, as a community, and the Labor government in alliance with the Greens were warned, the cuts you made when in government would have long-reaching impacts and that it would last for a decade. That is what you did. It is a reality. It has been shown to be true that you left the health system we inherited in a mess. We are accepting responsibility. We were elected to fix the mess and we are doing that. Members opposite cannot deny the health system they left us was in a mess. Those are the facts.

They also cannot deny nor presume to lecture us about how we might fix it when they can present no cohesive election policy. They had seven versions. It changed on a weekly basis. It did not stack up and its centrepiece was to put sick people into hotels. That was as good as it got. They have no credibility on a policy front. Nor did they present, when given the opportunity, an alternative budget that would outline what they would do to fix some of these issues or the structural deficit they refer to. Where was the courage in that? Where were the guts in that?

Members interjecting.

Mr HODGMAN - You do not have the strength of your convictions to put out an alternative budget.

Member Suspended

Member for Denison - Mr Bacon

Madam SPEAKER - Order. I have new information. I can sin-bin people and you can come in for the vote. Mr Bacon, you are the first.

Mr Bacon withdrew.

Mr HODGMAN - Madam Speaker, they talk about courage and bravery. They do not have the courage to present an alternative budget and explain what they would do. Even when you look

at their election policy, it is \$200 million less than what we are putting into our health system, yet they have the gall to come in here and tell us that what we are doing is not enough. We will not be lectured to by failed former members of a government that cannot, even now as an alternative government, present an alternative.

Ms Standen - It is on your watch. He has had that report for a year.

Madam SPEAKER - Order, Ms Standen, warning number one.

Mr HODGMAN - We have to be reminded of what the people of Tasmania have said about this matter. Yes, we recognise there is more to be done. We put forward a substantive Health policy in this election and it is a priority for Tasmanians. It was, formerly, for the Opposition Leader and no longer is but we put forward a very substantive policy platform to fix our health system. We are getting on with the job of doing that with the confidence of the Tasmania people, on the election result, to get on with doing it and deliver the results we have committed to. It was not that long ago there were massive rallies, people publicly campaigning against the former Health minister, Michelle O'Byrne, and the cuts being made to our health system that we were warned would take a decade to get through and which we are only partway through.

There was a petition presented to the Health minister and here it is. That is what the Tasmanian people had to say about your performance as a Health minister. There was no confidence whatsoever in what you were doing then and there would be none now.

Madam SPEAKER - Premier, are you tabling that? Otherwise, it is a prop.

Mr HODGMAN - It has previously been tabled. There are more than 26 000 signatures on this petition condemning the Labor Party and their Greens allies.

Madam SPEAKER - Order. Premier, I am ruling it as a prop. Please remove it.

Mr HODGMAN - It was previously tabled, Madam Speaker. Around 27 000 people signed that petition -

Madam SPEAKER - Premier, I have asked you remove it, thank you.

Mr HODGMAN - condemning the Labor Party for what they did to our health system, yet they pretend it never happened. They pretend it is irrelevant and those cuts did not impact on our health system.

Members interjecting.

Mr HODGMAN - Oh, now they do not. They are now accepting some responsibility and it is about time you did, too. We are accepting the responsibility we have and we are improving our health system. We will not be lectured by a failed Labor-Greens government that left our health system in such a parlous state. Did the then minister for Health, Michelle O'Byrne, who had 27 000 Tasmanians sign a petition condemning her performance, resign? No. Was she forced to leave her post as a failed Health minister? No, that is fine. That is what life was like under the Labor Party, happy to have a Health minister stay in the job -

Ms O'BYRNE - Point of order, Madam Speaker. We did not gag debate. I defended myself and every single member did as well.

Madam SPEAKER - That is not a point of order, it is clarification. Dr Broad, you are on a warning for numerous interjections. Ms Standen, you are on warning two.

Mr HODGMAN - There was no confidence in you or the Labor Party then and no confidence now. You do not even have a policy or an alternative budget to fix the problems you assert exist. It will not deter us, this political stunt, the latest in political playtime by the Labor-Greens Opposition with nothing else to do, from getting on with the job of delivering. We have a strong track record of investment in our health system and it is being delivered by this minister, who has our confidence and I firmly believe the confidence of Tasmanians, who appreciate that fixing our health system requires a lot more than silly political stunts. They get it. They realise it needs policy and budget commitment and we are delivering on both fronts. On both fronts, the opposition parties in coalition are continuing to fail.

Under our plan - and these are the facts - we are investing more into frontline staff and services, both immediately and over the long term. It cannot happen overnight but that is what is happening. We have delivered more frontline staff and services and will continue to do so into the longer term. We are addressing the health infrastructure constraints that our health system is confronting, again following decades of underinvestment and the failure of former governments to take some necessary but difficult decisions to fix our health system and change the nature of it. That required some difficult decisions, particularly up the coast, that former governments did not have the courage to make.

Ms Standen - Ding-ding.

Mr HODGMAN - I do not know what that bell-ringing thing means, but it is about the substance -

Opposition members interjecting.

Mr HODGMAN - This is the quality of the debate we are getting from the Opposition - silly hand gestures.

Opposition members interjecting.

Madam SPEAKER - Order. This is a really important debate and it needs to be had but we are wasting time if I am going to be standing here for two minutes until everyone calms down.

Everyone, you will be pleased to know the two minutes is up.

Mr HODGMAN - Madam Speaker, I respectfully agree that this is a serious debate. That was the point I was trying to make when the member for Braddon, who likes us to call him Dr Broad, whose contribution to the debate was hand gestures and silly faces -

Ms O'BYRNE - Point of order, Madam Speaker. It is appropriate to refer to members by their correct title. To say the member for Braddon likes to be called Dr Broad, because he is a doctor, is incredibly rude.

Madam SPEAKER - It is not a point of order, but I ask you to be courteous, Premier.

Mr HODGMAN - I was reflecting the fact that he is. I was also reflecting the fact that his contribution to the debate was silly hand gestures and puerile antics from an opposition that does not have a policy, an alternative budget or the courage to tell Tasmanians what they would do differently. The only thing they have is an ability to come into this place and demand an open cheque book to go through what is pointless in terms of delivering on the health system that Tasmanians need.

I want to tell Tasmanians about what we are doing to improve our health system and what we have done. I point to the fact that it is under this minister, Michael Ferguson, who has the support of the entire team to deliver -

Opposition members interjecting.

Mr HODGMAN - Again, more pathetic, silly contributions to this debate. I want members of this House and the broader public to understand what we have done in the context of receiving a budget with \$1 billion of deficit, \$400 million of net debt or close to it, and an economy that had slipped into recession. We have turned all that around and are investing more into our health system as a result. Under this Government this year's Budget includes over \$400 million of new funding, almost \$2 billion more than under Labor and the Greens in their last budget. More importantly, it spells out exactly what we will deliver over the next six years, and it is a good thing to have a long-term plan and a vision for Tasmania's health system. We have a \$757 million plan that will build that better future and better health system for Tasmanians.

It is extraordinary to continue to hear this from the Opposition given that they slashed \$500 million under their vicious budget cuts. That is what prompted this petition, those rallies and I believe also prompted the de-election of the Labor-Greens government, because they sacked a nurse a day for nine months. That was the rate of sackings. They closed entire hospital wards and the best they can come up with now is a policy that is \$200 million less than we are putting into our health system.

There were a number of reports that we also received on coming into Government that had been kept secret by the Labor Party. They buried the Feldso report, the Monaghan report, and they hid the secret waiting lists. We have committed to being open and transparent and telling Tasmanians about the true state of our health system and those waiting lists. Since our election just over four years ago we have got on with the job of reforming our health system, taken extensive consultations and made some difficult decisions that needed to be made that go to improving our health system.

Ms White - Black holes.

Madam SPEAKER - Ms White, warning number two.

Mr HODGMAN - I look again to the member for Braddon who was part of the Labor team that at one point in time wanted to sell the Mersey Hospital. We saved that with strong investments by this Government and the national government. The federal Coalition and this Government saved that hospital and restored its rightful place in our health system to provide services to the north-west community. They can pretend it did not happen and try to whitewash it from history but those are the facts. Over the last four years in delivering our statewide One Health system, we have opened 120 new hospital beds, including 22 new beds at the Repat. That is certainly taking some of the pressure off the Royal, which is being redeveloped now, thankfully. It was something the

former government spoke about year in, year out. I think at one point it had been estimated they had spent \$10 million thinking about rebuilding or building a new Royal Hobart Hospital. We are getting on with the job of doing that. Yes, it is complicated but it is so important and thankfully under this Government it has started.

We have had 630 new FTE frontline Health staff employed since March 2014 and March 2018. There is a structural surplus there in terms of putting more people into our health system because they are there now working in it - 90 more doctors, over 370 more nurses, 60 more allied health professionals and 50 more paramedics. These are people working in our health system to improve it. You cannot argue, as I gather the member who last spoke might be, that we should adopt one of the recommendations of this report they are so supportive of that says we should sack 100 of those health workers. The Leader of the Opposition even said she thought it might be right to put more into our health system. That is what we are doing. It is what we have done and we are not going to accept this report's recommendation that that be a course forward to address the issues in our health system.

Ms White - You haven't read the reports.

Madam SPEAKER - Ms White, you are on your third warning.

Ms Standen - It's a structural deficit - what are you going to do instead?

Member suspended

Member for Franklin - Ms Standen

Madam SPEAKER - Order. Ms Standen, you can go out and join your colleague until the vote.

Ms Standen withdrew.

Mr HODGMAN - We have delivered record low waiting lists as I mentioned earlier in this place. Waiting times for elective surgery have been reduced. A total \$100 million has been put into additional funding to reduce our elective surgery waiting lists and in 2017-18 we will have performed 19 000 elective surgeries compared to a little over 15 000 in 2013-14. These are real people getting surgeries sooner and it is as a result of us responding to demand in our health system and making an investment that is delivering results -

Ms Butler - We have a health system that is underfunded \$100 million a year; KPMG.

Madam SPEAKER - Ms Butler, warning number one.

Ms Haddad - When did the minister tell you about the report?

Madam SPEAKER - Ms Haddad, warning number one.

Mr HODGMAN - There is no denying there is not a lot more to do to support the continued improvement in our health system but these investments demonstrate our commitment and the very

real financial commitment by this Government into Health, in mental health, and there has been a lot of debate on that recently, with \$25 million more in funding. It did not happen under a Labor-Greens government. It did not happen when you were over here but it is happening now under this Government and it is happening under the leadership of Mr Michael Ferguson.

It is hard for you to swallow but those are the facts. No matter how driven you might be in attacking the person, this is happening under Michael Ferguson's watch. There will be \$25 million more put into health funding over the next six years. We believe, which the Tasmanian people reflected, a long-term plan is important; \$465 million for health, a \$7.6 billion budget, again almost \$2 billion more than the former Labor-Greens government. There is also a long list of investments we are making right across the state to recruit new staff, to open new facilities, new beds, more support for mental health and ambulance services. We have every confidence in Mr Michael Ferguson continuing to do his job very well.

Time expired.

[12.31 p.m.]

Ms O'BYRNE (Bass) - Madam Speaker, what a pathetic defence of your minister. What we did learn during that is, the Premier has not read the report because he said he was not going to accept the recommendations of this report. It is not a report with recommendations. It is a report that says you are chronically underfunding the health system. You do not say whether you accept recommendations. You can say, I read the report, bugger, I am in trouble, I had better talk to the Treasurer and find out why we are chronically underfunding the health system.

The Premier says what a wonderful job he is doing in the area of protection of women from family violence and he provides new money, good money for new projects but he chronically underfunds the demand. There are two-week waiting lists to access those services and two-week waiting lists to get into emergency housing. You cannot keep putting money into new things with tied funding and not recognise when you are not funding the base, when you cannot run your health system in a sustainable way. There is a difference.

It is clear this Premier has not read the report. I will bet he has had a bit of a briefing from Mr Ferguson. If Mr Ferguson was as honest in his briefing to the Premier as he has been to this parliament, I would be nervous if I were you, Premier. I would be nervous about what is happening in your Cabinet if that is the kind of game you play. I notice the Premier is taking photographs of this report now - his little stunt - because he is a clever little fellow. He is not a clever fellow because he cannot read a report. He also has no idea what has been going on in Health because he said that he did not know what that bell ringing thing was. You do not know what that bell ringing thing is? This minister, who castigates people on the other side because we talked about sustainable support -

Ms Haddad - They forgot to tell the Premier about the cupboards and the storage rooms.

Madam SPEAKER - Order, Ms Haddad, second warning.

Ms O'BYRNE - under nursing care in medi-hotels. They lambast that and you do not even know your minister is planning to put them on a chair with a bell down the hallway. Premier, you are ultimately responsible for the actions of every single one of your ministers and if you do not know what the bell ringing thing is because you do not know your minister is planning to put them on a chair with a bell down the hallway then you, Premier, are completely failing.

He also said that he did not understand the silly hand gestures of the so-called Dr Broad. So-called, because Dr Broad is a doctor. And the silly hand gestures, 'Address that, will you, Marcus'. That is the response this minister has because nothing is ever his fault. We saw that with the way he recently responded to Dr O'Keeffe. It is the actions of your minister that are being mocked on this side of the House and in the community because this minister has made a mockery of the Health portfolio. We are in a debate, so let us talk about how the Premier backed his minister. The Premier made it clear he did not see the report.

The Premier says, when he looks at the issues in Health, it is very difficult because 'poor us', the global financial crisis and the decisions made in that time made it very hard for us. There was a lot of money lost out of our state during that time and very hard decisions were made. Do you know what this Government did in their very first budget? Hand on heart, they came in talking about how terrible it was that there was not enough money in the health system and they cut \$210 million in their first budget. When they say the impacts of the global financial crisis are far-reaching, so are the actions of this Government in their very first budget. They are all heads down now; you cut \$210 million. You cannot say the impacts we are now seeing in the health system are not laid fairly and squarely at your feet because you made that decision, not during the global financial crisis, when the GST revenue increased. You made that decision when more money was coming into this state because you chose what you would fund. You chose to cut \$210 million out of health because you wanted to fund all the little tiny election projects you promised. That is a choice you made and you are held to account for it now.

The Government keeps talking about the fact that everything is going fine for them because whenever they take any advice to say that that is not true, they ignore it. You put requests out for reports and if they do not say what you want they are swept under the carpet.

We have the Deloitte report. Do we have the Deloitte report? No, there is no report. What reports are there? There is no report. That is not really a report; it is more of a document, not really a report. There is the Deloitte report. We have the KPMG report. We have the RDME report. Again and again, you are receiving independent advice that says you are on the wrong track and you pretend it is not there. You talk about these funding differences but you do not ever take responsibility for the decisions you are making because this minister does not think he could ever be wrong.

For the last almost 1600 days, four-and-a-half years, we have lived with minister never being wrong: this minister being the happiest Health minister in Australia; this minister talking about how he has fixed things; this minister, who does not listen to anyone. He does not listen to his frontline staff, he does not listen to the patients and he certainly does not listen to Dr O'Keeffe. He does not listen to the LGH emergency department nurses who have stood out in the cold and in the rain every day for 85 days. At the shift change, they go out there to make sure people do not forget them because they think this minister has forgotten them. This minister has never had the ticker to go down there and talk to them. He has never had the ticker to go out when they are out there, protected by their industrial framework so they can go out there and have an honest conversation, because that is the type of minister he is.

Another issue was raised. It might have been the Leader of the Opposition who wondered why it was the Treasurer hanging out with Minister Ferguson this morning and not the Premier. I reckon I know. This report exposes the Health minister and the Treasurer's budget, which we already know has significant problems. The Minister for Education could not explain the \$30 million that is not

there for disability funding he has committed to. He could not explain that, that is not in the Treasurer's budget and we are \$100 million short in the ability to fund our health system, year upon year. There is no surplus. That is why the Treasurer was with him, not so much holding his hand in support but making sure he did not say anything like, oh my God, this is the Treasurer's fault because the Treasurer's budget does not add up. Who is at fault? Is it the Health minister, who does not listen to anyone, or is it the Treasurer, who does not give him the money he needs? That is going to be a question for another day, I imagine.

If we are not going to listen to the frontline staff, the patients, Dr O'Keeffe, the LGH ED nurses, the staff who have left our system. Extremely good people have left our system because of the actions of this minister and he knows it. We are not going to listen to them. Why do we not listen to the AMA? The AMA has put out a call because they are pretty concerned about this data. The minister, the Premier and, no-one on that side might be, but the AMA is.

Dr Davis, president of the AMA Tasmania, is calling for an apparent breakdown of funding showing obvious comparisons with health expenditure in other states. The AMA is calling for an end to this funding crisis and general ad hoc funding which has failed to address the underlying inadequate capacity and staffing requirements to meet the daily operational needs. Dr Davis says:

A whole of government commitment is needed to fund health care adequately and put to an end the day to day crisis management.

That is what the experts are saying as the result of this minister's inaction; about this minister being so much cleverer and so much more in control than everyone else. He refused arrogantly and heartlessly to listen to people who work in the system. Now he arrogantly refuses because it does not meet his own narrative to accept the independent findings of reports. He not only refuses to accept them, he hides them. 'We will not release a report because the owner does not want to give away its copyright.' Who owns the report? When would a report commissioned by a government agency be copyright? Who is the owner of the report who denied it being released? The Government. They do not want it released. I remember the Premier talking about transparency. We have seen no transparency and we certainly have not seen a minister who is competent under this Government.

[12.42 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, the Greens have stood here for the last four-and-a-half years and have spoken consistently on these issues. It is a crying shame for the people who work in the public health system in Tasmania and for the patients who are caught up with the 45 per cent increase in demand at the Royal Hobart Hospital that has occurred under this minister because he fails to listen.

He fails to listen but that hides what is going on behind the scenes. He fails to listen to his consultants whom he pays a lot of money. He fails to listen to the academics who do fantastic reports on the problems in access and treatment for people in the public health system in Tasmania. He fails to listen to actuaries, accountants, financial advisers and economists in KPMG who write reports for the minister about the health system. He has failed to be honest with the Tasmanian Parliament and the people of Tasmania, budget after budget. The Greens have consistently pointed out the systematic underfunding in the hospital budget to peg it to the increase in demand.

