



PARLIAMENT OF TASMANIA

LEGISLATIVE COUNCIL

REPORT OF DEBATES

Wednesday 10 November 2021

REVISED EDITION

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Wednesday 10 November 2021

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

TABLED PAPERS

Select Committee on Greater Hobart Traffic Congestion - Report

[11.03 a.m.]

Mr VALENTINE (Hobart) - Mr President, I have the honour to present the report of the Select Committee on Greater Hobart Traffic Congestion.

Mr PRESIDENT - A watershed moment.

Mr VALENTINE - Yes, you might say that.

Mr President, I lay upon the table a copy of the evidence taken by the committee.
Mr President, I move -

That the report be received and printed, and that consideration of the report and its noting be made an order of the day.

Report received and printed.

Motion agreed to.

TasTAFE (SKILLS AND TRAINING BUSINESS) BILL 2021 (No. 56)

First Reading

Bill received from the House of Assembly and read the first time.

ALCOHOL AND DRUG DEPENDENCY REPEAL BILL 2021 (No. 40)

Consideration of Amendments made in the Committee of the Whole Council

Continued from Tuesday 9 November 2021 (page 57).

[11.05 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the bill as amended in Committee be now taken into consideration.

Motion agreed to.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the amendments be read for the first time.

Amendments read the first time.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the amendments be read for the second time.

Amendments read the second time.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the amendments be agreed to.

Amendments agreed to.

Bill as amended agreed to.

Bill read the third time.

SUSPENSION OF SITTING

[11.07 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
I move -

That the sitting be suspended until the ringing of the division bells.

This is for the purpose of continuing the briefings on the Gaming Control Amendment
(Future Gaming Market) Bill 2021.

Motion agreed to.

Sitting suspended from 11.06 a.m. to 2.30 p.m.

SUSPENSION OF SITTING

[2.32 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the sitting be suspended until the ringing of the division bells.

This is to continue the Gaming Control Amendment (Future Gaming Market) Bill 2021.

Mr PRESIDENT - Before I put the motion, I would like to remind all members of standing order 99(3), which refers to allusion to debate in the other place, and 99(1) refers to offensive words against parliament. It has been the convention that members of the Legislative Council do not reflect on the behaviour of members in the other place and the reverse applies. Any comments about individual behaviour also reflects poorly on the parliament as a whole.

As we are dealing with a very sensitive matter that evokes many emotions, I encourage all members to act in an honourable and respectful manner during the debate and in the briefings.

Motion agreed to.

Sitting suspended from 2.32 p.m. to 4.04 p.m.

**GAMING CONTROL AMENDMENT (FUTURE GAMING MARKET)
BILL 2021 (No. 45)**

Second Reading

Continued from 9 November 2021 (page 83).

[4.06 p.m.]

Ms FORREST (Murchison) - Members can rest assured I will not be speaking for much longer. I had a fair crack yesterday, as you would say, and nothing has changed except a bit of light was shed in the briefings. I wanted to reiterate a couple of the points in summary. We need to remember the proposal here is, in some respects, not dissimilar to what Federal Group was granted back in 2003, a real sweetheart deal that for a long time saw significant financial benefit to them.

What we are seeing now is going to be apportioned between a small number of pub and club owners, mainly pub owners across the state, but in certain areas of the state. The distribution of the benefit is not even, and it certainly does not meet the objectives of the bill, as stated in part (c) of the objective, to share the benefits equally. It does not do that by any stretch - in any way you look at it, it does not achieve that objective - and unless it changes significantly, it will not. Some pubs will have staggering doubling of their profits from already very profitable positions.

I find it staggering maybe people were not aware of this and it is why there has not been a lot of noise in the streets. People think it is breaking the monopoly, which I said is an absolute smokescreen. It is taking away that monopoly of the monitoring system. We would have been better to stick with that in a tightly regulated monopoly or oligopoly and have the benefits spread with tax rates fair, so the community, through the government, does get their appropriate share. This bill does not do that in its current form.

I hear people talking, even in our briefing today, about breaking the monopoly being the best thing since sliced bread - it is not. It is absolutely not. It is a smokescreen and a con when you are just shifting the benefit to some others. There will be pubs, like the one in the Leader's

electorate, that will make an estimated \$960 000 more in net profits and the school down the road cannot get a decent facility. That is every year, the benefits to that pub.

It is deeply concerning to me this model has been adopted and sold as a win for the people of Tasmania, a win for the pubs and clubs - that is absolutely true - and a loss for Federal - well, that is true, to an extent, but do not forget the Federal Group owns a lot of these best performing pubs. There might be losses in one part, but there will be benefits in the other.

I would have liked to have heard from the Federal Group today. I do not know why they were not here because they were being verbally or bad mouthed by the other sector of the industry and certain things were said about them and they had no right of reply. I have met with Greg Farrell and talked to him previously about this, as I will meet with anyone, generally, who wants to meet with me and I can fit it into the schedule. That has been grossly unfair in some respects - that they have been portrayed in that way when they are set to lose a significant amount - but it is almost like shifting it from one beneficiary to the other.

In summary, I found some of the answers this morning unhelpful but others were quite revealing.

When it comes to the core monitoring, the most definitive answer from the department was that costs would be about \$2.60 per day per EGM - that is the core monitoring cost. That is about \$1000 per annum.

For an average EGM with losses of \$50 000 per annum, that might be 2 per cent but for a pub in Elwick it may only be 1 per cent in player losses. For a pub with EGM losses of \$20 000 per annum, like in McIntyre or some in my area, it may represent 5 per cent, so a significant difference and not equitable, not shared evenly across the state. And it is almost certain to negatively impact on our smaller communities where the pubs are the heart of the community, are they not? Where people go; they meet there. It is often the only venue that is there to go and have a meal and catch up.

When the Labor Party came out with their election commitment to take them out of pubs and clubs I was publicly supporting that approach and I did get a bit of a hammering down parts of the west coast, 'What are we supposed to do now?'. I said, 'You can go to the pub and have a meal'. 'We do that anyway.' Fair enough.

If you make it a fair and equitable system but you take out the known harmful aspects of the machines, it does not matter. If you take away those mechanisms that harm people, it does not matter.