In the paper today is exactly what we have been talking about: that this minister has persistently stood here and told fib after fib year after year. He has pilloried the Greens for being the only voice in parliament that has brought to the attention of the House the systematic failure to keep up to date

with the costs of medicines, of hospital equipment and the cost of payment conditions for staff and salaries. All of these things have gone up year on year, along with the demand from Tasmanians for the increase in the hospital system services.

It is a complex story; there is no doubt about it. We have always acknowledged that the health portfolio is one of the most difficult portfolios, but this minister has known all the way along about something that could have made his passage in this role so much easier. That is, he could have taken the advice of people working on the frontline. He could have listened to them and they have been talking to him.

The member for Bass, Ms O'Byrne, was talking about Dr O'Keeffe. Dr O'Keeffe was one of the most recent in a long line of highly respected health professionals in Tasmania who has called out the terrible situation we have in the health system because of a minister who is doing two things. He is failing to listen and consult the staff about the changes that need to be made and failing to increase the budget to keep up with the basic increase in demand from Tasmanians who need to access services.

The reason this is a complex story is because there is an underlying push that is driving people increasingly into the hospital system. That push is because this minister and this Liberal Government, which came into office in 2014 promising to bring Tasmanians the best health by 2025, have systematically taken every opportunity to remove the structural legislative changes, the structural population health strategies, that would have helped push down the massive bulge we have in Tasmania of people needing more emergency and hospital services. We are an older, sicker, more overweight population with more chronic diseases than other parts of Australia.

The minister chose not to bring in smoking legislation that would have made a difference in that area. He chose not to bring in strategic, systemic policies that would push down on the fast-food industry, on Coca-Cola, Schweppes and all of the other junk drink industries which are damaging children's diets. These are things that parents need support with.

The minister has failed to increase the basic running costs of hospital. We are not talking about new beds; we are talking about the basics of the running costs of hospitals. He has failed to make those increases. The wheels are falling off the wagon. What a surprise that things are blowing out.

We have ambulance ramping, we have desperate doctors and nurses rallying outside Parliament. It is no surprise that other things that have happened. Only in January last year, teaching downgrades are of great concern in the Launceston General Hospital. LGH could face difficulties in recruiting enough doctors after training accreditation for internal medicine was downgraded.

In August last year, the Royal Australian New Zealand College of Psychiatrists had to remove three psychiatry trainees from the Royal Hobart Hospital because of problems in relation to Occupational Health and Safety training welfare and patient safety. These accreditation issues - and there are a number of others that I cannot bring to mind - are a result of chronic starvation of basic funds. Teaching components and the quality of teaching simply cannot be assured by these professional colleges to their trainee registrars.

The minister has, at every opportunity, hidden the evidence from Tasmanians, of his failure to listen to the evidence of academics and the concerns of his staff. The minister withheld the Deloitte report last year into the operations of the Tasmanian Health Service Executive, for example, despite

the fact that we knew it was with him. He was hiding Tasmanians from the truth about the concerns with the Tasmanian Health Service.

Concerns that were voiced at the very start of the structure and the manner in which he went about having a control and command approach to that system. The Tasmanian health system structure was a failure, the minister refused to release the information and hid it until the bitter end when everybody could see what a disaster it was and we finally got the restructure we needed to have from the beginning. If only the health professionals had been listened to.

We have no confidence in this minister's ability to listen. We have no confidence in this minister's ability to be honest with Tasmanians. We have no confidence in his ability not to hide the truth and obstruct right to information access requests. It is a ludicrous situation when we have a health system where people cannot get the most basic information about what is going on. As a tiny example, a really important issue is the information that is available on the Health department's website. There used to be better information on the Health department's website but that has been dropped back. We should know all of the information, it should be available in real time. We have the ability to have an open health system so people can know what is happening with elective surgery lists and the numbers of people on the second list.

Members interjecting.

[12.51 p.m.]

Mr FERGUSON (Bass - Minister for Health) - I have heard enough from you today.

Madam Speaker, I reject this motion. This is junk from the Labor Party. This is absolute trash, it really is. This is the junkiest motion and I will tell you why. We wondered when they were going to do this. We knew they were planning one and then this thing turns up. It is disrespectful -

Opposition members interjecting.

Madam SPEAKER - Order.

Mr FERGUSON - I have listened very carefully to what others have had to say so I hope I get the right to be able to be heard as well. This motion is disrespectful to Tasmanians.

Opposition members interjecting.

Madam SPEAKER - Order. Let me see who can leave now. I will give you another breather, please stop interjecting.

Mr FERGUSON - Good call, Madam Speaker. I want to put some facts on the table. We should not have to leave and we should be able to debate this. The fact is this is junk. This is the work of government. It is not easy. Unlike the previous government with their pity parties, we are getting on with the job. I own my successes, I own my mistakes - and there have been plenty of them - and I own the failures of the previous government. I own all of that. I adopt the responsibility willingly.

When I hear people say I am a minister who can never admit he made a mistake, I have admitted to plenty because like the rest of us, I am very human. The motivation over here is solid for the health of Tasmanians and to give them the health system they need, not the politics they do not want.

I am disappointed with what Dr Woodruff has had to say. I expected a little better assessment from her because we have been very truthful. I have been personally very truthful and there have been times, for example, where I got it wrong on the Deloitte report because I thought when a journalist said to me that I had a Deloitte report on my desk he must have known something so I went back to my office and did not have a Deloitte report at all because it had not been done. There are ways you can miscommunicate and I am guilty of that at times, but I have been very truthful and very open. I say again that we have had the most open, honest and extensive community consultation around the problems in Health and the solutions we need. Everybody at that time, including in this Chamber - I know people do not want to hear it, but these are the facts, this is the record.

Opposition members interjecting.

Madam SPEAKER - Order. Ms Haddad, you are on third warning. Ms Butler, second warning.

Mr FERGUSON - We have listened very carefully and I will never stop listening, but the way the Labor Party wants to conduct this debate is hateful, personal and about character assassination. It does not advance anything and just listening to the former health minister spew out those insults was a bit too much. This is the health minister who cut one half of a billion dollars out of our health system. You wrecked health and I took up the responsibility to start to resurrect it.

Members interjecting.

Madam SPEAKER - Order, please - I cannot even hear the argument.

Mr FERGUSON - I will never give up on our efforts in this area. Yes, there is a report - good on you, you found the report.

Ms Butler - I don't know what I'm going to tell the people of Lyons why you underfunded their health system.

Madam SPEAKER - Order, Ms Butler, number three.

Mr FERGUSON - The report says we should put more money in or sack staff and we are not going to be sacking staff. In fact it is a demand-driven system and we have made a very clear policy acceptance that we are not turning people away. I heard no solutions from members opposite, not one. Ms White did not even bring up her disastrous hotels experiment. We are truthful.

As for the RTIs, I do not mind spending a moment on that. It is conducted not by me, but by public servants under the law, which is what you would usually expect of us. That is what has happened here.

If you think that you can win a no-confidence motion on those flimsy personal arguments you are obviously on another level to Tasmanians.

Ms White - They're stories from patients who have been let down.

Mr FERGUSON - I know what Tasmanians want. They want shorter waiting lists. They want shorter waiting times in our hospitals. That is what we are focused on. In our first budget we made

changes to funding and went for efficiencies on the back line and put the money back into the front line. The Hodgman Government put \$76 million into elective surgery that was opposed by your now Leader, because you wanted us to keep that for bureaucrats. We said, no, we want to put more of the resource into health services for patients. The real test here is whether the Leader of the Opposition is going to back this up. All this rhetoric and all these words. Where is the alternative budget? Where is the promise from you?

Ms White - Where is the alternative minister to you?

Mr FERGUSON - Where is it? It is absent. You want to be heard but you do not want to have a say. At the election Tasmanians had their four-yearly opportunity to choose their Government. They rejected what the Labor Party put on offer, because the Labor Party was not able to say what I and our team was able to say, that we were going to open beds and were able to say where, how and when.

Ms White - But you're not actually doing it.

Mr FERGUSON - The Labor Party said, 'A bit of money here, a bit of money there.' They had to change it seven times. In the Labor policy it actually meant less money in the later years than the early years. It meant they were going to scale back down. There was a focus on med-hotels and no commitment to the Royal or to the LGH for staffing -

Ms White - That's a lie.

Mr FERGUSON - You say it is a lie but you will not back it up. What is disgusting is using this House for a shouting match using personal insults.

Ms Butler - It's not personal, stay on target - KPMG report.

Opposition members interjecting.

Members suspended

Member for Denison - Ms Haddad

Member for Lyons - Ms Butler

Member for Braddon - Dr Broad

Member for Lyons - Ms White

Madam SPEAKER - Order. We only have two minutes left but some people need to leave the Chamber so I can prove I am serious. I am going to line up Ms Haddad, Ms Butler, Dr Broad, and Ms White. You can all come back in for the vote.

Ms Haddad, Ms Butler, Dr Broad, and Ms White withdrew.

Mr FERGUSON - Madam Speaker, I respect your ruling but would invite you to allow them to stay if you would.

Madam SPEAKER - No, and I would rather you were not provocative either.

Mr FERGUSON - Madam Speaker, I am the target -

Madam SPEAKER - Do not challenge my rulings. Please proceed.

Mr FERGUSON - Absolutely not. I am the target of abuse and personal insults and they just want to tear me down. I am interested in building up. On the record it is clear -

Mr O'BYRNE - Point of order, Madam Speaker. I take offence to what the minister has said. This is not a personal attack on him as an individual. We are having a go at his role as minister. I seek him to withdraw the comment that we are attacking him personally. We are not.

Madam SPEAKER - It is not a point of order. Please proceed.

Mr FERGUSON - That just shows the character of this debate. They do not want to hear anyone else. We have 90 more doctors, 370 more nurses -

Ms O'BYRNE - Point of order, Madam Speaker. The minister says this goes to the character of the debate because we do not want to hear anybody else. We would sit here all night and debate this if the minister had the courage to allow it.

Mr FERGUSON - Madam Speaker, 27 000 Tasmanians said no -

Madam SPEAKER - Mr Ferguson, I have already ruled that is a prop. Please remove it immediately.

Mr FERGUSON - I apologise, Madam Speaker, but 27 000 people said Labor's harsh, savage health cuts hurt them. We are rebuilding. We are not perfect, I know I am not, but this Government is united. We are standing for a better, stronger health system, have the dollars to prove it and the staff to demonstrate it and we have a lot more to offer. There is now \$465 million that we intend and are spending on our patients, our community, which is what they deserve. What they do not deserve is the abuse they have suffered today in the people's House, which is Labor's failure to prosecute this argument.

Time expired.

The House divided -

AYES 11

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

NOES 11

Ms Archer
Mr Barnett
Mr Brooks
Mr Ferguson
Mr Gutwein
Mr Hidding
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mr Shelton

PAIR

Ms Houston

Ms Courtney

Madam SPEAKER - The result of the division is 11 Ayes and 11 Noes. I therefore have to use a casting vote. In accordance with standing order 167 I cast my vote with the Noes, as I said publicly on the record that I would support votes on confidence and supply.

Motion negatived.

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

POLICE OFFENCES AMENDMENT (CONSORTING) BILL 2018 (No. 37)

Bill returned from the Legislative Council with amendments.

[2.33 p.m.]

Mr FERGUSON (Bass - Minister for Health) - Madam Speaker, I move -

That the message be taken into consideration forthwith.

Motion agreed to.

In Committee

Council amendments to clause 5, first amendment -

[2.33 p.m.]

Mr FERGUSON - Mr Chairman, I move -

That the Council amendments to clause 5, first amendment, be agreed to.

Dr BROAD - Mr Chairman, this clause was debated at some length and it was debated in this place earlier; having a definition of Aboriginal family to take into account the differences in the way families are defined in the Aboriginal community and in reflection of the outcomes from the New South Wales Ombudsman's report, which we discussed at some length as well, in that the issuing of consorting notices disproportionately impacted Aboriginal communities.

We also had the discussion about how it was defined in Queensland. The Queensland definition of family was far more extensive than the version that stood in this bill and it was debated at some length when it went to upper House. There was some confusion and conjecture about what it would cover. I am seeking clarification from the minister that the definition that stands in clause 5 does not cover what the Aboriginal community would consider an aunt, an uncle or an Elder.

Dr WOODRUFF - Mr Chairman, this was debated at length by the Labor Party and somewhat improves the situation. It seems to take account of some of those concerns raised by members in relation to a person's extended family and the extension of the term 'family member', which is unreasonably narrow in the way it has been defined. This will allow an Aboriginal person in

Tasmania to appropriately extend the definition as those communities understand it to be. The definition would be extended and widened. We support the amendment.

Mr FERGUSON - This amendment was moved by the Government in the other place. The amendment moved by the Leader of the Government on behalf of the Liberal Government last evening maintains the current definition of 'immediate family', which is central to the definition of 'family' for anybody and everybody in the bill and also allows a member of the Tasmanian Aboriginal community to further define 'immediate family' using Aboriginal tradition. It is important it was consistent to that point; otherwise you would have introduced inequality into the bill that would not have been supported. This means that if an Aboriginal person considers any member of their community to be 'immediate family' in accord with the 'immediate family' definition that sits on page 5 of the bill, they would be able to claim a defence in court in accordance with recognised Aboriginal tradition.

This amendment honours a commitment I made during our debate in this place during what was a well-intentioned raising of that issue by the Opposition. We did not support the Labor Party amendment for the simple reason that it did represent a very significant policy change from the bill, which was not about Aboriginal family recognition. It was about changing the scope of family for anyone and everyone out of 'immediate' into 'extended'. That is a much broader concept, noting the reference to Queensland does not stand in this debate because we have other protections in this Tasmanian legislation not covered at all in Queensland.

We did commit to further consider how we might make this fit to recognise Aboriginal tradition to allow it to be used as a defence, to allow that tradition to be raised as a defence and defined equality with the 'immediate family' definition for non-Aboriginal people. That is progress. It is really positive. It was supported by the Legislative Council last evening, which I was very pleased about.

Dr BROAD - Can we please be clear on the specific question? It seems this amendment does not cover aunts, uncles or Elders from (a) to (e).

Mr FERGUSON - I have already answered that: aunts, uncles and Elders are not immediate family, you know that, and (a) to (e) are specifically listed on page 5. Immediate family for Aboriginal or non-Aboriginal, regardless of racial background, includes spouses, a person whom the person is in a significant relationship under the Relationships Act; a child, a parent, a sibling including a half sibling, or a relative or step relative of the defendant who lives with the defendant.

For (a) to (e), that has been picked up. It does not include aunts, uncles, cousins or second cousins. It does not include any of those family members. Members of extended family are not included in the scope of the bill for either Aboriginal people or non-Aboriginal people.

Dr Broad, I think you know that. We have been through this extensively. There was clear advice to the Government, which was reflected in the debate held in this Chamber and the other Chamber, that your amendment, which you introduced in this House but did not introduce into the other place, was about extending the scope for non-Aboriginal people to extended family members, to include uncles, aunts, cousins. We had a discussion about that.

I am pleased that it was supported by a majority of members in the Legislative Council last evening because we have found a way - possibly for the time - to allow the Aboriginal tradition to be used as a defence for a person so that they could likewise claim Aboriginal family status for

immediate family purposes. It is important that we make it consistent for non-Aboriginal people but recognise Aboriginal tradition. To not do this, would introduce inequality into the law.

First amendment agreed to.

Council amendments to clause 5, second and third amendment.

Mr FERGUSON - Mr Chair, I move -

That the Council amendments to clause 5, second and third amendments be agreed to.

These amendments were moved by the member for Windermere, Mr Dean. This was not subject to a lengthy debate in the other place. It reflects Mr Dean's wish to codify something that was indicated in the briefings would be policy. The Government was comfortable with codifying that. It does not weaken the bill in any way, shape or form; neither does it strengthen it in the Government's view. We do not feel it is necessary, but Mr Dean felt that it would strengthen it from his wish to make sure the best possible protocols are codified.

To state the obvious, the amendments clarify that the warning notice will detail that a person has, within 28 days of receiving the notice, the ability to review the decision to authorise the official warning to be given to the person. This was a process that was already going to be undertaken as a matter of policy by Tasmania Police. The Government is more than comfortable with that being a requirement of the act.

Dr BROAD - I agree that this amendment codifies in legislation what was going to be policy. That was definitely put across to us in our briefings with the police. It is a good addition because it provides in legislation the fact that people must be advised of their rights when it comes to a review. While it will not necessarily affect the operation of this bill, having it in law is an improvement and we accept the amendments.

[2.45 p.m.]

Dr WOODRUFF - Mr Chairman, noting the comments made previously that this seems to be dotting i's and crossing t's, which is the job of parliament; that is fine. We have no problem supporting this addition. I had a memory that this was already provided for under another section in the bill but I cannot remember if that is correct.

Mr Ferguson - There is another section of the bill that has similar definition, if I can find it.

Dr WOODRUFF - Is it in relation to an official warning?

Mr FERGUSON - You are right, Dr Woodruff. It was in respect of advising the person of their rights to a judicial review after they had the commissioner's review.

Dr WOODRUFF - This is a different part of the process.

Mr FERGUSON - It is to inform them of their rights after having received a warning notice from a commissioned officer.

Dr WOODRUFF - We have no problems, thank you.

Second and third amendments agreed to.

Council amendment to clause 5, fourth amendment -

Mr FERGUSON - Mr Chairman, I move -

That the fourth amendment of the Legislative Council be agreed to.

I am not happy about this one. I do not think it is necessary. I do not think it is warranted but I am in a position where I need to respect the judgment that has been formed by the members in the Legislative Council. Were I to not support this amendment being agreed to in this House, we would stop the bill from progressing.