There are the regulator fees on top of the other fees that will be regulated for the other functions. I appreciate the list that was provided and the Treasury official spoke to us about. I think I understood correctly that this is likely to be between \$100 to \$150 per month or \$1200 to \$1800 per annum. This will be a set fee that will apply to all venues regardless of location. So the bigger pubs that are able to absorb some of those costs - that will be like a little blip in the ocean. For a pub in Elwick, say, it might be like a small beer to them but for some of the smaller ones, it might be 5 to 8 per cent of player losses so a significant impost on them and threatening the viability once you add all the other costs in - costs they do not yet even know.

Then, as I am alluding to, the market-based functions. I walked out of the briefings none the wiser of what these may cost. We also heard that there could be attempts of price gouging and the like and there are to be some mechanisms to try to prevent that but when you live on Flinders Island or King Island, no matter which way you cut it, it costs a lot of money to get there. So if you have to get there and service a machine or repair a machine or whatever, those costs will be the costs. For someone who tenders for that service, they may be able to apportion the costs across the whole state but that will remain to be seen and we do not know. That is the point - we do not know.

It seems we are being asked to approve a voyage into the unknown with so much of this. As I said yesterday, there may be times when the existing situation may be preferable to a voyage into the unknown. It may be better to tweak the current system rather than trying to pretend we are doing something really fantastic when we are actually creating inequitable benefits to a small group of people rather than just one.

I was staggered to hear the industry has no idea of what will happen to their existing EGMs if you move into the new arrangement. How much will Network Gaming charge them for their EGMs that they have already paid for, fully or in part, as they said? They talked about the difficulty they have had dealing with Network Gaming. We did not hear from Network Gaming to understand what their side of the story is. Where were they?

I noted the industry's comments that EGM financing will be harder for smaller venues, making them more amenable to offers of help from predatory service providers. There must be mechanisms trying to prevent that, but they are still going to be vulnerable, as I have said. I took special note of the statement that pub values would increase six or seven times the amount of an increase profits. It is good news for some pubs, is it not? If profits rise by \$375 000 for an Elwick pub, as I pointed out yesterday, the value of that pub will increase by between \$2.2 million and \$2.6 million. Is that what the people of Tasmania are approving? Going into the election did they know that would be the outcome? This means also that if a pub owner sells up soon after this bill becomes law, the owners will walk away with a large bonus courtesy of this bill. That is what will happen, I believe, if we approve the bill in its current form. If someone could tell me I am wrong, I am happy to hear it.

I know we should all welcome extra capital spending in our community, but to be told that \$25 million worth of projects are ready to go and/or are in the planning stage, and they are just waiting for us to approve this bill, was a little bit of a heavy hand for me. I am aware of lots of projects in my electorate that would love a government handout to help them get underway, lots of them. This is cherry-picking a sector of the industry or our community, that is already in a profitable position, some more so than others, as I pointed out. Some marginal.

Even just from the hospitality industry perspective, is it fair that a few pubs with EGMs get a massive boost compared with all the others in the hospitality sector? Those without EGMs are having to compete in the space with a pub down the road getting an extraordinary financial benefit courtesy of this bill, with licences that are effectively perpetual. Renewed within five years of the expiry date for another 20 years, not for another five years, when you have already made your initial investment - poker machines, done that - for another 20 years. It is a perpetual licence for 20 years. And if a pub sells, it is a new 20-year arrangement. So, it becomes staggered.

If we put this in place, this will be here forever, pretty much. It will be really hard to unwind if it is put in the way it is. So, I ask, is that what people in Tasmania really voted for? I hear all the bandaid arguments: people do not only vote on one issue alone, but I know this was a big issue. I acknowledge and accept that. But I do not believe this is what they actually voted for because they had no idea what this was going to look like when they voted.

To see some pubs in some areas do really well, potentially making a huge profit if they sell up, and even if they do not sell, getting enormous revenue by way of super profits if they are a high-performing pub in pokies profits. Others risk going out the back door, or need to get rid of pokies and rely on other hospitality services as these unknown costs may make them unviable. And we do not know what they are. They do not know what they are. So, I do not believe this is the case at all. I think the small pubs and clubs in the regions are already struggling at times.

Three or four years ago, the Wynyard RSL took the pokies out because they were losing money then. There were two aspects: they saw the harm and they were losing money, or certainly not making any money. It was totally marginal. The then-president, Trevor Duniam, a fine man, made the decision to take them out because of those two factors. They are small, marginal and there are lots of these in my electorate and other small regional electorates in our state.

I do not believe the proposed framework is fair or equitable, and certainly does not meet the objective of the bill. Can it be amended to see these matters addressed? I am not sure. I will listen to the views of others but I am not overly confident. As I said, it is more important to get this right - it will be here for the long term - than just to get it done. I will not sit late for unreasonable hours to achieve that.

[4.19 p.m.]

Mr WILLIE (Elwick) - Mr President, I will start by acknowledging we have disappointed some Tasmanians with our change in policy. I also want to acknowledge the passion and energy of some gambling reform advocates who have given an enormous amount of time to this issue.

I came to politics from a teaching background. Strange as it may seem, many things I learned as a teacher have been relevant to my job as a politician. One of those things is to seize the moment. In politics though, it is even more relevant to seize the moment because rarely does opportunity strike twice. In terms of the bill we are debating today, that moment was the 2018 election. I listened to parts of the debate in the other place and the colourful language used by Greens members and Kristie Johnston saying we sold out.

I say to them, you conveniently forget we do not have access to Treasury to support the community through the significant change that was proposed in 2018. You conveniently forget the change would upend lives of workers and businesses unless they were supported. I ask, what do you say to the families of workers whose lives are upended? As Greens and an Independent, you do not have to think about those blunt realities.

It is not uncommon for political parties to change policies in response to an election loss. I do not think anyone could argue that this issue was not front and centre in 2018. We believe the bill would have been brought to parliament following the 2018 election in the last parliamentary term, but the election was called a year early, in the middle of a pandemic. It

must be clearly stated this is the Liberal Government's agenda. If people want to get angry with the current situation, be angry at Peter Gutwein. The Treasurer and now Premier could have taken a bipartisan approach in 2018 and if he wanted a political edge, he could have offered an even better transition package for workers and businesses, but he did not.

The position he took was the beginning of the end. The Liberals still have total control of the outcome, regardless of the opposition. Peter Gutwein and the Liberal Government are responsible for this. So, whilst I have been called a coward, grubby, corrupt and many other things from those who like to present this argument as black and white, the reality is the legislative process is complex and contains many nuances.

Reducing the argument to name-calling overlooks that complexity. No amount of press releases trying to wedge Labor or tweets about me personally will change that. I might also state at this point I have not received electoral donations from the industry. Believe me, I have explored every option around this bill and I keep coming back to this: the opportunity for significant reform was in 2018. That opportunity has passed.

I also learned a long time ago in my personal life that life is not perfect. In those moments I learned to focus on what is possible. So, what are the options available to us as an Opposition? Voting against the bill would continue the Federal Hotels monopoly of poker machines in pubs and clubs with outdated harm minimisation measures. This is exactly what the Greens and the Independent member for Clark, Kristie Johnston, did. If they had more members join them, they would have continued the monopoly.

Voting for the bill will end the Federal Hotels monopoly and allow for some harm minimisation practices to be considered. However, we need to be clear, whatever happens in this place will need to be agreed upon by the Liberal Government when the bill returns to the House of Assembly. This is yet another inconvenient truth for those who present a convenient political argument that somehow the Legislative Council will have the final decision. It is quite clear the Gutwein Government will not accept many of the proposals that will be put in this place. Many have already been tested in the other place. So, what is the impact if some of the proposals are included in this place? The bill will fail in the House of Assembly and the Federal Hotel monopoly continues through ongoing rolling one-year extensions. It would more than likely mean another election consumed by poker machine debate, although this time it would be about harm minimisation, not removing poker machines from the community. We would be in a position arguing about spin rates, betting limits and technical aspects, that plenty in the community could not care to understand.

The question I keep asking over and over is this: is it responsible for the alternative government to allow this issue to again consume public discourse for another election and the intervening period when it has already been tested and voters rejected it?

Is it responsible to allow this all-consuming debate so much attention when the Government is failing in health, education, housing, justice, infrastructure delivery and child safety? The all-consuming nature of this debate effectively lets them off the hook for poor performance across government.

As I say this, I can hear accusations of again being called a coward. This heightened rhetoric has been directed at me, as the Glenorchy municipality is part of my electorate. Glenorchy is an interesting place and it is my home. It is a service centre for many outside the

municipality. People often travel into the area to shop, access schools, health services, food services and, more than likely for some, the pokies. That is not to say people are not being harmed by pokies and other gambling - they are.

Under the improvements we are advocating for, there will be more support for those harmed by gambling. Card-based play with precommitment technology will allow people to make decisions about what they are prepared to lose before they begin gambling. Despite the rhetoric coming from some of our detractors and those trying to wedge us for political gain, the social and economic impact statement found strong support for this measure from the community and gambling support sector.

For people who recognise the harm gambling is causing to their life and want to self-exclude, there will be better protections across all venues with facial recognition technology so that, with support, people can reduce the harm and bring their addiction under control. There will be better returns to players on every dollar.

If a Labor government is elected, there will be registered gaming officers to monitor gaming venues and provide human interventions for people exhibiting distress with gaming. These officers will be able to connect people with support and services. There will also be whistleblower protections and industrial relations protections for workers to make sure the mandatory code and legislative requirements are complied with at all times.

These additions will be far better than the current arrangements in my community. Is this bill something we would have put forward in government? The answer is no. Are these measures perfect? The answer is no; but they are what is possible, given the Liberal Government is ultimately in control of the legislation.

To the question of additional scrutiny, history shows the Government is not going to adhere to the outcomes of an inquiry. Remember the dissenting Government report last time. I have had passionate advocates implying gaming losses are the source of all the social issues in my community. I do not agree and I believe the causes of our issues are far more complex. I acknowledge their care and concern. I, too, want to see fewer people harmed by gambling. It is no secret how much I personally dislike poker machines, but I have to listen to my community.

This issue has been discussed by the parliament in depth since 2015. I remember advocates raising the issue during my campaign in 2016. The issue was raised a couple of times while doorknocking 10 000 houses in the northern suburbs. I can understand that if you have an issue with pokies, you are probably not going to raise it on the door with a total stranger. My point is, many in the community felt other issues like public transport, health services and cost of living were worthy of discussion at the time. I know advocates found that difficult to believe. However, that still seems to be the case.

It may surprise some, but I have only been contacted by three genuine Elwick constituents over the matter, despite the recent media coverage of this bill. People are not raising the issue in discussions in the community. There is a much stronger sentiment that they do not like being told what to do by others who think they know better. Say no to nanny politics, say yes to personal choice is a sentiment I often hear. That is part of my community, like it or not.

I think my observations are backed by the fact that our vote did not improve in the northern suburbs in 2018, and any improvement in Labor's vote predominantly came from the inner city. Even there, I have had feedback from some of our staunchest supporters of the 2018 policy. They recognise it is time to move on. They are tired of the all-consuming nature of this debate when there are more people on the elective surgery waiting lists than those harmed by gambling, we have a housing crisis, and we have kids leaving school who cannot read.

This is not to say the passing of this bill will mean the issue is put to bed. The 'last chance' notion is a complete nonsense and just political hyperventilating. Of course, future governments will have opportunities to review consumer protection regulations and if an amendment proposed by us is supported in this place, there will be another point in time for the parliament to revisit the structure of the gaming industry.

I have been contacted by numerous reform advocates and people from other areas around the state advising me what my electorate needs. I have been told by some that gaming reform is the silver bullet for my community. I admire their conviction and their passion. However, they are conveniently ignoring other structural issues like poor education and attainment.

The social and economic impact statement found that there is a clear positive correlation that exists between per capita spending on EGMs and the proportion of an LGA's population whose highest educational qualification is less than year 12.

There are other challenges, too, like chronic health conditions, high smoking rates, youth justice issues, family violence and alcohol and drug dependency. It is a long bow to draw to say that pokies are the root cause of all of these.

Otto von Bismarck once remarked, 'Politics is the art of the possible, the attainable - the art of the next best'. As I mentioned before, life is not perfect and you have to deal with the hand that you have been dealt.