My advice is that it is not fatal. The amendment adds to the process by which the decision of the disclosure of criminal intelligence and sensitive information is protected or released during an applicant's review to the Magistrates Court, Administrative Appeals Division. If memory serves me, this was raised during discussion only during our debate in this House during the Committee stage by Ms Haddad. The questions were about the role of stays and whether they could be included. It was not the intention and it was not the Government's policy that stays be able to be part of the judicial review by reason that we did not want to see criminal organisations tying up their warning notices for months.

I put the Labor Party on notice today that we watched very closely as four of your colleagues, caucus whipped members, walked across the Chamber and supported that amendment. We will be monitoring the effect this amendment has on the operation of the bill very closely. I hope and trust it will not cause undue issues at court. The Government is all for natural justice; completely supportive of judicial review. After all, we had a significant discussion around judicial review on a previous bill.

This has not strengthened the bill. The Labor Party's decision to support this amendment in the other House has not supported the original intent of the bill. It has not supported the wish of police to have an effective tool in their tool kit. The Government inserted multiple places for review: operational review, the central objective of the bill which ensures a commissioned officer cannot be issuing warning notices willy-nilly; the commissioner's review; and the judicial review, which has significant powers to either confirm or reject the warning notice. This significant power is held by the Magistrates Court. Only one other jurisdiction in the country offers that. Labor felt the need to support that amendment.

I know the member for Murchison did not seek to water down the bill. We take that on good faith. I draw the House's attention to the fact Labor did not move this amendment in our House but supported in the other House. We will need to monitor this now. I do not want to see this be the cause of the bill not to progress. We agree to it with some reluctance. It is not our original vision for how a judicial review would operate. I am not a lawyer and do not pretend to be one, but anybody can see that to no longer leave out subdivision 2 for the purposes of this act has not strengthened the bill and it will be subject to a review by the Ombudsman within the next four-year period. I express my disappointment that that was the case. Nonetheless we have to respect the decision made in the other place and I commend the motion.

Dr WOODRUFF - The Greens will be supporting this amendment because we proposed that it be removed in an amendment we made to the bill. I hear the minster's concerns but I am not sure that they hold any weight, because my understanding is that it does not require the magistrate to do any such thing but it provides an opportunity for the magistrate to put the matter aside. It does not

require that the magistrate must put the matter aside. The magistrate has the option of putting the matter aside or not until it has been resolved. In the process of the magistrate making a decision to put the order aside until it has been resolved, they would hear testimony from the police about the matter and therefore have an opportunity to make an informed decision. It is not demanding or requiring that the magistrate do that so I think you are overstating the concerns you have. It is quite possible that a magistrate may decide to do as you suggested and hold the order in force until the decision has been resolved. I do not believe you have any basis for undue concern.

Our primary concern is that the rule of law and the processes of the Magistrates Court should be able to take their course and there should be no exceptions in this matter. We should not be intervening in the decision-making of magistrates as to whether they think it appropriate to put it aside or not.

You have alluded to these things being held up and tied up for a long time and taking a long time to come through the Magistrates Court if the magistrate decided to put the order aside until the matter had been resolved. Any concerns about the Magistrates Court Administrative Appeals Division taking a long time to get to the matter could be ameliorated substantially by extra funding in that area. It is entirely in your Government's control, minister, to properly fund the courts to do their work. There has been much discussion over years now about the need for extra funding to the Supreme Court and other courts, so a backlog in the courts is not really an argument for proceeding by taking away normal rights that apply to other people in the Administrative Appeals Tribunal.

Fourth amendment agreed to.

Council amendments to clause 5, fifth amendment -

Mr FERGUSON - Mr Chairman, I move -

That the Council amendments to clause 5, fifth amendment, be agreed to.

This is an amendment that was agreed in fact with the Government's support in the other place from an amendment by the member for Murchison, Ms Forrest. We looked very closely at this. Ms Forrest looked across at Western Australia and saw there was a greater level of detail as to how the process for the decision-making around the disclosure of criminal police intelligence is dealt with, and other sensitive information is protected or released during an applicant's review at the court. What has occurred here is that we have more or less supported an amendment which picks up those levels of detail and allows them to sit inside our act.

The reason for the Government's support is because at court it is not a change in how we all understood that this would work in any event, but what we are seeing here is a level of detail that perhaps for some people may provide them with a greater sense of comfort as to how that information will be judiciously released or not released. It also respects the opportunity for police to present or even to withdraw intelligence material and sensitive information for consideration.

It is a fair bit of text but my advice is that it is benign in respect of the intent of the bill and how it would have been expected to operate.

Dr WOODRUFF - There is quite a lot of detail to get our heads around here, minister. From what you said and from reading this, the Greens would support this amendment. It is an attempt to manage this difficult issue about confidential information and information which could be concerning if it moved into the public domain. I do not read anything in here I have a concern

about; overall, it seems to improve the bill. It does not flag any issues for us and we are happy to support the amendment from Ms Forrest.

Dr BROAD - This was an amendment moved by the member for Murchison that clarifies the operation of the Magistrates Court. It also clarifies that the magistrate has the ability to suggest to the police that certain information should be released to the defence. It gives the magistrate the option to release information the police have given to the magistrate and it also gives the police the option to then withdraw that information and not be considered as part of the case or to allow its release. This is another protection that gives the magistrate the ability to make a judgment on the evidence against a defendant and the ability to release that information to the defence, but also gives the police, if that police intelligence or that information is to be released, the option to withdraw. That is another protection and what I gather from the debate in the other place this was something that was supported by the Bar Association and largely overcame their issues with the bill.

[3.00 p.m.]

Mr FERGUSON - Mr Chairman, I am pleased that the Legislative Council this morning passed the Police Offences Amendment (Consorting) Bill 2018 with these amendments. I thank the House for supporting these amendments. I know we are about to put the question shortly. I want to take this opportunity to add some comments.

I acknowledge and thank our independent Legislative Councillors who worked constructively with the Government. I also thank Commissioner Hine, Assistant Commissioner Glenn Frame and Inspector Andrew Keane, who have all worked tirelessly on the bill, including up to and including today. I also thank Detective Superintendent Dave Adney from the New South Wales Police Force who gave up his time to travel to Tasmania to brief members of parliament.

I thank our hard-working draftspeople in OPC; they do a wonderful job and they work to tight time frames. They provide the Government with robust, constitutionally valid, well-written legislation that we can present in this parliament. They should be remembered. Occasionally mistakes are made in bills, but not very often. I have not seen one for a fair while. Sometimes oppositions or others may say the government has brought in a sloppy bill. That is usually wrong; it is usually an argument about a policy. OPC does a magnificent job and works really hard. We have a very strong reputation in Australia for the quality of their work.

I want to deal with the shameful politics of the Labor Party we witnessed yesterday. Labor tried to have the insignia bill withdrawn and kill it in its tracks. I am back to relevance because the Opposition tried to do the same thing on this bill in the Legislative Council last evening. Not once, but twice, they sought to adjourn the debate. They tried to kill the bill yet again. For whatever saccharine words will be said about how Labor is supporting this legislation, they have not. That is what really annoys me and the Government: the Labor Party, when they had an opportunity last night, tried to kill the bill yet again.

Mr O'Byrne - This is wrong. You had a tough morning this morning so you think you can have a crack here.

Mr CHAIRMAN - Order, Mr O'Byrne.

Mr FERGUSON - You can talk.

They tried to vote this bill to a standing committee for an inquiry after misleading everybody, including members in this House, that they were intending to support the bill, subject to some being amendments supported. Frankly, that would have been a frustrating tactic by the Opposition; it would have delayed the bill. Members in the other House agreed broadly amongst themselves that this would not have been a quick inquiry because there is no such thing. It would have dragged on for months. Mr Dean predicted, and others agreed with him, that it would have definitely put it into next year.

Those motions by the Labor shadow minister upstairs were roundly rejected, including by some people who are not overly supportive of the bill. They agreed that it should continue but there was no argument put that the bill should have been set aside and sent off to an inquiry on the never. I was disgusted by that. I was disgusted with the shadow minister, Dr Broad. I was disgusted with the Leader of the Opposition. These tactics of the Opposition to try to send the bill away would have compromised our ability to give the police the tools that they need.

Labor did this against the advice of Tasmania Police and the Police Association of Tasmania. They did it against the advice of New South Wales Police who had told members of parliament in the briefing that consorting legislation is one of the most effective tools that the New South Wales Police has to break up serious and organised crime.

I do not want to hear any of the Labor Party claiming that they supported this bill. You have frustrated it from the beginning to the end. You tried to kill the insignia bill. Today is a heroic day for the people who are willing to stand up to the bullies in the OMCGs in Tasmania and other organised crime who are seeking to come here. Today this will be a victory that has been won by our police and our police association members and it is against the attempts of the Opposition to kill this bill - not only the first bill, now the second one.

I will not forget this, particularly after the debate we had in this House where Dr Broad tried to tell us he was supporting the bill, loved all the key elements of it and then whispered 'no' on the second reading vote. We all thought you had voted for it. It shows we cannot trust you. When you say you will support something subject to amendments, what it means is that we cannot trust you. We accepted amendments - it is highly unusual on the floor of this House for a government to accept amendments of the opposition.

Mr O'Byrne - Rubbish.

Mr FERGUSON - It is rubbish. I remember when you were in government and I was in opposition. It was very unusual. We took you at face value and now I wonder why we did that. This whole exercise has demonstrated that you cannot be trusted. Even when the Government agreed to the third amendment about recognising family, even then the Labor Party tried twice to have the bill sent off to a committee. That is really disappointing.

I commend this amendment to the House. I look forward to the bill passing into law and allowing Tasmania to be a safer place. This Government worked with our stakeholders and police, but unfortunately did not have the support of the Labor Party, to protect families in this state from organised crime and serious criminal offences which hurt and kill people, and see them ruined and sent into a life of drug dependence, debt and even jail.

Dr BROAD - We almost got through this and then you dial up a nasty -

Mr Ferguson - You tried to stop it.

Dr BROAD - The upper House had some issues with one particular clause which stands as clause 5 of the first amendment. In defence of the Government's version of this amendment, it was said that Rodney Dillon supported it. We tried very hard to get in touch with Mr Dillon but he was out of contact. We wanted a little more thought be given to this particular clause. To mischaracterise it as sending it off to a committee to review the whole bill, was definitely not the intent. You were not listening to the debate.

Mr Ferguson - I was there, you weren't.

Dr BROAD - I was there at that stage, minister.

Mr Ferguson - You came in late.

Dr BROAD - I was there. The key question was about the definition of Aboriginal family. What did Rodney Dillon agree to? Did he agree to this definition?

You come in here and dial up a nasty. You say we are trying to throw this bill out. We wanted to have a short discussion. It was mentioned as a short committee, which could have been done on the night to discuss this particular clause to get the opinion of the Aboriginal community. We did not have very much time to do consultations on this. You have not done any consultations about this. You did not present this draft bill to anybody before it hit the table in parliament. It was a surprise to everybody. You had a consultation about the position paper but everybody we spoke to had not seen the bill. Maybe you showed the bill to somebody. We have not heard of anybody who had seen the bill before it was tabled in parliament. We had significant concerns; we raised a series of amendments. A large part of them have passed but this was a particular issue about the definition of Aboriginal family members and what is important to the Aboriginal community.

We had about a week to get our consultation done. We wanted a little more time to discuss this particular issue. That was the discussion upstairs. It was not about sending it off to a committee and seeing it next year. It was not about delaying the bill on purposes. It was simply about this question. We have been mischaracterised and the minister almost got through it and then starts throwing in all sorts of accusations and insults, same as last time. You cannot help yourself. It is embarrassing and it is a shame.

A member interjecting.

Mr CHAIRMAN - Order. I have allowed some leniency. We are on the fifth amendment and we have not passed the fifth amendment.

Mr FERGUSON - I want to correct the misinformation that has been uttered. This bill was given to the Law Society of Tasmania and the Tasmanian Bar. I told you this -

Dr Broad - When?

Mr FERGUSON - before it was brought into this House. I told you this.

Dr Broad - That is not what they told us.

Mr FERGUSON - No, you are not hearing this. This bill was consulted on in draft form by the Law Society before it hit this House. I already told you this in our debate. The reason I know I have told you this is because that consultation gave the suggestion we accepted. You do not like the facts but the central objective I have referred to many times in this bill arose from that consultation, Dr Broad. You are incorrect in what you have asserted. The policy document, not the bill, was widely circulated in April. The policy was consulted broadly and the bill is faithful to the position paper published by Tasmania Police. I felt the need to correct this misinformation around the bill not being consulted with anyone before it came to this House.

Fifth amendment agreed to.

Council amendments agreed to.

Reported the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

ANZAC DAY OBSERVANCE AMENDMENT BILL 2018 (No. 23)

In Committee

Council amendments to clause 6 -

Mr BARNETT (Lyons - Minister for Resources) - Mr Chairman, I move -

That the Council amendments to clause 6 be agreed to.

I inform the House on the progress of the Anzac Day Observance Amendment Bill returned from the other place with a minor amendment. This amendment provides additional detail to the publishing of the notice for exemption for trading on Anzac Day, laid out in clause 6 of the bill. The amendment clarifies that the notice for exemption is to be published in one daily newspaper circulating in the relevant municipality and on a website accessible by the public. This amendment was accepted by the Government during the debate in the other place.

The Anzac Day Observance Amendment Bill 2018 is part of the Tasmanian Government's red tape reduction policy and consolidates all legislative provisions relating to the activities that can be undertaken on Anzac Day in the one act, making it easier for Tasmanians to understand their obligations on this important day. It is a combination of the Shop Trading Hours Act and the Anzac Day Observance Act. I think you recall, member for Franklin, Ms O'Bryne, when we had that debate.

It has gone through to the other House and has come back with that very minor amendment. The bill seeks to transfer the provisions of both those acts into the one act and it has that effect. The effects of the provisions do not change the results of the other amendments we put through. The existing powers and functions of Worksafe Tasmania inspectors, as they relate to shop trading on Anzac Day, will continue.

In summary, it is making sure there is adequate circulation of any changes or exemptions relating to Anzac Day, available in the relevant municipalities across the state and are also available on the website. It is fair to say the department would have done this in any event. It is ensuring that information is made available and they are putting it in the legislation to make it a requirement

that the department puts it on the website and it is published in one daily newspaper circulating in the relevant municipality rather than one newspaper across the whole state. That information will be made available. I am happy to answer any further questions but hope that assists the Chamber.

Mr O'BYRNE - I indicate on behalf of the Labor Party, based on my experience in this area as a former minister dealing with this matter and hearing the minister's explanation around the amendment in the upper House, which relates to a greater level of communication around the gazetting of the date and the arrangements, we support the amendment to the House.

Ms O'CONNOR - Mr Chairman, the Greens support the amendment.

Council amendment agreed to.

Reported the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2018 (No. 35)

Second Reading

Resumed from 26 September 2018 (page 43)

Mr BROOKS (Braddon) - Mr Deputy Speaker, I was winding up when the bells rang yesterday. I had gone through a couple of examples within the legislation that have an impact, such as search warrants and the changes in the bill that make them more appropriate for today's age as well as some changes to the way the postage service is managed from a legal point of view.

I congratulate the minister on these changes. It is yet another example of this looking at red tape and cutting it, like we always do, and focusing on where improvements need to be made. This is another example of a majority Hodgman Liberal Government getting on with the job of making it better for Tasmanians.

Motion

That Debate be Adjourned - Motion negatived

[3.19 p.m.]

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

That the debate on the Justice and Related Legislation (Miscellaneous Amendments) Bill 2018 be adjourned until tomorrow.

This is in order to give the House an opportunity to debate a matter it should have debated in the matter of public importance debate today, and that is foreign influence in Tasmania. It is one of the most significant questions this House should be dealing with. There was a deliberate effort made on the part of the Liberals using their numbers to make sure this House did not address stories that have been appearing in the *Mercury* newspaper and the *Australian* newspaper over the past two days which are extremely concerning.

This House needs to debate this issue because this parliament is the vanguard of our democracy here in Tasmania. We now have credible evidence of foreign influence in local government elections in Tasmania. For people who did not read the article in the *Mercury* this morning - and I hope everyone has paid some attention - there were extremely concerning statements attributed to the Tasmanian Chinese News Network, the editor of which is Hobart City Council candidate Yongbei Tang.

Ms Tang has published statements on her news outlet to this effect and these statements must be read into the *Hansard*. The article in *Chinese News Tasmania* notes that 'Australia is a society dominated by white people' and called on Chinese people living in Tasmania to back Ms Tang's election. The author says, 'I want to see a powerful Chinese community', in the article which is translated from Mandarin to English, and continues:

One councillor is far from enough. We need to put a nail in Tasmania's politics and add another one four years later. We have dominated business circles, now we need to establish ourselves in politics.

The quote goes on:

The Chinese community will become more established only when business power and political power join forces.

Mr Deputy Speaker, that represents a fundamental misunderstanding of democratic parliaments in the Westminster system. You cannot have a healthy functioning democracy if you have corporations and big business too close to political parties, governments and political leaders. That is a foundational principle of our democracy here in Tasmania. Although it has been corrupted by the major parties over the years, it remains a foundational principle.

For every person sitting in this House, no matter what party you are from, this is a country over party issue. No matter what party you are from, every person sitting in this House should be deeply concerned about the growing body of extremely credible evidence that the Chinese government is seeking to influence the outcome of Hobart City Council elections. There is extremely credible evidence, verified by people with expertise in this field.

Mr Hidding - So you reckon she's dodgy. This is a dodgy person, is it?

Ms O'CONNOR - No, I am not saying that. I know Yongbei Tang very well and have spent a lot of time with her.

Mr Hidding - Why are you standing here doing this, then?

Ms O'CONNOR - This is not about Yongbei, this is about the Chinese government. Don't be fooled. You may go back and read your interjections in the weeks, days or months ahead, and feel like fools. That is the risk you are running here.

Mr Hidding - No.

Ms O'CONNOR - Oh, yes it is.

Mr Hidding - You're talking about a book written by a failed Greens candidate.

Ms O'CONNOR - In New Zealand there has been an elected member of the New Zealand Parliament, a National MP -

Mr Jaensch - Democratically elected.