I have considered every possible option with this legislation and I keep coming back to the 2018 election. The opportunity was there but the outcome was not.

I have to accept what is possible from opposition and there will be some positive improvements from our advocacy. Having said that, I acknowledge it is not enough for some.

I also want to refute in the strongest possible terms that not wanting this issue to consume another election campaign is cowardice. I have been asked, why did I bother going into politics given our inability from opposition to deliver the gaming reforms that advocates want?

The answer to that question is easy. I said in my inaugural speech, and I will say it again, I believe deeply in the power of education to transform lives. It is the passport to a positive future for our community. It is the greatest opportunity we have to improve lives and the productivity of our state. It is a tool for social justice.

I think about the kids I met at the showgrounds a couple of years ago living in a tent. Each morning they were dressed in their school uniform. Each afternoon they would come back and they would do their homework in the ferret pavilion. That is just one hardship example of many Tasmanians I have met during my time in parliament. We have to do better than that.

There are so many people struggling in my community for a whole host of reasons. Yes, some of them are harmed by gambling but I know for now there are many others whose voices need to be heard at the next election.

I will continue to take the fight up to this Liberal Government on their behalf.

[4.34 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I was going to take the opportunity to nip back down to my office and grab my folder with my second reading speech in it but seeing there was no-one getting to their feet -

Ms Armitage - Do you want me to get it for you?

Ms RATTRAY - No, I am fine, thanks. I will muddle on with what I have. I am not as organised as I was going to be.

Ms Siejka - I can grab it for you.

Ms RATTRAY - It is all right. As I said, I thought I would pop down after I listened to the member for Elwick but we could not let the call go otherwise you would have called it.

The criticism we receive in the community from time to time would have been quite harsh and for good reason.

This is an important and complex piece of legislation and the bill we have before us reflects the most significant reform of gaming in Tasmania in 50 years. I thought it would perhaps be helpful if I reflected on what was said prior to the licence being granted for Australia's first casino at Wrest Point. If you revisit the *Mercury* newspaper reports of October and November of 1968 relating to whether Tasmania should have a casino or not, I am sure you will be surprised at some of the comments made by then members of the parliament.

One member stated the Tasmanian police force would need to be increased to deal with spivs - I had to look that up, Mr President. Spivs and pimps - a spiv is a flashy dresser who makes a living by disreputable dealings. He went on to say vice, prostitution and protection rackets.

That was in 1968. For some of us that is not that long ago. There was going to be drug trafficking, and organised crime, call girls and even white slavery. Not surprisingly, none of that occurred, in fact the Federal Group has overseen a business which has not been plagued by what has been reported recently in other states. During the debate half a century ago, some members of parliament said they could not understand the attempts to denigrate the Federal Hotels. It was happening then and as others have mentioned here today, it concerns me it is happening now.

I can recall clearly when I first ventured into this place 17 years ago, governments and oppositions were asking how we could attract business to Tasmania and what incentives would be needed to provide an impetus to an economy which was in trouble. Young people were leaving our states for what they believed were greener pastures and Tasmania's confidence was at a low ebb. Some here may remember those times, possibly not a lot.

I am sure the Federal Hotels do because they at no time turned their back on Tasmania and looked elsewhere. To the contrary, they continued to promote, invest in, employ and contribute to our state and they still are. That loyalty should not be forgotten by those who are only too willing to make cheap shots. Sure, Tasmania has been good for their business, there is no denying that, but so too has their business been good for our state, both in good times and in bad. And I often think about the number of university students employed in their venues, particularly in the south of the state. I know how hard it is for university students to be able to gather some work, and hospitality is often the only thing that fits in and around their studies. It needs to be remembered.

In a 2015-16 report, Deloitte calculated the direct contribution of the Federal Group to Tasmania's economy was \$245.41 million and its indirect economic contribution was a further \$97.71 million. In short, its total value added to the Tasmanian economy in 2015-16 was calculated to be \$343.12 million. They then and now employ nearly 1900 Tasmanians, which equates to 1325 full-time equivalents, and taking into account Federal's purchases of inputs, which directly support another 1012 FTE workers, the Federal Group in 2015-16 employed a total of 2337 full-time Tasmanian workers. They paid \$87.4 million in state government taxes, which amounted to 8.5 per cent of the state tax revenue. On top of the non-accommodation expenditure of international and interstate visitors, it was \$28.7 million. The indirect additional expenditure was \$19.7 million, so there is another \$48.4 million. The economic benefit of additional time spent in Tasmania by visitors attending conferences, who stayed at Wrest Point or Saffire, also amounted to a further \$10.4 million. Do not forget the nearly \$2 million they contribute to the community for worthy causes each year.

I know for a fact that during the COVID-19 pandemic, more recently, quite a lot of Federal Group employees were not eligible to pick up some of the benefits the federal government provided. The Federal Group continued to pay wages to those people who would not have been eligible for wages otherwise because of their status.

This figure does not take into account what the Farrell family do privately and through the Farrell Family Foundation to support other organisations and individuals. Interestingly, show me another Tasmanian business that contributes to the economy and community more than this company.

Ms Forrest - You could say people like Dale Elphinstone put an enormous amount into the community.

Ms RATTRAY - Okay, there is another one, thank you, honourable member.

Not many people are aware of all of this, as the family and business take more of an action than words approach. Someone once said, when it is all said and done, there is always more said than done - not so for the Federal Group. Why do people try to put them down? Have a look at what is happening with casino businesses interstate - royal commissions, major public inquiries in Western Australia, Victoria and New South Wales.

I am happy for others to read the report. They are not good reading, apparently, with money laundering and criminality. The Federal Group has never been the focus of any royal commission and have never been plagued with what was prophesised 50-odd years ago by some in our community, including parliamentary members. That has to be down to good management and strict compliance with the rules with which they work. Yet, detractors still

call out that it is wrong for Federal Hotels to have a monopoly, it is wrong for them to control so many EGMs in Tasmania.

I do not play poker machines and a lot of people do not like them; you can read the newspapers to see that. I do not cast arrows at the Federal hotels for EGMs. You have to remember that this was the Tasmanian Parliament that legislated for EGMs to go into pubs and clubs. Effectively, we should be criticising the members of the state parliament if you will, but not a business that has worked within the laws at all times, which were debated and then voted on by the parliament.