Ms O'CONNOR - Jian Yang, who it was not revealed to the people of New Zealand when they cast a vote for him, had spent 10 years lecturing in the Chinese Academy of Military Science, which is a People's Liberation Army-backed academy, Mr Jaensch. The problem we have here is wilful ignorance, wilful denial and, in fact, a form of treason. You cannot look at the evidence and say there is not something going on here. If you do not care to inform yourself, that is on your head, Mr Jaensch.

Let me tell you about a couple of United Front work group organisations that are operating in Tasmania right now. There is the Council for the Promotion of the Peaceful Reunification of China. That is part of the propaganda work of the Chinese government. Where did they launch their Tasmanian chapter? Downstairs in the reception room where the Speaker of the day gave them permission, despite information on the public record that this council is part of the propaganda work of Xi Jinping's government in Australia and Tasmania.

Ms Archer - I had no such information at the time, and you know it. Ms Giddings didn't know either.

Ms O'CONNOR - You should have informed yourself, former Madam Speaker. You made an egregious error in doing that.

Government members interjecting.

Ms O'CONNOR - I was talking earlier before I was shut down by the howls of the ignorant on Government benches -

Government members interjecting.

Mr DEPUTY SPEAKER - Ms O'Connor, you are actually speaking about an issue we should be debating -

Ms O'CONNOR - I am moving to have the debate on the Justice and Miscellaneous Amendment Bill adjourned -

Mr Hidding - Because of this dodgy citizen.

Ms O'CONNOR - No, because of attempted foreign interference in local government elections in Tasmania.

Mr Hidding - Have you looked under the bed?

Ms O'CONNOR - Let us quote from ASIO, shall we? Imagine the Greens being the ones in here bloody well quoting ASIO!

Mr DEPUTY SPEAKER - Order. Appropriate language please, Ms O'Connor.

Ms O'CONNOR - I withdraw that language. I quote now from an SBS report -

Mr DEPUTY SPEAKER - The member's time has expired.

Ms O'CONNOR - I have 20 minutes to speak on this bill, Mr Deputy Speaker.

Mr Hidding - You've already moved that the debate be adjourned.

Ms O'CONNOR - I have, and I am still arguing for removal on my time. Get some clarity, please.

Mr DEPUTY SPEAKER - Order.

Ms O'CONNOR - Yes, go on, shut this debate down. I will be back in the adjournment. Do not worry, I will be back on every single clause until you wake up. Wake up!

Mr Ferguson - Is this a dream?

Ms O'CONNOR - No, this is us doing our job, Mr Ferguson. Someone in this place has to, with the slings and arrows that we bear doing it; the accusations and xenophobia, running CCP talking points. I pointed out that the former Speaker made an egregious error -

Mr DEPUTY SPEAKER - Ms O'Connor, after looking at the Standing Orders, it is a 35-minute debate and you have had your seven minutes.

Ms O'CONNOR - Excellent. Dr Woodruff will follow up for me. Thank you very much.

[3.27 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the Greens have been trying to raise this issue and elevate it above the slanging match that has been coming from Government members in an outrageous, cowardly, naïve and incredibly foolish response to what is a serious situation and serious threat to democracy in Tasmania that is unfolding before us.

The media has been reporting things that ASIO and international and national security organisations are pointing out in spades in reports such as that from the United States-China Economic and Security Review Commission report from August this year titled 'China's Overseas United Front Work - Background and Implications for the United States'. Why would we care about implications for the United States? Because it has a special chapter on Australia and New Zealand and points out that Australia and New Zealand are exemplars of the performance success of the United Front work overseas, and that they are looking at what is unfolding in our countries as an example of where they do not want to go.

This is serious. Wake up, people. This is our democracy and what we have in Tasmania, here in Hobart, is a general manager's roll which has allowed 589 non-Australian citizens to be enrolled to vote in the next Hobart City Council elections.

Mr Hidding - It is the law.

Dr WOODRUFF - It is the law but it needs to be fixed because this is dangerous. It is a threat when 589 votes can be recruited - as we now know has been done by Yongbei Tang - to vote for her, because Yongbei Tang may well be an Australian citizen but she is also a cadre of the Chinese Communist Party.

Government members interjecting.

Dr WOODRUFF - Mr Deputy Speaker, would you please stop the conversation across the Chamber because I am hoping they will pay some attention to what I am saying since I am the person who is standing here talking.

Mr DEPUTY SPEAKER - Order. There has been the issue raised and we do need to speak to the question.

Dr WOODRUFF - Mr Deputy Speaker, what has unfolded for us in the *Mercury* newspaper today makes it really clear that Ms Tang is an editor and publisher of *Chinese News Tasmania* but she denied writing an article in her own paper, which she publishes and edits, an article that did not have a by-line underneath it. One can only presume that she was in charge of that.

Mr DEPUTY SPEAKER - Dr Woodruff, I am listening for a reason we should adjourn, not why it is important to adjourn this debate for another debate. I am entitled to make a decision as soon as I have heard enough.

Dr WOODRUFF - Mr Deputy Speaker, this is a matter of national security. It is unfolding on Tasmanian soil. It is a matter of Tasmanian security, which is why we are forced to bring it in today. We were shut down from having this as a matter of public importance.

Our Premier is so naïve that he made recent comments, as reported in the *Australian* newspaper. He was quoted in China as pushing the case for Hobart to be a supply base for China's presence in the Antarctic. We have to understand what is happening. The Chinese Communist Party is using Tasmania as a convenient launching pad to move into the Antarctic, to create a bridge to exploit minerals. They have already been identified by the Australian Strategic Policy Institute as undergoing undeclared military activity in the Antarctic and ongoing mineral exploration. The Chinese Government has also said it reserves the right to make a claim on Antarctica in the future. This is not the Australian Government's position.

We know that Ms Yongbei Tang, who is standing for the Hobart City Council, is a Chinese Communist Party cadre. She was on the board of Australian Council for the Promotion of Peaceful Reunification of China. Let us call it what it is, the 'we own Taiwan committee', which is about China taking over ownership of Taiwan. That is exactly what the purpose of that is. That group is considered to be the main united front group in Australia.

Mr Deputy Speaker, this is a serious matter. It deserves a full conversation with every single member in this Chamber. That is okay, the Greens are bringing this on because we are concerned about Ms Tang actively recruiting Tasmanian students. We are concerned this is a loophole in the law, which, as Ms Tang says, 'This is not just what is happening this year. We can springboard forward to the next time and we can get more people in four years' time.'. This is about plugging a hole in a situation that is deeply concerning for our democracy.

Time expired.

[3.32 p.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, a debate on the MPI will occur if the House agrees to allow it. Regarding the suspension, we were very disappointed with the actions of the Government to gag debate on a matter of public importance, which was the no-confidence motion.

Mr Hidding - If you back this, mate, you are going after the Chinese. That is what you are up to.

Mr O'BYRNE - Do not misconstrue this. We are here on a matter of principle. I will not reflect on the content or debate of the MPI.

Mr Hidding - That is what you want to facilitate.

Mr O'BYRNE - No, this is about disrupting the House. Last sitting week, we had a censure motion on the Premier. Once that was gagged and resolved, you allowed your member and the Government to have their MPI. The Labor Party, on a matter of principle, believes that an MPI should be allowed to occur in the order of the business of the day. This is not in any way agreeing with the MPI, which will occur during the debate if the House deems the MPI goes ahead. It is a matter of principle and allowing people in this place to have their voice.

Mr Hidding - You are against this candidate, too.

Mr O'BYRNE - You are against free speech. You are against people having their voice. You are trying to knock people down. You gag debate. We had a want of confidence motion today. We were in this House for four years and we did not gag debate to an hour-and-a-bit, to 70 minutes, every time there was a want of confidence motion against one of our ministers. We were not afraid of that debate. We did not run away from protecting our minister, like you did in a shameful display this morning. When we had the censure motion last week, you allowed Mr Brooks' Government time to have the MPI, yet you choose to use your numbers in an undemocratic, bullying and oppressive way to deny other members of this House a voice. Whether we agree with them does not matter. They need to have their say. It is the order of business.

Mr DEPUTY SPEAKER - Mr O'Byrne, we are on the question of adjournment.

Mr O'BYRNE - The Labor Party will support the adjournment as a matter of principle in allowing orderly debate in this House. We are not saying we agree with the arguments of the Greens. We are agreeing that the House be able to bring through a normal order of business. A precedent has been set by the Government and we will follow the precedent of the Government.

[3.35 p.m.]

Mr FERGUSON (Bass - Minister for Health) - Mr Deputy Speaker, we have had our opportunity for Greens members to vent their spleen on a non-preferred candidate, an Australian citizen, running lawfully in a local government election. You have had your fun. You have made your arguments.

Ms O'Connor - A member of the CPPCC and a member of the Council for the Promotion of the Peaceful Unification, a designate -

Mr DEPUTY SPEAKER - Order, Ms O'Connor.

Mr FERGUSON - A person does have the right of reply when they have been treated in this way by a member of our House.

Ms O'Connor - Oh fantastic, that would be great.

Mr DEPUTY SPEAKER - Order, Ms O'Connor.

Mr FERGUSON - That is a right afforded to any Australian citizen and that is in our Standing Orders.

Ms O'Connor - Great.

Mr DEPUTY SPEAKER - Ms O'Connor, you are warned.

Mr FERGUSON - The Government will not be supporting this motion. It is a stunt. I would mention in any event -

Ms O'Connor - Unbelievable.

Mr DEPUTY SPEAKER - Ms O'Connor, you are warned.

Mr FERGUSON - Even if the motion were agreed because the House felt the need to re-engineer an MPI, the House resolved this morning to make time available for the suspension motion by the Labor Party that was supported by the Greens. They wanted to debate it all day. You opposed the time limitations.

Ms O'Connor - Irrelevant.

Mr FERGUSON - It is completely relevant because the Greens were proposing we would delay it all day.

Ms O'Connor - If we had been nice to you, we would have the MPI?

Mr FERGUSON - If we had agreed to that, we would not have put our consorting legislation through. The legislation my colleague, the Attorney-General, is taking through now is important legislation and the Government does not support adjourning the debate.

The House divided -

AYES 11

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

NOES 11

Ms Archer
Mr Barnett
Mr Brooks
Mr Ferguson
Mr Gutwein
Ms Hickey
Mr Hidding
Mr Hodgman

Ms Standen
Ms White
Dr Woodruff

Mr Jaensch (Teller)
Mrs Petrusma
Mr Rockliff

PAIR

Ms O'Byrne

Ms Courtney

Mr DEPUTY SPEAKER - The result of the division is 11 Ayes and 11 Noes. I therefore have to use a casting vote. In accordance with Standing Order 167, I cast my vote with the Noes. Therefore the Noes have it.

Motion negatived.

[3.42 p.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - I am speaking now on the Justice and Related Legislation (Miscellaneous Amendments) Bill. I want to talk about some changes in legislation at the Commonwealth level, which will have an influence on justice in Tasmania and may require some miscellaneous amendments to legislation. It is not yet known.

On 28 June this year, the federal parliament passed the Foreign Influence Transparency Scheme Act 2018. The legislation provides public and government decision-makers with visibility of the nature, level and extent of foreign influence on Australian Government and political process. There is a requirement for foreign entities to register. A foreign principle is described in the legislation, which takes effect from 1 July 2019.

Foreign principles are described as a foreign government, a foreign government related entity, a foreign political organisation, a foreign government related individual. Categories of registerable activities under the Foreign Influence Transparency Scheme Act 2018 include: general political lobbying for the purposes of political or government influence; and disseminating communications activities for the purposes of political or government influence. Under the newly enacted scheme, registrants will be required to disclose information about the nature of their relationship with a foreign principle and activities undertaken pursuant to that relationship. I simply place that on the record as from 1 July next year organisations, for example like the *Chinese News Tasmania*, will need to register under Commonwealth law as being foreign principles.

The reason that legislation was developed in the federal parliament was because of advice that had been coming to federal ministers, particularly to former prime minister, Malcolm Turnbull, who engaged ex-journalist, John Garnaut, to undertake a body of work to examine what the level of foreign influence was in Australia at this point. A number of quite concerning reports of influence efforts, and the sort of information that John Garnaut provided to the former prime minister that led to the development of this legislation came from ASIO.

ASIO had identified 10 state and local political candidates linked to Chinese intelligence agencies. This was reported in the *Weekend Australian*.

Australia's peak domestic intelligence agency won't say if it has uncovered links between 10 recent political candidates and Chinese intelligence agencies.

A scheme to insert people in the right places to influence Australian politics, while described as 'patchy but deep', has caused concern for ASIO ...

One of the local and state government candidates identified -

by ASIO -

won office, which he still holds today, according to the report.

It is my understanding that this candidate, who is a New South Wales Labor MP, will in all likelihood not be endorsed by the party at the next round of pre-selections. The relationship, it is alleged, between that person who was elected in the New South Wales parliament and Chinese agencies reportedly began before he won a seat. While most of those believed to have close ties with Chinese intelligence and the communist party were involved in council elections, ASIO holds concerns about people at both state and federal levels.

I am quoting from an SBS news report. The multicultural news organisation delivered this report. This report on SBS says:

Fears centre around politics in Western Sydney and a Chinese diplomat who defected to Australia told The Weekend Australian there were overt attempts made by the Chinese government to influence opinions.

Mr Chen Yonglin, a former PRC diplomat who defected to Australia, is quoted as saying -

In Australia, it seems there's no limitation at all, the Chinese do it publicly.

It seems they are above the law in Australia. They are braver than their activity in the US.

Christopher Johnson, a former CIA senior China analyst who now works for the Center for Strategic and International Studies is quoted as saying in the New Zealand press in relation to concerns about foreign influence in New Zealand's democracy -

China has been very active in recent years placing and cultivating people at the grassroots political levels of western democracies and helping them to reach positions of influence.

In the Greens efforts to make sure this matter was debated properly, we had to endure the usual abuse and accusations of xenophobia and racism in relation to the concerns that we are raising. But when a candidate for a local government election in Tasmania publishes testimony that 'a nail needs to be put into Tasmanian politics', the sorts of accusations we hear from government members are water off a duck's back.

We are here to defend democracy and justice. We recognise that democracy is fragile, precious and it requires constant nurturing. You only have to take your eye off the ball for a second and you will see rights, freedoms and important democratic principles undermined either by corporations or right-wing governments of the day or, now we know, by foreign governments.

If any member of this House thinks we are going to back off, they need to think again. If the Leader of Government Business wants to ensure that the House does not have a sensitive debate about foreign influence and shuts down a matter of public importance debate, he needs to understand we will make that debate happen. He needs to understand, as does every government member in this place who has accused us of xenophobia or racism, that we take this responsibility extremely seriously.

Unlike Government members, we have done our reading, briefed ourselves, been contacted by people who are members of the Chinese-Australian or Chinese-Tasmanian community. We have been contacted by people with expertise in matters of foreign influence in Australia. We know that we are on rock-solid ground. It is an uncomfortable conversation for the parliament to be having, there is no doubt about that at all.

Ms Archer - You seem quite comfortable.

Ms O'CONNOR - Well, former Madam Speaker, who allowed the United Front Work group into the reception room to launch its Tasmanian chapter, you are mistaking me for someone who cares what you think of me. I am simply speaking on behalf of the Greens and every Tasmanian who recognises how precious our democracy is.

Ms Archer - You have no respect for anyone in this place.

Ms O'CONNOR - We will keep getting up in here and having this debate. If anyone thinks we are going to back off because it is uncomfortable or we do not like being called names, you misjudge us. We are Tasmanians first and as uncomfortable, sensitive and difficult as this debate is, we will persist. It may well be that Chinese influence in politics in Tasmania is a defining narrative of this term of government because of the unhealthy close relationship between the Hodgman Liberals and Xi Jinping's government.

Somebody in this place has to speak truth to power, and it will be us. Somebody in this place has to highlight the misery and plight of a million people - Uyghur and Kazakh Muslims - who are imprisoned in the north of China right now. Somebody in this place has to speak for the suffering Han Chinese who live in an oppressive surveillance state. Somebody has to speak for people in Pacific nations, Papua New Guinea, Sri Lanka, Kenya and Tanzania, where persecuted peoples are being bullied under Xi Jinping's One Belt, One Road policy, which is splashing money around poorer countries and bullying to seek influence, threatening, for example, to repossess the airport in Tanzania because the government cannot pay its debt.

If the Tasmanian Parliament cannot have these sorts of debates then democracy here is lost already. We have a responsibility to protect democracy at a local government level, at a state government level, and to the greatest extent that we can, at the federal level. We deny that this is about race or ethnicity. Those are the talking points of the CCP and the United Front Work group when people criticise their bullying totalitarian behaviours in China and abroad, so when we are accused of those revolting things it does not matter to us because we know it is not true.

Ms Archer - It's the way you do it.

Ms O'CONNOR - Snipe away there, former Speaker who let the United Front Work group enter the reception room.

Ms Archer - It's not what the group that came into this House was called. You are wrong. Get your facts straight.

Mr DEPUTY SPEAKER - Order.

Ms O'CONNOR - The facts are, former Madam Speaker, that a United Front Work group, the national chair of which was Huang Xiangmo, asked you as Speaker -

Ms ARCHER - Point of order, Mr Deputy Speaker. I have been resisting calling a point of order on the member for Denison, Ms O'Connor, but in the interests of getting back to topic, I have no problem with a member coming in and making a contribution at the right time. We are on the Justice and Related Legislation (Miscellaneous Amendment) Bill, dealing with changes to various legislation. Although Ms O'Connor tried to relate it to the topic at the start of her contribution, I think she is well off topic now.

Mr DEPUTY SPEAKER - On the point of order, I have allowed the member a great deal of leniency but we are dealing with this legislation so if you could keep your comments to that.

Ms O'CONNOR - Thank you, Mr Deputy Speaker. Just before Ms Archer pulled me up, I was pointing out that Mr Huang Xiangmo, the former national chair of the Council for the Promotion of Peaceful Reunification of China, is a donor to the Liberal Party. A sum of \$30 000 came from the Yuhu group of companies to the Liberal Party before the launch of the Tasmanian chapter of the Council for the Promotion of Peaceful Reunification of China was held here, \$30 000 went from a company that ASIO had warned the Tasmanian Liberals about and next thing you know, they are launching their propaganda arm in the reception room.