For those who criticise, let us focus on what I believe to be a bigger problem than EGMs, and that is the advertising we are being bombarded with each night on our TV screens. In the last year to July, Sportsbet and BetEasy spent \$112 million on advertising. Ladbrokes/Neds spent \$99.6 million. PointsBet spent \$28.4 million, and the good old TAB spent \$64.9 million. Surprisingly, there has not been much noise about that or about how these ads are grooming young people into gambling. You only have to look at what is on your phone. I do not play them but I know plenty of young people who do.

Research has shown that this advertising impacts negatively on existing problem gamblers. Do you realise that if you can get written permission you can also promote online real money gambling? I do not even know what that is. Lotteries; online real money casinos; sports books - yes, I know; and bingo. You do not even have to go out to a bingo evening any more, you can play at-home bingo, and on Facebook and Instagram. Is it any wonder last year during COVID-19 online betting increased by 132 per cent?

Interestingly, the fifth Social and Economic Impact Study into Gambling in Tasmania which was tabled in parliament on 1 July last and represents the latest comprehensive study into gambling in Tasmania showed Tasmanian gambling participation, expenditure and rates of problem gambling are amongst the lowest in the country and what is more, it is decreasing.

Tasmania has the lowest prevalence rates of all gambling risk categories - problem gambling, moderate risk and low risk. It has been stated many times that 0.4 per cent of Tasmania's adults are assessed as problem gamblers and this rate is decreasing, which is obviously very pleasing to see. The other pleasing statistic was that EGM participation also continues to decline with only 9 per cent of adults participating. In the summary the survey showed over the past 10 to 15 years there has been a steady decline in Tasmanian gambling participation: 72 per cent in 2008, 59 per cent in 2017, and 40 per cent in 2020.

At this point, I can indicate I support the principle of this bill, but I certainly have some concerns and questions relating to some parts of it.

The first question relates to the deed entered into by the Crown and the Federal Group in 2003. I did ask about this in the briefing and this is just my follow-up question on the public record. This deed specifies the licence term and the exclusive right, gaming machine caps, licence fees, tax rates and the rolling term. The deed required Federal Group must be provided with a formal written notice by 30 June 2019, if there was going to be a change to the current arrangements which would take effect on the 1 July 2023.

I am unsure whether such notice was given and, therefore, the current arrangements, in accordance with the deed, may have entered the rolling term which designates the earliest new

end date for the current arrangement extends to the 30 June 2026. That was also followed by questions by the member for Mersey during the briefing process.

This bill before us proposes that the new gaming arrangements are to commence on 1 July 2023, therefore, I ask the question, are we acting within the law by agreeing to the Government's start date?

I am pretty confident the notice has not been given correctly by the Government and, therefore, they may be acting contrary to the contract or deed signed in 2003. I ask the Deputy Leader, who is in her seat, if that is the case. If your answer is no, please provide the House with the evidence that notice has been provided, as per the terms of the 2003 deed.

I also ask the Deputy Leader to please provide advice about how the process of providing notice under the 2003 deed should occur and how that compares to the actions that have been taken by the Government. We did hear an explanation through the briefing process and it certainly needs to be on the public record.

It seems clear to me the Government accepts it is acting outside the terms of the deed by legislating that there be no compensation provided if that is the case. This is an example of a parliament being used to legislate away the rights of a party to an agreement with the Crown.

This clearly amounts to a sovereign risk issue, which most advanced parliaments steer well clear of, and understandably so, because it erodes the confidence of other parties to do business with a government which uses legislative means to extinguish rights and obligations under an existing agreement. It is a bad precedent and I believe - and I am not absolutely certain - but possibly it is the first time a Tasmanian government has acted in this way. I am also led to believe that no other Australian government has previously created a sovereign risk event.

What has been done previously by governments who find themselves in this position is for the parties to get together and negotiate a way out of a contract which is acceptable to both parties and may include compensation. For example, this is what occurred with the Port Huon woodchip mill in the late 1980s. That is what my research tells me.

The Tasmanian parliamentary Public Accounts Committee in 2003 strongly noted any unilateral move by the government to terminate or invalidate the current deed to facilitate a competitive tendering process prior to 2019 would raise sovereign risk issues, as well as creating a potential for civil action, leading to financial compensation. It went on to state that any unilateral move by the government to terminate or invalidate the current deed against the will of Federal Hotels would seriously damage the government and impact negatively on Tasmania's standing as a state in which to do business.

Those comments were echoed in 2016 when the Government made a ministerial statement in relation to the deed. Part of the statement said:

This Government has been clear for a long time now - we are not going to seek unilaterally to reach in and change the rights held by the Federal Group. They were negotiated in good faith, reviewed by Parliament and enshrined in law.

You can see why it is important - now the Leader is back in her seat - to have the Leader address this concern with us because if we blindly proceed without addressing this question, we are not doing our job as legislators. All we are doing, for the first time in an Australian parliament, is allowing a sovereign risk issue to play out. Any advice that can be provided in regard to this particular issue and provided for all members I believe is necessary.

The next area of legislation which concerns me is the transition provisions and I have spoken with the Tasmanian Hospitality Association (THA) and many of its members and I have spoken with the Federal Group also. Some say the transition can be completed by July 2023, and we certainly heard that from the industry representatives this morning, saying that if this bill passes then they are absolutely certain that the deadline of 1 July 2023 can be met.

I pause to wonder if they have worked through the process before. Others say it is complex and time-consuming for all parties, especially for hotel and club venue operators. If the process is hurried, mistakes can and, I believe, will occur, which will lead possibly to this bill coming back before us. I made contact, as you would expect, with the THA about that particular issue and I also made contact with Treasury because I was concerned whether there was enough flexibility in clause 175, which are the transition arrangements providing for an extra 12 months. That gives some comfort, but I also note clause 175 talks about the provision of an extension of 12 months, should it be needed. There is certainly a view it will be required and this provision gives a level of comfort, should that July 2023 time frame not be met.