I note that the Justice and Related Legislation (Miscellaneous Amendments) Bill 2018 makes some changes to the Evidence Act 2001, and I am simply laying out the evidence of foreign influence in Tasmania and making a very firm declaration that the Tasmanian Greens will stand up for democracy in this place, and we hope in time to bring our colleagues along with us - for the love of Tasmania.

Dr Woodruff - Hear, hear.

[3.55 p.m.]

Ms ARCHER (Denison - Minister for Justice) - Mr Deputy Speaker, back on topic. I thank members for their contributions in relation to this important miscellaneous amendments bill which deals with amendments to various pieces of legislation in Tasmania.

There were various questions asked by members in their contributions. Dealing with the shadow attorney-general, Ms Haddad, in relation to the circumstances a court would consider it appropriate to proceed under section 42AH(2A) and 42AI(2A) without seven days notice. In response to that, offenders are only likely to be before a court without seven days notice in an unusual urgent situation. These sections give the court a wide discretion to dispense with the service requirement and the time requirements in any circumstances where the court considers it appropriate to dispense with those requirements. This allows for any sort of unusual or urgent situation to be dealt with in a timely manner.

A court will consider all the circumstances, including how dispensing of time and service requirements would affect an offender. Types of circumstances in which these provisions might be

utilised could include where an offender's house burns down - and I know you cited that example as given to you during the briefing - where the offender needs to spend a night elsewhere because of a family emergency, or where someone is required by a family violence order to not live at a particular address. I hope that gives you a few more examples in relation to that. It would certainly be in an unusual urgent situation only. I know that was what you were concerned about and were asking for comfort in that regard, so I hope that provides it.

I believe you referred generally to the issue of home detention and electronic monitoring and some concern about there being any form of delay. The department and Community Corrections in particular have been working very hard to get that up and running. Various things have needed to be done, not least of all the equipment purchase, the processes put in places and, of course, the additional staff that will be required in those units.

I am informed we have a target of October this year. If there is any slight overrun it is really just putting the staffing and all of those things together because obviously we do not want failure. We want success right from day one, so we are ensuring that the electronic monitoring system and home detention is up and running fully before we press go. It is expected this year, so not long to wait now.

The third question was about my intention of rolling extensions of time relating to holding suspects incommunicado and whether there is a benefit in clarifying for future interpretation purposes whether a further extension should be limited in scope as opposed to rolling extensions of time. The amendment to section 6 of the Criminal Law (Detention and Interrogation) Act 1995 does not limit the number of requests for extensions of time. On the expiration of the four-hour period, any such further period is to be considered by a magistrate. A magistrate must consider all the circumstances and be satisfied there are reasonable grounds for ordering an extension of time. I hope that provides you some comfort that a magistrate is going to take all the circumstances into account and it must be considered by a magistrate. That was in reference to case of Austin, not Archer.

The member for Franklin, Dr Woodruff, asked if there are any conventions governing the writing of clause notes, as part of the amendments to the Acts Interpretation Act. Clause notes are not the subject of any written whole-of-government policies or requirements. The main aim of clause notes, as many members in this House are aware, is to assist with the understanding of a bill. Each department writes, checks and clears clause notes as part of a bill's parliamentary package. There are no hard and fast rules. I thank the member for noting clause notes have improved over the years. That is probably down to each department. I know the Justice department prepares so many of them that they are streamlined now. This is a great move in the interpretation of the second reading speech to assist in the interpretation of each of the clauses when we are moving amendment bills in this place. This will only assist the courts and others in the interpretation of legislation.

The second question Dr Woodruff put was to the current practice in relation to the forfeiture of child exploitation material and bestiality product and what currently happens to electronic media that contains child exploitation material or bestiality product when the person is not convicted of an offence. It is a very good question. The current practice is that a police officer may apply to the court for an order to forfeit child exploitation material or a bestiality product to the Crown. The court may make an order regardless of whether the person is convicted of the offence to which the child exploitation material or bestiality product relates.

If a person is convicted of an offence under Part 8, the court may also order that anything used to commit the offence be forfeited to the Crown and this includes electronic mediums. The current method of destruction is by rendering the objects unserviceable followed by deep burial at a waste disposal area or, where relevant, by incineration, similar to what is done with the disposal of other secure waste.

Dr Woodruff - That sounds thorough.

Ms ARCHER - Yes, very, and presumably an undisclosed location. If a person is not convicted of an offence, the material is deleted from the device and returned to the owner. The Department of Police, Fire and Emergency Management has noted that while data can be deleted from a mobile phone, there is still a possibility the data could be retrieved. The current method of destruction is necessary to prevent data being retrieved. They are good changes, all-round, in relation to that amendment.

Your third question, Dr Woodruff, was with regard to a new section 18A of the Court Security Act 2017; is this amendment a catch-up to what is already occurring or will it signal a behaviour that is a departure of what is already happening? This amendment will not see security officers undertaking different roles. Historically, security officers have undertaken this role from time to time. Where a judicial officer has made an order that a person be taken into custody there is still a requirement there is someone who is able to take the person into custody. Correctional officers and police officers have this power by virtue of their positions.

It is also important to note that we took police out of courts in Hobart some time ago. We have just done that in Launceston and we are in the process of dealing with that issue in the north-west. Perhaps it is a hangover of the past that we did not have security officers needing to take anyone into custody because we had police officers carrying out the duties now performed by the security officers.

In the past, the Magistrates Court has needed to apply to the Commissioner of Police to have court security officers made ancillary constables. This became administratively onerous when there was a turnover of court security officers. In other words, the court would apply to the Commissioner of Police to make the ancillary constables. It is quite onerous in the modern environment when you have quite a turnover of security officers and they are moved from locations, which we see here at Parliament House. This is only a role that arises on the order of the court and the new Court Security Act provides court security officers with the ability to escort or detain a person already in custody. They also have the power to arrest a person who has committed an offence under the Court Security Act. Under that act, the relevant court or tribunal has the capacity to issue rules, guidelines and directions in relation to matters under the act and this would include the conduct and role and responsibility of court security officers.

With respect your other question of what care means in the context of persons in custody, that is when we were dealing with the issue of those who are intoxicated and need to be taken into custody. There is a legal duty of care imposed on any person or body having custody of another person. It will depend on the circumstances of the person in custody as to what care would need to be provided. If a person in care was suffering a medical emergency, for example, a person with a duty of care would need to provide medical attention. For example, they would need to call an ambulance or provide first aid depending on the nature of the medical attention required and the status of the emergency. The duty of care would also extend to providing safe facilities for the person, having regard to their condition. In case of intoxication it would mean ensuring there are

safe facilities. There are also protocols in place if there is any fear for their wellbeing, such as suicidal tendencies. As members would be well aware, there are no hanging points and the like in cells.

The final question was dealing with an amendment to section 7C of the Evidence (Children and Special Witnesses) Act 2001, as referred to by the Tasmanian Law Reform Institute. Justice miscellaneous bills are designed for minor amendments and I am aware of the amendment Dr Woodruff refers to. It has required significant policy considerations and is not appropriate for this bill because it is not a minor amendment. However, I can assure all members the Government does intend to proceed with an amendment - you also asked if I could confirm whether we did - with an amendment to section 7C, which deals with the pre-recording of certain evidence. The amendment is in line with recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse. The Government will progress a range of reforms necessary with respect to those recommendations and amendments flowing from the recommendations that have been handed down by the Royal Commission.

With that, I thank all staff within the department and particularly our draftspeople. These amendment bills can be very detailed. It takes some time to put them together. There are usually one or two a year of justice and related miscellaneous; maybe only one big one like this one. Being an election year, we started a bit later. There is already another one planned because more seem to arrive when we decide to have a cut-off date, either requests from the chiefs of each court, members of the bar, tribunals - across the board these requests come to us and are considered by me and then they are included in these types of amendment bills. A lot of work goes into these justice and related miscellaneous amendment bills and for that I again thank the department, our draftspeople for their hard work and everyone in my office as well.

Bill read the second time.

Bill read the third time.

CORRECTIONS AMENDMENT BILL 2018 (No. 33)

Second Reading

[4.13 p.m.]

Ms ARCHER (Denison - Minister for Justice - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

This bill fulfils the Government's election commitment to ensure a member with policing experience is represented on Tasmania's Parole Board. Just as we did in 2015 when we legislated to ensure a victims of crime representative on the Parole Board, we are amending the legislation to ensure a member with policing experience is similarly represented on the board.

The Parole Board carries out a vital function in our community. Once a prisoner is eligible to be released on parole, it is the independent Parole Board that determines whether or not to release the prisoner. An individual with policing experience will bring a unique set of experiences to the board which are relevant when considering whether a prisoner should be considered for parole.

In determining whether or not a prisoner should be released on parole, the Corrections Act 1997 lists a number of factors that the Parole Board is to take into consideration, including the protection of the public, the rehabilitation of the prisoner, and statements provided by the prisoner's victims. We believe a former police officer's views will be helpful in considering applications for parole, which inevitably involves the parolee reintegrating back into the community.

The Parole Board currently comprises three members, but this bill provides for a fourth member of the board. A fourth member of the board raises the possibility of votes being deadlocked, and the bill will ensure that the member presiding at a meeting will have the casting vote where the number of votes is equal.

As I mentioned, the addition of a fourth member of the Parole Board adds to recent reforms to the makeup of the board. In 2015, amendments were made to the Corrections Act 1997 to require one member of the board to have knowledge and experience of victim of crime matters. This was an appropriate step to ensure that a member with insight into victim-related matters could be part of the board's decisions.

In the Parole Board's 2015-2016 annual report, the then chairperson of the board said that it had been useful to have a designated member of the board giving a voice to victim-related matters. The chairperson went on to say that it is important that the board's composition reflects the importance of victims' issues.

The Hodgman Liberal Government is committed to keeping Tasmania safe, and this legislation to include a member with policing experience is an important measure to ensure community safety remains at the core of any Parole Board decision.

I commend the bill to the House.

[4.17 p.m.]

Ms HADDAD (Denison) - Mr Deputy Speaker, I advise that Labor will be supporting the bill. I thank the minister's office and Department of Justice representatives who provided the briefing to shadow minister Josh Willie yesterday which I also attended as spokesperson for corrections matters in the lower House.

I recognise that the bill provides for a fourth member of the Parole Board to be appointed who has experience serving as a police officer in Tasmania or in another state or territory and specifies that the new member must not be a currently serving police officer. It also provides for what will happen in the event that there is a deadlocked vote, which is that the presiding member would have the casting vote. It is also important to note that the presiding member would be either the chair or the deputy chair rather than the victims of crime representative or the police representative. Additionally, the chair and deputy chair are appointed by the Governor. It is important to recognise the independence of the Parole Board and the work that they do, which is extremely important in assisting in the rehabilitation of people reintegrating into life outside of prison.

When making a parole decision the Parole Board assesses and takes into consideration things such as the likelihood of the person reoffending, the protection of the public, the rehabilitation of the prisoner, comments made on passing sentence by the magistrate or judge at the time of the inmate's sentence, the likelihood of that particular person complying with conditions imposed by the Parole Board, the circumstances and gravity of the offences committed, the behaviour of the individual person whilst in prison, the behaviour of the person during previous parole orders that

are applicable and the behaviour of the person during other orders, for example, probation or community service orders. They will also consider any reports tendered to them and the probable circumstances of the prisoner after release from prison, as well as any other matters that they deem appropriate to take into account when making a decision on releasing somebody on parole and what conditions may or may not be imposed on that parole order.

One of the areas the Parole Board looks at that I wanted to comment on in more detail is looking at the behaviour of the individual while they were serving their custodial sentence.

Looking at the most recent annual report of the Parole Board in which they explained that they had granted 75 cases and refused 38, also called before them 101 parolees to assess compliance and invite explanation for alleged breaches of condition, as a result of that saw 34 parole orders revoked and some number suspended.

It was interesting to read the comments in the most recent annual report as they also provided some very useful insights into the importance of rehabilitation programs within the prison system. One of the factors that the Parole Board gives weight to in making a decision about granting of parole is the participation of those people who come before them in rehabilitative programs while in prison.

Some years ago the Government legislated to require sex offenders, in particular, seeking parole, to undertake programs within the prison. The Parole Board recognised that was a positive change. I am highlighting the feelings of the members of the Parole Board in making their comments on the work they concluded that year. They recognise that parole is a privilege and not a right but it provides opportunities for those who have offended to reintegrate into their community and to become productive members of that community. It also presents an opportunity for a prisoner to re-engage, with the benefit of structured arrangements regulating their behaviour, associations, residence and so on. Those conditions provide an opportunity for a parolee to demonstrate a capacity to comply with appropriate standards of behaviour, demonstrate obedience to reporting requirements and refrain from anti-social behaviour.

In the Board's experience, they tell us the prospects of that occurring are directly proportional to the efforts of prisoners in participating in prison programs, which in turn is reliant on the opportunities for such programs. Those activities and the efforts of prisoners supported by prison staff translate well into successful parole orders, a result which is in the community's best interest. The provision of those programs is more than a direct investment in the prison population as much as an investment in better community outcomes.

In the main, prisoners are cooperative and enthusiastic about participation in such programs as are offered and that is to be encouraged in the view of the Parole Board Chair. It is a fact that those who engage most enthusiastically in internal programs are more likely to be paroled.

He goes on to tell us that:

On balance, the Board has taken the view that subject to an applicant demonstrating appropriate credentials and satisfying the statutory criteria set out in s72 of the Act, it is preferable to grant parole rather than not to do so. It is the case that all prisoners will in time be released. Being released into the community, cradled by conditions which assist that transition, imposing

obligations, responsibilities and support, represents a better course than release without such support.

In my view, victims of crime benefit substantially from somebody being released on parole with conditions. In many circumstances that can provide more comfort to a victim of crime. It might seem a counter-intuitive argument because many victims of crime would prefer to see their perpetrators serve their full sentence. When people are released on parole, they are released with conditions, such as conditions not to contact or to associate with certain people. That can be a benefit to victims of that perpetrator's previous offending behaviour.

Finally the Parole Board noted that in previous years many of the times they had to refuse parole or saw an offender as being precluded from the opportunity of parole was because they did not have accommodation to be released into after leaving prison and that has been a continual observation for several years in the Board's work.

They note that:

... there were a number of factors impacting on the Board's ability to determine applications for parole.

The availability for appropriate accommodation is one of those factors.

Stable and suitable accommodation remains critical to a successful application for parole.

Arguably it would also be absolutely critical to a person reintegrating into the community on release from prison.

As we know in trying to achieve any positive social outcomes, not having a roof over one's head makes it very difficult to participate in any other aspect of life, for example, rebuilding family relationships, relationships with children, seeking employment, study opportunities, or being able to live a dignified life. Not having a roof over one's head makes all of those things all the more difficult. It is a shame, indeed, that is often a barrier not only to people seeking parole, but also to people reintegrating into society in a productive and a dignified way.

The Board also noted since the abolition of the Post-Release Options Project and the closure of the REO program that Housing Connect had changed its policy to make ex-offenders a priority category for applications through Housing Connect. There were problems in that process in that at the time of application with Housing Connect no accommodation is actually secured. While they might be a priority applicant for housing under the Housing Connect process, it does not guarantee that person accommodation upon release. Therefore, the problem of not being able to release somebody on parole who would otherwise qualify for parole remains.

The Parole Board's annual report recognised not only the conditions that they place on offenders when releasing people on parole, but also the important factors that they take into account in making parole decisions, and the difficulty of housing for ex-offenders.

I am satisfied that the provisions that the Government has put in place in this bill for dealing with deadlocked votes of assuring that it is the presiding member, who would be either the Chair or

Deputy Chair as appointed by the Governor, are safeguards enough to protect people from such votes.

I ask the Attorney-General what consultation has been taken on this bill. In the briefing that the shadow corrections minister and I received, we asked a question about what would occur in the case of a conflict of interest. We were told that the member with police experience is to be a non-serving police officer. That is an important factor in a small community like Tasmania. It was interesting to see that of those other states and territories, most of which do have a police representative on their parole boards, Tasmania and South Australia specify it has to be a non-serving officer. That makes sense in a small community. However, being a small community there is always the possibility that a former serving police officer, if they served in Tasmania, could have had some interaction with the offender likely to come before the Parole Board.

We were satisfied with the answer, but I ask the Attorney-General for comment. The answer in the briefing was that there would be an opportunity for the police member of the Parole Board to identify a conflict of interest. We are satisfied that would often times be the case and be sufficient. However, we wonder what the current processes are for informing a prisoner as to who is to be sitting on their Parole Board hearing; which members or substitute members will be hearing their parole application; and whether there would be an opportunity for an offender to identify potential conflict of interest if they know it might be the case for the police member or for any member. Is that clear?

Ms Archer - All I heard was, what are current processes to inform prisoners?

Ms HADDAD - Yes, who is going to be hearing their parole application. I would also like to know whether, in the prisoners view, there could be a conflict of interest for the police member, who may have identified that same conflict themselves, whether there will be an opportunity for the prisoner to make that known to prison officials, an advocate or representative before having their parole application heard. Other than that, Labor will be supporting the bill.

[4.31 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, broadly, the Greens have no problems with the changes being proposed. I have some comments about the makeup of the parole board. This amendment bill does two things. It adds another person to the board, the person who has had experience serving as a police officer here or in another state or territory of the Commonwealth but is no longer serving. The second is to manage a situation of a tied vote, as there will now be four members on the board; the chair and three other members. It enables the chair to have a deliberative vote in the event of an equality of votes.

The point is that section 62 of the Corrections Act provides that the board consists of three people appointed by the governor. One is to be a lawyer of at least seven years standing, the second person is to be a person whom the governor is satisfied is experienced in matters associated with sociology, criminology, penology or medicine, or who possesses any other knowledge or experience that the governor considers is appropriate for the purpose. The third person is to be someone who has knowledge and experience of victim of crime matters and is experienced in matters associated with sociology, criminology, penology or medicine.