For example, as I was working through that, the tender is put out to the market and it comes back if the returns are not deemed adequate. There needs to be a re-tendering process undertaken. Immediately, the initial time frame possibly could not be met. It needs to be remembered this is a costly process. It also needs to be remembered this bill allows for the most significant transformation of the gaming market since the introduction of wide-area electronic gaming in Tasmanian hotels and clubs 24 years ago.

My research tells me there will be significant resources required to manage the transition from one licence holder to about 100 licence holders. We know this will require significant probity and background checking for all new licence holders and importantly, their associates. This has to be done to ensure the highest levels of probity, integrity and public confidence in gaming in our state. There is also a need to verify equipment, premises, systems and the like.

It is to be remembered all this will be taking place while the existing arrangements continue to be managed and regulated. For hotels and clubs with EGMs, this will be a major change to their normal work. It is also to be remembered they will be taking on full responsibility for it and now will not have Network Gaming managing most elements of the operation of gaming in their premises. Will they be able to manage the transition by others or will they find it difficult and costly? I appreciated the table provided today, which outlined what currently happens and then what will happen under the new LMO arrangement.

I made contact with the THA and asked them about the consultation or engagement, I also asked that through the briefing session today. I am going to put on the record a response I received because I had some concerns about smaller venue operators being able to manage these significant changes. I was provided the following:

The THA will provide whatever assistance we can to operators to make the transition as seamless as possible. The THA, as part of the Australian Hotels

Association (AHA) nationally, works with the other states who already administer the owner-operator model and are constantly in contact and able to help the state to transition successfully.

It goes on to say -

We are able to talk to them constantly about what does and doesn't work in their state and fine-tune our model to the best that it can be.

It goes on to talk about the assistance they will provide to venues -

The level of advice/assistance that the THA can provide moving forward to operators will depend on what the Licence Monitoring Operator (LMO) is required to do under the 'core functions'.

Ms Forrest - Do they say how much they charge for that sort of service?

Ms RATTRAY - Not a definite figure, but around 1 per cent.

Ms Forrest - 1 per cent of?

Ms RATTRAY - One per cent of their turnover, I presume, of the EGMs. I could possibly get a firm figure on that, but in conversation it was 1 per cent.

They go on to talk about assistance to venues, such as: contract and legal advice; buying group for machines; and analytical advice - a major area that third-party providers will look at to potentially gauge venues. We all heard this morning from Danny Nixon-Smith around the work he had done for the Goodstone Group in that regard. A smaller venue might not be in a position to have a Danny Nixon-Smith gaming analyst business directly supporting them. However, under the Tasmanian Hospitality Association (THA) arrangement and under that fee-for-service, it would be provided, and they are expecting that will be part of what they can offer.

They go on to talk about gaming care best practice on harm minimisation. The industry talked quite a bit today in the briefing about their commitment to harm minimisation, and talked about how the people in their venues are their customers; but they are also family, friends and acquaintances, and they are people who they know, often I expect, on a first-name basis.

Staff training will certainly be a big component moving forward, and that will also need a coordinated and cooperative approach.

Community awareness programs - certainly, that will be something that the Tasmanian Liquor and Gaming Commission will be part of as well. It talks about how the THA will enable venues to better manage their role in this space, and provide day-to-day advice and help to small and regional venues to make sure the new system is better managed than previously.

The THA will be the only body there to help venues moving forward, and the THA wants to see successful implementation as the body that has to answer and deal with any issues or problems as this moves forward.

As a final comment - 'The THA cares for our venues, staff and patrons'. Mr President, I have no doubt about that - they do care.

Something extra that I wrote down through the briefing session was from those presentations that we had from industry, which were that these changes will enable increased revenues and particularly through an increased valuation of their property, and that would flow on to current investment into capex, particularly for tired venues.

They also gave an indication that there were some projects that were waiting on certainty around this legislation.

I thank the industry for being proactive, as well as thanking all of those contacts that we had and certainly those organisations that were represented at the briefing process. It can be a daunting process. I know that the industry guys commented that they did not envy our job at all, and they certainly acknowledged the work of the Legislative Council and obviously other members of parliament as well.

It is important, it is onerous and it is complex, particularly when you are dealing, as you said yourself, with a bill that creates quite a bit of emotion as well.

I thank all of those people who took the time.

To follow on from the THA support - and I added this in myself only a couple of nights ago when I was thinking about what else I could add around that level of comfort that the THA provided for me when it came to supporting those medium to small venues. I likened it to the cooperative buying of services et cetera approach, perhaps like the grocery industry model that I am somewhat familiar with.

It may be news to some, but I owned a Four Square store with my husband in Winnaleah for a number of years - Winnaleah, you will know that well. Four Square stores are no longer in our state. Most people will know the independent chain as the IGA model now. The statewide wholesalers use their buying power, and as a member they purchase goods and it is specialised out at prices to be somewhat competitive with the big boys, which is the Woolworths and the Coles of the grocery industry. As a Four Square member, I paid an annual fee and I was able to access weekly specials, a buying power if you like, that I would not have had if I had not belonged to a chain or a group.

I liken this approach that the THA has put forward for the industry as something like that, where you would possibly need to be in that. We still have some very small independent supermarkets in our state; they might have a very limited range of product and might not be interested in trying to compete with other stores, close by or whatever. They might have a niche market, if you like, and might not have to belong. However, I know when I was the proprietor and the owner of our store, that I needed to be in that cooperative group, otherwise I would have had very little success in selling anything - and then your turnover is not good enough to ensure your stock is always fresh and ready to go. That is going back in my history a little bit but as an owner of a small business, when you had the big boys breathing down your neck - the Woolworths and Coles of the world. Not that Coles has made it to the north-east yet, but Woolworths has, they took over the Marshalls Four Square store.

I certainly see the merit in this approach by the THA. From speaking with them and as I expect many others have, there is a genuine commitment to support their members and the industry. Why wouldn't that be the case, when they have strongly argued for a venue operator model? This was clearly a strong point during the Joint Select Committee on Future Gaming Markets back in 2016-17 which I was a member of. I still recall those 13 months of my time as a member of that committee and I acknowledge Mike Gaffney as the chair of that joint select committee inquiry. An enormous amount of work. He did all of those trips. I did not go to north Queensland; I was completely worn out by the time we went to every other state, except Northern Territory, to look at their model and arrive at a report.