It sounds as though the board is going to have a substantial level of expertise, according the criteria listed in section 62, in some relevant topics to the question of whether a person is suitable to be given parole. The reason those parts of subsection 2(b) and 2(c) provide opportunities for movement is because it is very difficult to prescribe that one person on the board must have

experience in sociology or criminology, another in penology - which is the study of punishment, crime and prison management - with another person to have experience in medicine in a state the size of Tasmania, with only 500 000-odd people. We do not necessarily have people in the community with those skills who might want to be on the parole board. It is not necessarily the case that those particular experiences are at the forefront of the range on the table in the board in their decisions. I understand we have two eminently qualified people who have been on the board for some time now, one of whom is a criminal defence barrister and another who I believe is a lawyer, Ms Mackey. I am not sure who the third person is.

Ms Archer - We have deputy members as well.

Dr WOODRUFF - That is right. The members of the board have terrific expertise in law and criminology but there does not appear to be a person with the particular skills in sociology, penology or medicine. I wonder, in the deliberations of the parole board in matters relating to particular aspects of sociology and medicine, where that gap in expertise is being filled because it does have a particular frame. We are adding a fourth person to the mix who is a former police officer, who is coming with a deterrent and reformatory bent; that is their experience.

I hear the concerns of some people, barristers representing prisoners who have had their parole applications knocked back. Greg Barns and others such as Ben Bartl from the Hobart Community Legal Service, suggest that there is a predominance of views on criminology on the panel but there is not the depth of understanding or experience in other areas that would be useful. An example would be therapeutic justice, restorative justice, and how those forms of justice are being put into effect within the prison environment and how that relates to the person who is making an application for parole.

It is essentially a requirement that people have housing to go to when they leave prison. I understand it is not a direct requirement that it has to be the case. However, it is considered in the decision of the Parole Board that we have had such severe underfunding in the REO program. It was so successful and I believe has now restarted and is trying to go back to where it was before the Liberals cut that very successful program for two years. The people going through the REO program had, by the end of the program and before it was cut in 2015, zero per cent recidivism among the people who had been supported once they left prison.

It is an efficient use of public money to support people when they leave prison to find a house, to make sure they are connected with family by providing their family and the ex-offender with the support services for family reintegration and, especially, help finding a job. Finding a job is, along with a house, the biggest factor in ensuring a person is much less likely to return to committing crimes.

There is so much money being spent within the justice and corrections system, yet so much of it is poorly targeted because a tiny amount of money goes into this REO program and we get so much out of it. If we put more into that program the evidence is, particularly from other countries in the world, that we would have a much better investment, if you want to think of it like that, in safety for the state and in improving the ex-offenders' lives and their opportunities, especially their families as well. It is children who suffer so much when parents are in prison and not making those connections. Everything we can do to help people when they leave prison to make those connections with their families will mean that it is money well spent. We do not have any particular problems with what is being proposed and are happy to support the amendments in this bill.

[4.40 p.m.]

Mr HIDDING (Lyons) - Madam Speaker, from my point of view, this bill demonstrates this Government's commitment to keeping Tasmanians safer and promoting community confidence in the processes of justice and corrections.

It is something that puzzles Tasmanians and people in developed countries everywhere if there are too many arrangements within justice and corrections - and policing, for that matter - that are sort of slightly off. You have the law, you have the arrangements, you have the sentences, but then there are other arrangements that creep in or come in for good reason. After a period of time there is a lessening of confidence in the processes and when people read that somebody has got 12 years prison for a fairly bad crime, they read on to see that they are only going to serve four-and-a-half years. The headline does not say four-and-a-half years, so I suppose at a low level the deterrent effect is there by 12 years but they do not really have confidence as to what is really going on.

I am not advocating this to our very good judges and lawyers anywhere, but recently an American appallingly used the internet to trap a 16-year-old Australian girl into a relationship online, who then without her parent's knowledge flew to the United States, was picked up in Los Angeles and travelled across America with this person. He was caught and in the media last week it said he got 35 years' prison. They do not muck around in America. Even if you read 35 years and the person does 17 years, you would look at that and say if he has 35 years he is away for a long time.

Ms Archer - Three strikes.

Ms Haddad - You don't want to introduce that here, do you?

Ms Archer - No, I am just saying the difference in the system.

Ms Haddad - There are a lot of warnings in the American justice system as well.

Mr HIDDING - There are, and I am very careful to say that I am not promoting the American justice system because while any of its jurisdictions have the death penalty, that system does not have my respect.

The Hodgman Liberal Government has an indisputably strong track record of implementing policies that hold criminals to account, prioritise community safety and support victims. As the Attorney-General has said, we previously implemented changes to the Parole Board in 2015 to include a victim's representative on the board and I strongly believe adding another voice and opinion on the board will be of great benefit. I had the great honour to work with Australia's finest police service for four years of my career and I cannot think of a better grouping to get someone who has had a career in that area to serve on the Parole Board. They understand the context.

When people say to a police officer, 'Such and such is getting out of prison next month', police officers say, 'Relax, they all get out.' They all have to come out some time and what we ought to be doing is making them as safe as possible when they come out and the community as well. In my time I heard of almost grief being expressed by senior police officers who were very aware of the original crime of somebody they know is being paroled. They know there is a parole system and a structure for that, but they have special knowledge about the case and that may well include some particularly aggravating circumstances that might not have been brought forward in the trial because they were not quite provable or just elements they knew that caused them some grief. Not for a

minute will the presence of a former police officer on the Parole Board make that board harder on anyone, but it just provides a level of confidence to the community and our excellent police service that they will have a say. It provides balance and that is a good thing to do.

We are delivering on our election commitment for this and it is one of a number of initiatives under our policy which was called Keeping Tasmanians Safe: Law and Order. We remain committed and are progressing a number of other reforms under this policy, including having just this week tabled our important family violence reforms with the introduction of a new offence of persistent family violence. This new nation-leading offence will allow courts to take into account the full extent of an abusive relationship. We are listening to the community in providing national leadership in the family violence space with the support of this Parliament and all parties, the Premier supported at the time by the Minister for Women and in my case as minister for Police. There is always more to do and the conversations started then about much more work on perpetrators. There had to be more of a focus on perpetrators rather than on victims or just as much at least, particularly the persistent ones. That was where the evidence was showing we needed to do some serious work.

We are listening to the community and responding to their concerns. This includes changes to the offence of dangerous driving. As a result of consultation and this Government's commitment to keeping Tasmanians safe, dangerous driving is now in the Criminal Code. We also successfully passed legislation to increase the maximum sentence of imprisonment by one year for the offence of negligent driving causing death. These are the kinds of responses Tasmanians expect from a responsible government in touch with the community on these matters.

Increasing maximum sentences of imprisonment by six months for the offence of negligent driving causing bodily harm clearly came from a couple of high-profile cases. Again I offer no commentary on the cases at all; they were tragic circumstance all round for everybody involved, but the community felt that the legislation in our state might be somewhat out of step.

Importantly, we remain committed to pursuing mandatory minimum sentences of imprisonment for serious sexual offences against children. The outcry from the community when our reforms were blocked back in 2017 makes it clear that such laws should be supported by Parliament. Our policies are in stark contrast to those opposite, who we believe are notoriously soft on crime. They simply take the wrong side. They oppose our sensible policy agenda -

Ms Haddad - We are supporting the bill.

Mr HIDDING - On this bill you are, but to see how you played on consorting for serious criminals really did not do you a lot of credit but it was classic Labor fashion. We call it working both sides of the street. When some of the members of parliament and ministers sitting here now first started their careers we watched Labor on the matter of whether there should be oyster farming in Pittwater and St Helens.

Dr Broad - How is that relevant to the bill?

Mr HIDDING - Because this is an example of Labor being classic workers of both sides of the street. The minister in charge of the expansion of oyster farms - one David Llewellyn, great bloke - let a community against it march across McGees Bridge at Sorell. There he was in the paper shamelessly walking both sides of the street. Then in St Helens, on one side of the street there was a Labor doorknock going on and there was Michael Polley working one side of the street saying

this is dreadful. On the other side was Ken Bacon saying the oyster industry is good, great for jobs and all that sort of thing.

Ms Haddad - Isn't that the beauty of Hare-Clark?

Mr HIDDING - Walking both sides of the street, which is what you did on consorting legislation.

Ms Haddad - Moving amendments does not mean walking both sides of the street. You respected the upper House for moving amendments. Down here we are the devil for moving them.

Mr HIDDING - Our policies are in stark contrast to those opposite. We believe our positions to remove the granting of remissions for prisoners to support police to do their job to disrupt serious and organised crime is the right thing to do. I am pleased it has the support of the other side - the obvious enthusiastic support of the other side as they walk down one side of the street on this bill. I congratulate them.

[4.50 p.m.]

Ms ARCHER (Denison - Minister for Justice) - Madam Speaker, I thank all members for their thoughtful contributions. I will respond to questions or issues raised by each member.

The spokesperson for corrections in this place, the member for Denison, Ms Haddad, mentioned the issue of the deputy chair. I want to clarify something with you. During the briefing yesterday the representative from the Department of Justice inadvertently informed you that the deputy chairperson is appointed by the Governor. That is not accurate. Although all these things go through to the Governor eventually, some are appointed by the minister, and some are appointments by the Governor. That is not accurate and the representative of the department wishes to apologise. The deputy chair is appointed by me, as the minister, and the chair is appointed by the Governor.

Dr Woodruff asked whether we had people who are qualified in the area of sociology, criminology, penology or medicine, or who possesses any other knowledge or experience the Governor considers appropriate for the purpose. It is worth noting the current makeup of the board and how it is done.

I do not wish to name members; they carry out an important function and although their names get released at times, I will not to do this today. Our current member chair is a legal practitioner with a vast amount of experience. Another member has a criminology, penology and medical background. We have a victims' representative. Currently we have a vacant deputy member position, although that is about to be filled. Two other deputy members have victims' or victims' correction-type backgrounds. Even without this addition, the composition is diverse. Adding another person with community policing experience can reflect experience they have from, usually, many years of policing. As members have rightly identified, to avoid conflicts in smaller jurisdictions and otherwise, it will be someone with policing experience and not a currently serving police officer. In a lot of cases a retired person might be selected. Therefore I expect they would have a vast amount of experience in the area of policing.

Ms Haddad asked about consultation on this bill. This bill delivers on our election commitment, which was very widely known, as was having a victims of crime representative on the Parole Board. It was voted on in the recent election a part of our suite of policies. The bill

mirrors previous legislation precisely in its operational intent and technicality, which passed this House in 2015 when we legislated to provide for a victim's representative on the Parole Board. As members have identified today, they intend to support the bill. It is not highly contentious. It is an open and transparent policy of ours and very publicly known.

The third issue was what occurs in the case of a conflict of interest and some ancillary questions arising from that concerning bias, so I will answer holistically. Also, Ms Haddad was interested in if a prisoner coming up for parole is able to register their own belief that there is a conflict with a member on the Parole Board.

Where a member of the Parole Board has had previous dealings with an applicant for parole, it is appropriate for that member to consider whether or not to participate in the decision about the applicant's parole. If a member of the Parole Board decides not to participate in the decision, a deputy member can fill in for the member. That, as well as illness, is the reason why we have deputy members and for making up quorum and the like.

Previous dealings with an applicant or any type of previous relationship between an applicant and a member have the potential to give rise to allegations of actual or apparent bias; we accept that. These same considerations about bias can apply to judicial decision-makers, ministers, tribunals and other statutory decision-makers. It is a common issue we all face.

Parole decisions, as with many administrative decisions, are subject to judicial review. The rules of procedural fairness apply to proceedings before the Parole Board when dealing with questions of release on parole. If a decision of the Parole Board is judicially reviewed under the Judicial Review Act and the Supreme Court is satisfied that actual or apparent bias has been established, the Supreme Court can make a range of orders, including setting aside the original decision.

In relation to the issue of prisoners mentioning that they believe there is a conflict, prisoners are given an opportunity to address the Parole Board. They do this in person and they are afforded an opportunity to make submissions to the Board. That matter can be raised at that stage. If someone felt they had a conflict and had not declared it; then would be the time to do so.

Ms Haddad - Are inmates coming up for parole informed who will be sitting on their hearing before they arrive?

Ms ARCHER - I do not believe so. Sometimes administratively they would not know the makeup of the board. Someone might be ill so someone maybe called in at the last minute. That is why it is important that the person coming up for parole is able to address the board. At that point they may discover they know someone from their past or whatever reason. You can imagine how many people someone with 30 years' experience will have come across and dealt with in the community and they may not realise either. Sometimes there is no sinister reason as to why a conflict might not have been declared until that point. A face-to-face discovery might be where it is at. If it still occurred, there is that mechanism for judicial review.

The member for Franklin, Dr Woodruff, made mention of the old REO program and I want to mention the new program which we called Beyond the Wire, which is our housing program. We introduced a new prisoner rapid rehousing and specialist through-care reintegration program for high and complex-needs prisoners exiting prison who have chronic accommodation supports needs. I have mentioned this in the House on numerous occasions but, for the purpose of this debate and

because Dr Woodruff made mention of the issue of housing and specifically Housing Connect, which is available as well as a priority, I thought I would make mention of this program again.

Prisoner rapid rehousing tenants are provided with support to transition back into the community, to access and maintain stable accommodation and to address issues which may contribute to reoffending through the Salvation Army's specialist through-care reintegration program, which I prefer to call Beyond the Wire. I accept what Dr Woodruff says, that people have less chance of reoffending if they have a place to stay and better still if they have permanent housing, and in cases where they have family members, as long as it is not a condition of parole that they cannot, their chances of success are so much higher.

It is worth mentioning at this point that we are also building a new prison with an opportunity for northern and north-western prisoners and their families, of which our current population is represented by 46 per cent. That ability to reattach to family and maintain those relationships and therefore, upon release, resume their family relationships, will go a long way to reducing recidivism as well. It is really important not to see this in a piecemeal way but holistically with a whole range of initiatives that are proceeding.

Although Dr Woodruff criticised the amount being spent on infrastructure, it is important that we have modern infrastructure for the benefit of prisoners and to provide a safe working environment for our highly valued correctional officers and other Tasmanian Prison Service staff, but also so that we have modern levels of security that we keep up with humanitarian standards, international standards and the like. There are constant -

Ms O'Connor - Why are you cutting funding to Community Corrections?

Ms ARCHER - Ms O'Connor, you had your chance to make a contribution -

Ms O'Connor - It is a legitimate question, just explain.

Ms ARCHER - I am attempting to complete my remarks with reference to Dr Woodruff, who made a contribution during this debate.

The Beyond the Wire program provides prisoners exiting prison with access to tailored case management, service coordination and planning, and will also enable access to a broad range of services provided by each organisation, namely Anglicare, Catholic Care, Colony 47, Hobart City Mission and the Salvation Army. This is an intensive case management approach focused on interventions that will reduce the likelihood of people exiting prison returning to a life of criminal activity.

It is important to note as well, although it was in the previous debate when we were discussing the issue of home detention and electronic monitoring, that with those alternative sentences -

Ms O'Connor - But funding for them has been cut.

Ms ARCHER - No, it has not been cut. We have significantly increased -

Ms O'Connor - It is in section 19.

Ms ARCHER - We have significantly increased spending in the area of Corrections, particularly by the introduction of home detention and electronic monitoring. In a case where it is

appropriate in terms of community safety and otherwise, and needing to take into account both general and specific deterrents, if someone has a home, a family and a job, and home detention is suitable, then I would encourage that type of detention wholeheartedly because the fact that they have been able to retain all of that and not lost it in the interim means that the chance of them reoffending is reduced. I am really looking forward to those initiatives coming on line later this year as alternative sentencing options for the courts because I believe they will make a significant impact. I again thank all members for their contributions.

Bill read the second time.

Bill read the third time.

TRAFFIC AND RELATED LEGISLATION AMENDMENT BILL 2018 (No. 30)

Second Reading

[5.06 p.m.]

Mr ROCKLIFF (Braddon - Minister for Infrastructure - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The bill before the House today will allow local government to install road humps and traffic-calming devices in a wider variety of situations, in line with contemporary best practice. The current legislation was passed in the 1980s, some 30 years ago, when road humps were a comparatively new and innovative treatment and there was a desire to tightly control their use.

Road humps are 'vertical displacement devices', which are designed to moderate vehicle operating speeds by subjecting vehicle occupants to discomfort if they try to travel over them too quickly. In the years since the original legislation was passed, road humps have evolved into a wide range of related treatments that are all technically 'road humps'.

As the law stands, councils are only allowed to use road hump-type treatments in car parks and residential streets. Elsewhere in Australia, these devices are being used to improve safety and amenity in a variety of other types of locations, particularly those with high pedestrian activity, such as retail or tourist precincts. While the Transport Commission will still have the power to issue directions to councils about the use of road humps, this bill will give councils greater scope to manage their own road networks.

The current legislation also imposes an outdated mode of consultation on road hump schemes whereby councils are required to advertise road hump proposals in two separate issues of a local newspaper and then forward onto the Transport Commission copies of any representations received along with council's comments on those representations.

Under this bill, road hump proposals will no longer have to be dealt with in this convoluted fashion. Instead, I am advised by the Transport Commissioner that he intends to instruct councils to consult directly with local residents, bus operators and emergency services when developing road hump schemes. This will be an improvement over the previous arrangement, where an advertisement in the back pages of a newspaper can easily be overlooked. The Transport

Commissioner will monitor this regulatory approach and this bill gives him the power to provide new directions to councils on the use of road hump-type devices if any issues arise.

Madam Speaker, this bill will reduce unnecessary red tape and remove restrictions that are inhibiting the ability of councils to manage safety and amenity on their roads.

I commend this bill to the House.

[5.09 p.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I thank the minister for talking about vertical displacement devices and traffic-calming structures and indicate that we will support this. This is a very commonsense bill, making it easier for the state Government and local councils, through the Transport Commission, to negotiate with local councils on matters such as the placement of road humps. Where they should be placed ultimately is a matter for the local community to consult on. The process the minister outlined in his second reading speech is over the top. It is too much. It reflects a different era. People understand that road humps, as with roundabouts, et cetera, are used to modify behaviour in a range of communities. I might give a word of warning to the councils that matters such as road humps or vertical displacement devices are quite controversial in some areas. Some people love them and some people hate them.