That lobbying ultimately led to a recommendation, and it was recommendation number 20 to be precise, of the 23 recommendations, that a venue operator model is desirable for EGMs and appropriate transitional arrangements put in place to accommodate industry participants. The work of the joint select committee was substantial, over 13 months, and culminated in a 211-page report with volumes of information. As a member of the committee I consider the Government has responded to the committee's report in this area.

I am led to believe that the functions of the licensed monitoring operator are crucial to setting up the future gaming model. The operator will establish the systems and processes that will help to ensure the integrity of our future gaming in Tasmanian pubs and clubs.

Getting the tender right to select the licensed monitoring operator (LMO) and running a rigorous selection process will be critical. I ask the Leader whether the Government can please table the time line for this to occur and to have the licensed monitoring operator in place with all the necessary systems and processes by 1 July 2023. So there must be a matrix somewhere if this happens on this day, then this is the time frame and the tender; I think that would be useful for us to have.

I am concerned that there is not enough time and that the new arrangements will either not be able to commence on 1 July 2023 or the process will be rushed to the extent that there is a great risk for our state. I acknowledge the extension of the current arrangement by 12 months in that clause 175.

The transition will also mean that Network Gaming will have a significant workload in managing the many functions that will transfer to other parties whilst also continuing to manage their usual business and functions. It was interesting that industry stakeholders through the briefing process told us that has been challenging and difficult. They are still not completely sorted in that regard so obviously there will be some work to do there between Network Gaming and the industry.

We are told that the workload will be extensive and require significant project resources to appropriately plan and execute the transition. All this work is required due to the level of risk to the community, the Government and members of the gaming industry.

It is interesting that we should look at the experience in other jurisdictions where there has been a similar occurrence and we do not have to look too far - just across the water. In Victoria, for example, where the change from a dual licence holder to direct venue licensing occurred in 2012, the feedback from the gaming industry, government, regulators and the community was that there was a significant disruption to all parties concerned. That is, government, operators and players.

If there was this disruption and heightened risk in Victoria, then I think it is fair to say that Tasmania could well have the same issues. In Victoria they first started to review the future of gaming arrangements in 2006. In 2008 the Victorian government announced a new gaming model and it was to apply from 2012. A 178-page bill was introduced into their parliament in February 2009 and the bill proceeded through their parliament in March, April and June of 2009 and received Royal Assent on 23 June 2009. Tenders for a licence monitoring operator commenced in early 2010 and over one-and-a-half years later an agreement was signed with the successful tenderer. The agreement for that extended to over 250 pages and it took over three years before the legislation received Royal Assent to the new arrangements starting. Three years, yet this legislation is proposing that we can do all this in Tasmania in just 18 months.

History tells us that the transition complexities are significant and the time allowed in the bill before us seems unachievable. At best it seems hurried and, therefore, risky in the extreme and again I ask the Leader, taking into account the time spent in Victoria, what makes us have any confidence in the date of the commencement in our Tasmanian bill? You know the old proverb haste often causes nasty things.

So, harm minimisation strategies in that aspect of the legislation have been spoken of quite a bit, particularly by the member for Murchison and the member for Elwick in their contributions. I expect it will be spoken many more times by members who provide a contribution to this, because it is important. As much as anything, our responsibility as representatives of our communities is to do whatever we can to make sure that the harm minimisation measures that can be effected in the state are effected.

We talked about the dollar bet limit - and as an aside, although I believe it is a relevant aside, I did put forward through the Joint Select Committee on Future Gaming Markets an amendment to a recommendation for the committee at the time to consider a \$2 bet limit. That did not see enough support from the members of that committee at the time. I felt that it was a genuine compromise position, particularly, on my behalf, because I was acutely aware of the evidence that had been provided to the committee from Anglicare and TasCOSS. I remember the first time I met the member for Nelson was when she came and presented to that Joint Select Committee Inquiry on Future Gaming. She presented well, just as she does in this very House as the member for Nelson.

I believe that one particular representative of the committee took back that suggested amended approach to their group and that was unacceptable, on their behalf. As I said, it did not see favour with others at the time, and so the status quo remains. But I still think that if a \$1 bet limit is not palatable to some in the community, then let us try again for a \$2 bet limit. I mean, we cannot even get half a cup of coffee for \$1, you only get a quarter now. Time has moved on 2016-17, and now we are in 2021 and before this is implemented it will be possibly July 2023.

So, I think it is worth exploring. I would be more than happy to support something like that, should those representing those organisations that as we know, more often than not, pick up the pieces when people have a gambling addiction, or are in that 0.4 per cent of Tasmanians who have a gambling problem.

Also, the spin rates, another area that I believe is worth exploring, reducing the speed rate. We also were told through that extensive inquiry that with the speed rate in other

jurisdictions, it would be easy to have those machines readjusted because the reduced speed rates are quite prevalent. We could well be making it a better harm minimisation aspect, but also, it might mean better access for venues to own their own machines. They might be more readily available and they do not have to be specifically designed for the Tasmanian market. So, I think that is worth exploring and if the industry is genuine, and I feel they are genuine in saying we do want to participate in putting harm minimisation measures in place, there you have already something that could be done relatively easy because those machines with those lower speeds are already available in other jurisdictions.

It is going to take a couple of minutes to have a look at my notes. This is not just about the Federal Group or industry, this is about the whole of the Tasmanian community and we need to be absolutely certain there is proper probity through this. I was pleased to have the information provided by the department representatives there is going to be an increase in the funds to resource the Tasmanian Liquor and Gaming Commission. We were told from 2023-2024, there will be an increase of \$560 000 in the budget and it appears from the work that has been identified for the TLGC to be happening then if this legislation passes that it will be absolutely necessary. It will probably even need to be increased even more. I am sure somebody in Treasury will be looking at those numbers as we speak on additional resourcing. Again, I was somewhat comforted it has already had some attention. I feel sure it will need more attention into the future.