Ms O'Connor - My word.

Mr Hidding - My word they are.

Mr O'BYRNE - Sometimes they are the panacea but are launching pads for some people -

Ms O'Connor - We've all been there, Mr O'Byrne.

Mr O'BYRNE - We understand this is purely a process issue. We support it. It is important that local communities, through their councils, consult with their constituents to ensure the placement of road humps is done in a way that enhances the pedestrian and driver experience. It is important they choose to put them in places where you have to manage that mix and it can be pretty toxic at times between pedestrian traffic, commuter traffic, industry and freight if you have that toxic mix in a built up area. Speed limits are one way to manage these issues to ensure the safety of all people in that community. Common sense should apply when placing vertical displacement devices.

We support the minister in doing this. This is a massive strike at the heart of red tape in this state. I am not sure what the measure is in percentage of reduction in red tape but if this is not a double-digit reduction in red tape in this committee, I will heave. This is the kind of stuff people elect governments to do, to strike at the heart of red tape in our state. We congratulate the minister for his genuine leadership in this. To the preceding minister, clearly this stuff does not come out of nowhere; this is your work. I would say, Minister for Infrastructure, and the previous minister has clearly worked hard on this over four years of the previous government. It is good to finally see you have finished the job.

[5.12 p.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Thank you, Mr O'Byrne, I think we needed that. You are right. It is a massive reform.

Mr O'Byrne - It is a legacy piece.

Ms O'CONNOR - It is a legacy piece. Madam Speaker, the Greens will be supporting the Traffic and Related Legislation Amendment Bill 2018. We recognise it is a common sense change. It is funny, Mr Hidding, and I - your predecessor, Mr Rockliff - had some discussions at Estimates tables past about the kind of space that exists between the Department of State Growth's traffic management section and councils in relation to matters of community safety. This one was about the children who cross Hill Street and Lansdowne Crescent to get to school each day. Anyone who regularly uses Hill Street will recognise it is a road on which people can travel too fast. It is part of the reason, I think it was you, Mr Hidding, but it might have been Mr McKim when he was the minister -

Mr Hidding - If it was good, it was me.

Ms O'CONNOR - The 40 kilometres per hour near the train park? If it was good it was you, of course.

Mr O'Byrne - I'm not sure if you are a fan of a reduction of speed limits, Mr Hidding. I remember a couple of media pieces.

Ms O'CONNOR - It is all coming out now. Again, though, this was a controversial decision and it goes to the point you were making, Mr O'Byrne, about how issues such as traffic management and measures to improve road safety can become contentious and cause conflict.

The situation, as I understand it, at the Hill Street Train Park was precarious, as anyone who goes down Hill Street knows. You have to go very, very slowly down that part of Hill Street and the speed limit was changed from 50 kilometres an hour to 40 kilometres an hour. Was that you or Mr McKim?

Mr Hidding - Yes, it was me.

Madam SPEAKER - Yes, I would like to support that.

Mr Hidding - In fact, I remember someone who looked like you being up there with us.

Madam SPEAKER - That is correct.

Ms O'CONNOR - That is right. It is really important that -

Mr O'Byrne - Let's be clear, this is Mr Rockliff's legislation. Don't vertically displace him, okay?

Ms O'CONNOR - That was an important road safety improvement because of the small children who play at the train park. They come running out from behind the cars that are parked along the train park. Sometimes, when I am travelling down that hill at 40 kilometres an hour, I think we could go slower and I do. The issue I initially raised was about the children at Lansdowne Crescent Primary School who had to play dodgeball with cars each morning. Some would walk with their parents but others did not. It took some considerable amount of time for the parents and the school association to navigate their way through whose responsibility it was, how the work could be done with your excellent person in State Growth, Shane Gregory -

Mr Hidding - He is the General Manager of State Roads.

Ms O'CONNOR - Thank you very much - he is the General Manager of State Roads, who is very good at his job. It was an interesting conversation about how you make sure you are keeping children safe. It would have seemed like so much of this was common sense but the decision as to how you would calm the traffic, as I understand it, sat with council. The parents wanted a level crossing: perhaps you could update the House on what the works are because there is a considerable amount of work being undertaken on Hill Street at the intersection with Lansdowne Crescent.

Mr Hidding - It is council work.

Ms O'CONNOR - It is entirely council work?

Mr Hidding - It is a council road, it needed State Growth involved to make it all happen. If there are works underway it would be council works.

Ms O'CONNOR - There are definitely works underway, which is really good to see.

Mr Hidding - Triggered by the former mayor.

Ms O'CONNOR - Triggered by the former mayor, I would say, Madam Speaker, in response to very effective lobbying on the part of parents and the school association.

Madam SPEAKER - That is fair to say.

Ms O'CONNOR - Yes, that is right. I am sure the Lansdowne Crescent Primary School community would be very pleased to see the works happening on Hill Street.

Mr Hidding - The former Speaker was all over it as well.

Ms O'CONNOR - Yes, I know. I went up to Hill Street to meet the parents with the former Speaker. You are feeling dangerous today, Mr Hidding. When I first looked at this legislation, I found it hard to believe we needed it. I came to understand there are problems in the Local Government Highways Act 1982 and the Traffic Act 1925, which restrict councils.

Mr O'Byrne - Was it the vertical displacement device thing?

Ms O'CONNOR - Well, no. It is simply that you would not have thought there would be such a bureaucratic divide on the issue of speed humps. I like the vertical displacement device. It is very good.

When we are looking at matters of inner urban road safety, much of the works undertaken are reactive and ad hoc. It is time that we engaged in a more comprehensive roads infrastructure resilience audit, which I niggled at you about for a while in your previous role, Mr Hidding. This would be in relation to road safety, climate resilience and adaptation. Speed humps do not have a lot to do with climate adaptation but having a long-term plan for infrastructure policy that goes beyond roads is sound public policy, Mr Rockliff. There should be much greater strategic thinking in relation to roads and other infrastructure. This is one of those situations that points to the importance of a reform such as the Greater Hobart Act. We have not seen that legislation.

Madam Speaker, I note that in your previous role as mayor you wrote to all parties about the need for a Greater Hobart act, as did Doug Chipman, the Mayor of Clarence, the most oppressive council in Tasmania. It is something that this House needs to attend to because there is no question Hobart is growing and people want to come to live here from all over the world. We have people coming here because of climate change and we need to make sure that local government around our capital city is working very closely together and making decisions in concert that are evidence based and strategic so we can be sure that this beautiful city, the most beautiful city in the whole world in my view, continues to grow in a way that is not only sustainable but has an emphasis on liveability and making sure that it is a city for people.

That has to be the priority of reform of the relationship between local councils in the south of the state and the state Government, whatever colour it may be. There should be some sort of longevity about a policy approach to the City of Hobart and Greater Hobart, Clarence, Sorell, Kingborough, Brighton, councils that are all working together to represent their communities and hopefully making good decisions that have long-term strategic thinking behind them. With those words, we support the bill.

[5.21 p.m.]

Mr HIDDING (Lyons) - Madam Speaker, much as I seek to avoid too much commentary on infrastructure matters considering I was recently the minister - not that that slows down a former minister on these matters - I want to reflect on the fact that this is somewhat amusing because I started my public career in 1985 as an alderman of the City of Launceston. It was a newly created council and we had wards. I was elected to the south ward.

Gascoyne Street was essentially a rat run into the city for people coming down from Prospect or out from Deloraine. You would have to come down through there. You would turn right at Don Wing's place and go down Normanstone Road to Six Ways and turn right to Kings Meadows. Gascoyne Street was the first turn right and you could go down the rat run, down through the dipper and be in the back of Kings Meadows at least four or five seconds earlier than if you had gone the other way. Everybody went the rat run and nobody went for the main road which is where the traffic lights were and all the infrastructure and architecture was, and so it was decided that we would install some vertical displacement devices along Gascoyne Street.

I was invited to a public meeting to discuss this happy outcome at the Kings Meadows High School. I walked in and said, 'I am at the wrong meeting, I am here about the speed humps', but the 100 or so people were there about the speed humps and it was on. They were aggressive about that and people do get aggressive about traffic speed reductions and clearly about vertical displacement devices and what they chose to do was simply not slow down. They warned us and said, 'We won't slow down, we'll just go over them'. You understand the words 'vertical displacement devices' are not about the device because they are horizontal. It is about projecting the vehicle upwards from where it would ordinarily be so you need to slow down to modify your vertical displacement. They just went over it and did not care, so vehicles were launching into the air and landing -

Mr O'Byrne - Like the *Dukes of Hazzard*.

Mr HIDDING - Yes, in *Dukes of Hazzard* style, landing a couple of metres down the road. Tasmania Police had to be deployed to police the vertical displacement devices and some very large fines were handed out. They are still there to this day.

One of the residents of Gascoyne Street was a very famous, larger-than-life, northern barrister called John Kable. Kable thought that was the most magnificent thing Launceston City Council could do because he lived there and when he was reversing out of his driveway it had become a genuine rat run. I still drive up Gascoyne Street every now and then to see whether the speed humps are any lower than they were but they are not. They are still steep and you still have to slow right down. I do not go back there because I go back on Normanstone Road where I belong.

I can guarantee this bill will provide for local councils to put more speed humps in. There will not be many councils doing it. However, I know the council that asked for the possibility to do this and I will not reflect on that because that is for the minister and it is probably in some innocuous spot. When they start thinking they are going to start rolling out these vertical displacement units, councils are going to think twice. Since I have been a member, I recall poisonous trails of correspondence about speed humps and trying to get me involved as a member in a campaign against them. There is a road in Denison that leads up to the big water reserve, Waterworks Road, and they wanted to put speed humps in and it was almost like the Vietnam War.

Dr Broad - Did you get run out of town?

Mr HIDDING - No, that was while I was in opposition. I was watching it develop. We blamed the Labor Government at the time.

It is a smart thing to allow local government to get into trouble with their people for putting these in everywhere.

Mr O'Byrne - Exactly right, all power to them.

Mr HIDDING - All power to them. In all honesty, it is a genuine device to slow down traffic without putting up speed signs and policing it. There is a natural way of doing this through road architecture and narrowings and all sorts of things they can do. Traffic-calming devices they are called and road humps are one of them. I wish the local government sector all the very best with them.

[5.27 p.m.]

Mr BROOKS (Braddon) - Madam Speaker, I rise to speak on the Traffic and Related Legislation Amendment Bill 2018. I would probably be a more anti-reducing speed limits member of parliament. Without risking road safety, I am not a supporter of using the reduction of speed limits for either infrastructure issues or fixing a design issue or just because a few people are not happy about it. I have had many a discussion over the years with members with both governments, including my own, on certain speed limit changes that have occurred in places and I still have those discussions on an ongoing basis on behalf of my constituents.

There is a bit of a running joke that we had a petition going on the Port Sorell Main Road that Tas Kelly and I were the only ones who would sign it. We have signed it twice and we had four on it. It is not a trivial matter but I have had differences of opinion on this matter on occasion. I do not disregard the concerns residents have but there are other measures that need to be considered and looked at prior to reducing the speed limit because of the impact it has on a lot of people. On some occasions it can have a negative impact on safety. If you make it too bad you have people overtaking in places where they should not be and slowing the traffic down.

It is not simply a matter of reducing speed limits. It needs to be considered on occasion. There is ongoing discussion around how many speed limit changes there are on certain roads, which makes

it difficult for drivers to understand or know what the speed limit for that road is. When you turn off certain arterial roads onto a new road, tourists, visitors, or people who do not know the area very well do not know the speed limit either.

There is still some work this Government is focused on. I have spoken with the minister, Mr Rockliff, about it as well. I commend him for the work he has done in working on those issues and many more, especially with such a big infrastructure spend this Government has in place through the very stable and strong budgetary management of the majority Hodgman Liberal Government - for those opposite wanting to count how many times I say it - have put in place.

We are committed to addressing all matters. Without reflecting on previous debates, while some things may seem trivial or small, it does not mean we do not listen to what the community has to say about that. It does not mean we do not listen to the concerns of our constituents and the feedback from the public service and from those experts in the area.

While this is not the biggest legislation we have seen come through here - it is somewhat small - there are some things we need to do. The Traffic and Related Legislation Amendment Bill 2018 - or road hump legislation, we could call it - will make it easier for local councils to introduce road humps or, as my friend and colleague, Mr Hidding, pointed out, vertical displacement devices as they are otherwise known in my younger days, not that I would admit to or support any of that erratic behaviour. We have all been -

Mr O'Byrne - The statute of limitations might be over. I think you are fine.

Mr BROOKS - I do not know. Are you sure about that? We have to be sensible about these things. We need to put adequate capability and protections for the community in place. We know there are some who continually do the wrong thing. There are some who may not understand the requirements of the local area are and the ability to add speed humps helps -

Ms O'Connor - Vertical displacement devices.

Mr BROOKS - I have already said that, Ms O'Connor.

Ms O'Connor - I know, but it is worth saying over and over again. It is a great set of words.

Mr BROOKS - Okay. Vertical displacement devices.

Mr Hidding - You thought they were just road humps, didn't you?

Mr Gutwein - I did.

Mr Hidding - Treasurers don't know everything.

Mr BROOKS - Okay, vertical displacement devices. They are there to slow down the traffic, as you would know. It is important to make busy, populated areas more pedestrian-friendly by slowing traffic in certain areas and environments. This is a relatively small piece in a big infrastructure, road and community safety puzzle, but it is still as important. It is vital that we recognise the minister has put in place smaller changes, which do have an impact on the community directly and are really are about making it safer, especially when there are kids involved in residential areas and streets. We have seen tragedies on the news far too often. Little ones have

been knocked over because they do not have the understanding of how dangerous roads can be. That is not to disparage any kids, but they are kids. They are playing footy or whatever and they do not know. Speed does matter in those communities and we have seen it. If we can ensure traffic is at an appropriate speed it does make those environments safer for pedestrians and for our children and that is vitally important.

I mentioned the record investment of \$2.6 billion in the infrastructure works in the forward Estimates. As Chair of the Public Works Committee I am looking forward to hearing evidence on those projects, with Ms Butler on that committee as well. It is a good opportunity to see the road design that goes into these things. I have dealt with Mr Gregory for many years on public works and he was always articulate and professional in his expertise. From the time I was in opposition and now in Government, it has been insightful to look at public works projects; the changes in bitumen or the base used and the design specifications that go into it and why are interesting matters, Madam Speaker, which I am sure you would be interested in as well. The same goes to colour of lines on roads and why they are white and not yellow and those sorts of things. They are an intrinsic part of that infrastructure build.

I can recall, during a couple of Public Works Committee hearings, we had spoken about what we called road humps then, not vertical displacement devices as Ms O'Connor likes to hear me talk about. Even on that Public Works Committee, we spoke about Mr Booth and the time he was on it with me. He was particularly interested in devices for wildlife protection in the north-west and the ability for those to be used during certain hours, and trials as well.

It goes a lot further than this legislation we have in front of us and are debating today. It goes through to the whole road safety strategy, the Government's infrastructure plan and its record \$2.6 million forward Estimates investment into the infrastructure of Tasmania. The significant infrastructure spend is guided by our 10-year Infrastructure Pipeline. It maps out the development and from which medium to long-term private investment employment decisions can be made. It does also relate back to when governments look at those projects and they are considered, they take into account the public safety and the impact of those projects. They are designed to Australian standards but they look at how they make them safer. Mr Hidding spoke about that and I have gone through some speed limit discussions I have had.

Even when you look at changing the curbing of a road to make it safe, and we have seen some examples of that recently where they have made either intersections or major highways safer by taking out some dangerous corners and some more dangerous areas, then the Government is continuing to look at opportunities to make it a safer environment for all motorists.

When I hired a car interstate it had a little tag on it telling me which side of the road to drive on. I took a photo of it because I thought it was not a bad idea. Unfortunately, some tourists struggle with which side of the road to drive on; they get a little confused. I have driven in the United States and when I came back to Australia and was at an intersection without line markings, I thought which side am I meant to be on again? For someone who has driven in Australia pretty much all my life, coming back from a country where you drive on the opposite side of the road can be challenging for the first couple of days. We will continue to look at how we can assist tourists and people moving here from other countries to understand the road rules.

Road humps and the vertical displacement devices will assist in ensuring visitors adjust their speed to an appropriate level. It is all about making it a safer environment for the community. That is of paramount importance for the majority Hodgman Liberal Government. All members of this

parliament care about community safety. We all hate to see any fatalities on the road, especially the ones that could have been avoided more easily. That is credit to the minister for continually striving to make it a better, safer environment. When you were minister, Mr O'Byrne, you dropped the Port Sorell Road limit. I will not start on that again. We will get back to this bit.

Our investment in infrastructure is continuing. I have mentioned kids' safety as being paramount. We are seeing growth in our population. Our commitment is trying to grow the population of Tasmania. We are also investing in our schools. The Minister for Education and Training is also the Deputy Premier and Minister for Infrastructure.

Our investments in Devonport High and Penguin District School will attract more people to those areas. That is great because it is the north-west, the greatest place on the planet in my unbiased opinion. Allowing these things to happen is a great improvement. While it may seem very minor to many in the community who are watching live now or reading *Hansard* in the future, as I am sure that many millions of people do and will, everyone wants to see continued improvement for road safety across the board. A tripartisan approach is the best way we can do that.

I do not agree that reducing speed limits is the answer. This legislation to enable putting in road humps and vertical displacement devices is one of the changes that will make it a lot easier to reduce speed. Ultimately this is about protecting the community, making it safer on the roads, making it a great place to be and work, but we also want the kids to be as safe as possible.

That is why the Traffic and Related Legislation Amendment Bill 2018 is so important. We know Tasmania is a great place. We want to make it even better by working hard to not only catch up on what should have been done in the past, but also by ensuring Tasmania can grow. It really is the best place to live, work and raise a family. Ultimately, this is what this bill helps to achieve. It is a credit to the Government, Cabinet and all the majority Hodgman Liberal Government members but, in particular, my good friend and colleague, the Deputy Premier, Mr Rockliff, for taking on the bigger stuff and also things like this, which will only make it safer for our kids and for the community overall.

[5.46 p.m.]

Mr ROCKLIFF (Braddon - Minister for Infrastructure) - Madam Speaker, I thank members for their support and for their insights into the bill, including two past ministers of infrastructure. Thank you, Mr Brooks for your kind comments in respect to members of our department. I thank representatives from the Department of State Growth for the work on this legislation. I acknowledge members' very good comments about the capabilities and technical expertise of Mr Shane Gregory, and I concur with those comments.

We are talking about vertical displacement devices, which include traditional curbs; profile road humps; flat-top road humps that are more suitable for bus routes; and road cushions. These do not extend across the whole roadway. They are designed so that larger vehicles, such as buses and trucks, can straddle them. Also we have wombat crossings which are flat-top humps with a zebra crossing on top of it and raised pavement with a flat-top hump that covers an entire intersection.

Mr O'Byrne and Mr Hidding asked how many of these devices will be installed as a result of change to this legislation. Will there be a proliferation of road humps? I can tell you that while the change in the law will remove the restriction of where road humps can be used, it is not expected that there will be a great proliferation in the use of road humps. The Transport Commissioner will

issue directions to councils about the use of road humps. This power will be used if it is considered that an excessive number of road humps are being installed.

The current legislation restricts the use of road humps to car parks and residential streets. Elsewhere in Australia, road hump-type devices are being used to improve safety and amenity, as I said in the second reading speech. Glenorchy City Council has developed an urban renewal project to make improvements along Main Road to the Glenorchy Shopping Centre. Proposed works include raised pavement-type treatments which are not compatible with the current legislation.

Launceston City Council, which Mr Hidding's mentioned in his contribution, and Hobart City Council have also expressed interest in implementing schemes that incorporate road hump-type treatments that are not currently permitted. The change in the law will make it easier for councils to manage safety and amenity of their roadworks.

Ms O'Connor mentioned the issue of safety as well, which prompted the question of mine. Are the Greens briefed by the Road Safety Advisory Council?

Ms O'Connor - When Mr Hidding was the minister I had spoken to Gary Bailey.

Mr Hidding - No, back then it was Jim Cox.

Mr ROCKLIFF - I know the shadow minister does after each board meeting. I encourage you to do that. It is a tripartisan approach to road safety as it has been across governments. I encourage that. When I next speak to Mr Bailey I will make sure the Greens are included in that consultation, discussion and briefing as well.

Some may ask if buses and emergency services will be impacted by the changes. Road hump schemes are developed to minimise the impact they have on buses and emergency services whilst still achieving their objective of reducing vehicle operating speeds. Metro Tasmania, the Tasmanian Bus Association, Tasmania Police, Ambulance Tasmania and the Tasmania Fire Service have been informed about the proposed changes to the legislation and the Transport Commissioner will instruct councils to consult directly with bus operators and the emergency services when developing road hump schemes. I thank members for the support of this legislation.

Bill read the second time.

Bill read the third time.

ADJOURNMENT

[5.51 p.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Madam Speaker, I move -

That the House do now adjourn.

Assisted Suicide - Proposed Legislation

[5.52 p.m.]

Mr HIDDING (Lyons) - Madam Speaker, continuing with my contribution on highlighting the threat to vulnerable Tasmanians from euthanasia laws, we know that there is a bill coming on

sometime in the near future, so considering the limitations for debating time I am placing some matters on the table.

In many jurisdictions where euthanasia or assisted suicide is legal there is evidence of vulnerable people being euthanased without their explicit request and informed consent. I want to focus first on the case of the Netherlands with the list of patients being euthanased with or without their consent, including infant children, disabled people, people who are economically disadvantaged, people with mental illnesses and, sadly, elderly people who are tired of life. The Netherlands is a clear-cut example where legalising practices is no longer a private matter concerning only a few highly autonomous patients, but rather now has profound ramifications for the wellbeing of all patients who may be judged 'better off dead' by third parties.

The *New England Journal of Medicine* of 3 August 2017 published the data from a Netherlands euthanasia study titled 'End-of-life decisions in the Netherlands over 25 years'. The data from that study indicates that in 2015 there were 7254 euthanasia or assisted suicide deaths, around 5 per cent of all deaths, and 431 terminations of life without request, which is a chilling set of statistics. When faced with the question of how it is that so many people per year come to be put to death in the Netherlands, the country in which I was born, without having made a request to die, the Dutch ministry of health's recent response is troubling:

There are some cases in which it is not careful euthanasia, but in most cases people who are not able to make a request because they are not seen as able to make a request, for instance people who are suffering from a psychiatric disease or people who are in a coma. Also newborn babies are not capable of making a request.

The Netherlands is a troubling case study of the differences between euthanasia as policy and euthanasia as practice and how, once legalised, the mindset of acceptance can broaden to include eligibility for even the most trivial of matters as well as euthanasia without explicit consent. In any other civilised country around the world such acts would be properly classed as homicide.

Mental health and dementia cases are rapidly increasing in terms of euthanasia deaths in the Netherlands where there was a 25 per cent increase since 2016 of the assisted deaths for dementia or psychiatric reasons. Mental illness is an expanding area for the practice of euthanasia in the Netherlands for which the Netherlands has rightly attracted criticisms from around the world for its approach to euthanasia of people with a mental illness. Damiaan Denys MD, the president of the Dutch Society of Psychiatrists, wrote a commentary that was published on 9 September 2018 in the issue of the *American Journal of Psychiatry* titled 'Is Euthanasia a Psychiatric Treatment?'. I will speak about that at some further time.

Tasmania - Foreign Ownership

[5.55 p.m.]

Dr BROAD (Braddon) - Madam Speaker, I rise to talk about an issue that has been raised in the parliament today and not debated and that is the issue of foreign interference. In particular I would like to make some points about what we are seeing from one party when they single out one particular race or group of people. I would like to talk about the foreign influence in some of our industries in Tasmania, for example, about how there are an extraordinary number of large

multinational corporations with significant influence in Tasmania with a particular focus one of my areas of responsibility, which is primary industries.

Let us talk about Tasmanian Alkaloids. Who owns Tasmanian Alkaloids? That is a bunch of American investors. This talks specifically about the poppy industry, so how about the other big poppy player, Glaxo Smith Kline? Who owns Glaxo Smith Kline? Some farmer from India now owns Glaxo Smith Kline, so the Indians and the Americans have a massive influence in our poppy industry in Tasmania.

We will move on to some other cropping industries. Let us talk about McCain, very big in our potato production. They are Canadian. We have no issues with Canadians, apparently. We have the other big potato player, Simplot. Where is Simplot from? They are Americans. We do not have any issues with them, apparently.

Let us talk about our pyrethrum industry established by a foreign entity then taken over by Tasmanian investors and recently purchased by Sumitomo. Sumitomo is Japanese. There is no issue with Sumitomo taking over Tasmania's former industry, Botanical Resources Australia.

I know the Greens are not going to kowtow to Chinese oppressors - and I would like to point out that the word 'kowtow' came into the English language from China.

Let us talk about the dairy industry. We had Tas Dairy, a Tasmanian company that was partly funded by Murray Goulburn, Tasmanian investors and the Japanese. They were taken over holus-bolus by Murray Goulburn, a former Australian cooperative and one of the largest dairy cooperatives in the world. Then Murray Goulburn fell over and was purchased by Saputo, who are Canadians. I did not hear a peep about now our dairy industry is dominated by Saputo. We have a factory in Smithton owned by Saputo.

The biggest player in the dairy industry in Tasmania is Fonterra, owned by New Zealanders. No issue there. Who are the other players in our dairy industry? Lion is owned by Kirin, which is a Japanese company. The other player in the dairy industry is Cadbury. Who owns Cadbury? It was a former United Kingdom company and now it is owned by Mondelez - Americans. We have our dairy industry dominated by Canadians, New Zealanders, Japanese and Americans. Some of these purchases have only happened very recently but no issue has been raised on this.

Let us move across to our beef industry. Our beef industry is dominated by one major player and that is Swift. Where is Swift from? They are Brazilians. Brazilians have an inordinate influence on our beef industry in Tasmania.

Let us talk about another big industry which had a massive land purchase. It might even have been a record land purchase in Tasmania. That is New Forests and one of their subsidiaries, Foreco. Who owns New Forests? It is owned predominately by American investors. I was surprised to find out that 20 per cent of New Forests is owned by Mitsui, a Japanese company. We have Japanese domination; the Japanese indirectly own large swathes of Tasmania's forest industry.

I digress. At this stage in the evening I would like to talk about beer. Let's talk about beer. Let us talk about our fabulous Tasmanian beer. We have two big players in Tasmanian beer: the Boag's and Cascade breweries. Who owns Boag's? Lion owns Boag's. Who owns Lion? Kirin Holdings - Japanese. Let us talk about Cascade, the other big player. Who owns Cascade? They are owned by SAB Miller, based in the United Kingdom. SAB used to stand for South African

Brewers. The South Africans must now be very annoyed that their former brewer is controlled by a company based in the United Kingdom.

Let us delve deeper into Tasmanian beer. Beer has three ingredients: water, hops and malt. Let us talk about hops. We have a lot of hops at Bushy Park, not far from here and about an hour's drive. Who owns Hop Products Australia? The Barth Haas Group. They are German; the Germans own our hops. Let us talk about malt. Joe White Maltings in Devonport is one of our largest malters in the state. Who owns them? Cargill owns them, along with a whole bunch of gene technology. Malt, hops and the companies in Tasmania are all foreign-owned. We do not hear any concerns about that.

We hear something I have heard in the past. I have gone back to the history books. In the 1880s and so on, there was this thing called the yellow peril. The yellow peril was that the Chinese were going to take over Tasmania and Australia and invade us. It was a significant issue. Some of the things I hear being brought up in this House, although they are dressed up in slightly nicer language, are still harking back to the days of the yellow peril. In the 1950s there was the issue of reds under the bed. My mother grew up in Queensland and she used to do drills underneath the desk at school for when the yellow peril invaded the relatively empty northern Australia. Apparently, we are still in danger of Chinese invasion, of Chinese tycoons. Tycoons, I might add, is a Chinese word that has come into the English language. I will call this out for what it is.

Time expired.

Tasmania - Foreign Influence

[6.03 p.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Madam Speaker, we heard Dr Broad declare Labor's colours on the issue, not of foreign ownership. The issue we have been talking about is foreign influence. Dr Broad put up a straw man. That is what he did. He fell straight into the trap of backers of Beijing, which is to make sure there is no distinction made in the public debate between the country of China, the people of China and the Chinese government. We make that distinction. We are capable of making that distinction and it is a distinction. It is a disgusting slur to accuse us of returning to reds under the bed.

It is also denial of the evidence put forward by the Australian Security Intelligence Organisation. It is denial that the Five Eyes alliance, the intelligence alliance of which we are a part, as is New Zealand, The United States, Britain and France, at a recent meeting security analysts who understand exactly what is going on discussed at length Xi Jinping's government's attempts to influence political and public life in those countries. As I understand it, it was the Australian and New Zealand intelligence agencies that had the most to say. Dr Broad is making a complete jerk of himself.

Mr Hidding - You can't say that.

Ms O'CONNOR - I withdraw the word jerk and I use the word fool.

Dr Broad - Informed, perhaps?

Ms O'CONNOR - The problem that you have with that list of countries that you rattled off is that almost without exception every one of those nations is a democracy. You do not understand the difference between foreign ownership where the country that owns property in Tasmania comes from a democracy, and foreign ownership where the company is controlled by law, by Chinese law. If a Beijing-based company -

Dr Broad - In the 1890s it was a monarchy and in the 1950s it was a communist country.

Ms O'CONNOR - No, you need to inform yourself better, Dr Broad. There are at least four statutes on the books in China that require Chinese businesses and Chinese citizens to comply with the intelligence imperatives and orders from the Chinese Government.

Dr Broad - It's a big conspiracy. They're invading Tasmania.

Ms O'CONNOR - You are being recklessly irresponsible. You are the one who is making this about race. It is not an issue of race.

Dr Broad - What is it about? It is pretty transparent.

Ms O'CONNOR - It is about foreign influence and the fact that -

Madam SPEAKER - Order. I will not tolerate this slanging match going on. It is disgraceful. I would like you to take a chill pill, calm down and get back on with the proper debate.

Ms O'CONNOR - Thank you, Madam Speaker. What Dr Broad has wilfully not allowed himself to understand is the legal framework in China that requires Chinese businesses and citizens to comply with Chinese law, no matter where they are operating or living in the world. It is an extrajudicial power which the Chinese government has in place that means that businesses based in mainland China and Chinese citizens must comply with Chinese law no matter where they are in the world and they are required, if demanded, to provide information to the Chinese government. It is the law in China.

I will come in here in the next sitting and detail those acts so that Dr Broad cannot come in and spout pig ignorance and make accusations about other members in this place which are not only false, but they are doing exactly the thing that members in this place are accusing us of. Dr Broad has made this about race. We have never made it about race. We are very clear that this is about foreign influence. We have briefed ourselves, listened to experts of the Australian Strategic Policy Institute, the ANU Centre for Strategic and Defence Studies, what we have read from ASIO, what has been reported by SBS, the *Weekend Australian*, the *Mercury*, and what is being detailed by Professor Anne-Marie Brady from the University of Canterbury.

Dr Broad is being completely reckless, because to compare foreign ownership from businesses that are based in democracies where there is no extrajudicial reach on those businesses with businesses that are bound to comply with Chinese laws, no matter where they operate in the world, is dishonest. I would like Dr Broad to point us to where we have been talking about foreign ownership, which is an issue on a lot of people's tongues, by the way. The point we have been making in here is a necessary point about protecting Tasmania's democracy. Foreign ownership is a different matter from foreign influence. It is a matter that is in the public mind, but we have not gone there in this place, so he has ripped up a straw man in order to fan the flames. It is so dishonest

to compare businesses based in other countries that are democratic nations with businesses that suffer under the oppressive rule of the CCP.

It is a disgraceful effort on Dr Broad's part, but that is okay. We will be sending this *Hansard* to people with expertise in this area. We will be sending this *Hansard* to Chinese Tasmanians and Chinese Australians who are really worried about what is developing out of Beijing. We will send this *Hansard* of Dr Broad's specious and dishonest contribution. It builds a straw man and it is based on wilful ignorance of what the law is. Dr Broad should be ashamed of himself for making this about race when it is not.

King Island - Issues with Local Council

[6.10 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, I rise to move into a different space from matters that have come to our attention today. It is a story about what is happening on King Island.

Unfortunately, it seems like there is downward spiral happening in local government on King Island. It appears to be threatening not only the freedom of the press and the survival of the King Island newspaper but also affecting the council elections, the free and democratic elections of councillors and of people who are standing. It is a very serious concern that we hope the Minister for Local Government will look into urgently.

We heard from two people on King Island today. Kathleen Hunter, the local journalist has been threatened with a number of complaints to the Press Council. The council has put out illegal electoral advertising under the council letterhead, which is a separate matter.

Kathleen Hunter is a local journo, and a former Victorian journalist for 15 years. At the moment she says feels a bit like Emma Alberici or the *New York Times*, which is under threat.

The King Island Council has a new general manager. This person has a background in farming and mining. Recently he introduced a head tax on airline passengers but with very little notice. The council put out a press release in July accusing Rex Airlines of corporate bullying and they fabricated a number of claims. The war on Rex that the council undertook ended in a humiliating back down for the council. They were forced to retract their fabricated comments. That ended in a lot of letters to the newspaper about their concerns about their council's behaviour, the general manager's attitude and the approach that council was taking to businesses on the Island.

The King Island newspaper received a Press Council complaint on the basis that two letters to the editor that they had published in the newspaper had been anonymous and did not accurately reflect the views of the wider community. That was the complaint made to the Press Council. As is the practice in newspaper letters to the editor, it is required that people provide their name but they do not need to be published with the name and that is quite normal. The complaint was made anonymously to the Press Council which is interesting when that was the concern they were raising. It is paper's view that the complaint to the Press Council was made by the council.

The Press Council dismissed the complaint and they noted that a failure to respect an author's request to withhold the author's name may constitute a serious breach of privacy. As a result, the council has withdrawn their advertising for the *King Island Chronicle*.

Like many local government bodies, the councils financially support its paper by advertising in them with a half- page ad. This week on the deadline the editor received the following letter -

Good morning, Kath

Please accept this as notification of our withdrawal from advertising in the *King Island Courier*. The continued degradation of the organisation, its staff and councillors, all of whom are members of this small island community is unacceptable. As such, support of the publication by way of advertising spend will now cease.

Kind regards
Emma Little
Culture and Communications Manager

It is hard to read that letter as anything other than an open threat. Given that the allegations were about letters to the editor, not about editorial comment or other matter from the *Chronicle*, it appears to be about silencing people in the community who are voicing concerns about the council's and the general manager's behaviour. Kathleen published that letter in the newspaper.

The council now intends to put out its own newsletter instead of advertising in the local newspaper. They allegedly intend to publish a list of their 'preferred candidates' for the election in that newsletter. It is an effective form of advertising, which the candidates will not need to pay for.

I wanted to speak on behalf of the editor of the *Chronicle* who is attempting to provide a service to people on King Island. It is always difficult in these small communities. From experience in the Huon Valley with the *Huon Valley News* the thing we hold so dearly in the Huon Valley is a newspaper that provides any side of the story as long as it does not have defamatory or rude information or material in there.

People publish all spectrums of views. It is the case that if you stand for elected council or if you are in a position of being an employee in a powerful position on a local council, you have to suck it up. You have to listen to the fact that people may vehemently disagree with you and put your own personal feelings aside.

It seems that this is a bad development on King Island. I urge the minister to look into the allegations, particularly whether the councillors had a mail out on council letterhead which seems to indicate a form of electioneering for sitting candidates. That would be in breach of the Electoral Act.

The House adjourned at 6.16 p.m.