I do want to acknowledge Peter Hoult. Obviously, Peter comes with great respect around this place. He was certainly here in and around the parliament when I first arrived and he has continued to be a strong advocate for his view of the world on this and he also comes with great experience and knowledge. You certainly have to take on board the issues he raised. Again, I did challenge the industry after reading his advice to members of parliament in his submission around the complexity of it. He certainly raised the concern on why we did not have a clean bill, why we just have an amendment bill and that was addressed through the briefing process.

Again, the department would have taken their instructions from Government and that is a question for Government, not for the department. We were told it could probably take five years and I was sitting next to the member for Nelson and she said, 'Well, 2017 to 2021, they would have had enough time to start a clean slate back then if that was going to take about five years to do a clean bill.' I am not sure there is the will in Treasury to put a new gaming bill together, particularly after they have just spent a considerable amount of time on the amendment bill we have before us today. Again, I acknowledge Mr Hoult's representation and significant commitment to something he knows extremely well as a former commissioner of the Tasmanian Liquor and Gaming Commission.

I also have highlighted through the bill, and I have had to do it a second time because I have gone through and retagged the new version after tagging the first version, which is a bit painful but anyway as you do, it is a good reminder of what you want to focus on. I do see a lot of powers for the minister and obviously, if and when we get to a Committee stage, those clauses where the minister has significant powers will be explored quite thoroughly and you would expect that to be the case. One to flag for members - a lot of powers to the minister.

It was Mr Livingstone who also presented to us this morning. He talked about how this bill is weighted heavily towards the gaming industry and the fact the Federal Group have already a significant number of EGMs in their casinos and they also own a number of venues. He also talked about the significant loss to the Federal Group. I am sure the member for Nelson

will explore that more in her contribution, around what the Federal Group might lose here from the Network Gaming loss they effectively could pick up on the other side of their business, on the EGM side in pubs and clubs. But also Network Gaming, as I have said, the Federal Group, the Farrell family, have certainly done that probity and undertaken that Network Gaming role at a high level, and to high quality.

Ms Forrest - They can apply for the licence anyway under a separate company. We heard that in the briefing.

Ms RATTRAY - Absolutely, and if they already know exactly what they are doing, which they do. Network Gaming knows what it is doing.

Ms Forrest - It is doing a lot less than they would be in the future.

Ms RATTRAY - Yes, it will be. As I said, once the tender goes out and people, companies, organisation look at it, we do not know. That is the unknown, what that might look like. I am sure there is a draft kicking around somewhere, but we might not see that prior to the conclusion of this debate.

Dr Livingstone talked about the self-exclusion software, the high breach rates and how expensive the software and hardware was. The member for Hobart who is the IT expert is not in his seat right now; he would know about that.

He also talked about Tasmania having a lot of old stock of EGMs. I gave the example through the briefing process of my Westbury Hotel: twelve machines, eight of them reasonably new, four of them old and virtually obsolete. Jamie, the owner/lessee will look at that in the future and whether the Westbury venue decides to hang on to the eight functioning machines or more playing machines and let the other four go. They obviously are owned by Network Gaming at this point in time, but they have very little patronage. That backs up the fact, as Dr Livingstone said, that the Tasmanian stock tends to be on the older side. Whether there is an opportunity to upgrade those machines, whether you have five whiz-bang ones, or whether you stay with your eight, or whether you decide to increase will certainly be up to each venue.

I have talked about harm minimisation. Facial recognition - we were told that needs to be on every machine, not just on one. Mr Hoult gave us the example, I think it was of five bottles of whisky - you have a cap on one and you can only have three drinks out of that one, but if you put your hand in your pocket, you can go over to the other end of the table and get a whole bottle. That was an interesting example that if you are going to have facial recognition harm minimisation, it needs to be on every machine, not just -

Mr Gaffney - Was that facial recognition or the pre-card?

Ms RATTRAY - No; I wrote down that facial recognition needs to be on every machine.

Mr Gaffney - And the precommitment card? Sorry, I thought he was referring to the precommitment card, that there is no use having them on one if you did not have them on all the others; but it could have been both.

Ms RATTRAY - It may well have been both; but I have written down here, and that was earlier in the day so I am sure I was quite alert, that facial recognition needs to be on every machine. I think he did use that example of the whisky or some sort of grog.

Ms Webb - That was to do with the card-based play, I think.

Ms RATTRAY - Reverend Doctor Chris Jones from Anglicare - when I first met him, he was the minister at Scottsdale. He talked about the level of support that Anglicare and others such as TasCOSS and all those wonderful organisations provide to support our community. He talked about that opportunity to have a return to the community, particularly from the Community Support Levy because they are the organisations that pick up the pieces from problem gamblers. I certainly took that on board, and also TasCOSS's deep concern across the sector. The point was made, that this is profit before people, and how do we, as a community, support problem gamblers and those with addiction?

I have mentioned there were questions about the tax rates proposed and the licences and certainly that will be another area, as and if and when we get to the Committee stage, that we will drill down into. I acknowledge the member for Nelson who has indicated to members that there will be amendments coming forward, and at each time I will carefully consider those amendments. The member for Murchison has also flagged that she will be putting forward some amendments and I expect that other members may well do the same. I can assure you each of them will be considered on their merit.

One thing I took away from today's briefings, and it takes me back to the small to medium venue operators. There has been not only my concern, but other concerns in the community, about their ability to be able to manage these changes. I wrote down when Ben spoke, that the industry is highly flexible and adaptable. I do not doubt that. We have just been through an awful time with COVID-19, an awful time for every business. The hospitality industry is one of those industries where they had to shut their door, try and find every takeaway container they possibly could to even just keep going, and they have adapted. They have been flexible and, if they come together as an industry group and support each other, then I am prepared to say that at least proceed with the model that has been proposed. I also took on board the fact that we were told that you do not always get everything right first time, and that is why we have amendments in this place, because we may need to amend something in the future.

The legislation tells us that no venue will be worse off. The member for Murchison pointed to quite a bit in her contribution, yesterday and today, around the McIntyre venues. We know there will always be ones that are more successful than others. That is a given. That is business. I know my business was not as successful as the Branxholm store; it simply was not. They got a lot more money when they sold than I did, so obviously they had a better turnover. We know that the licence fees have steps, and the bigger the venues and the more machines, the higher the tax.

There will be this opportunity for those to work through that, whether they decide to stay with the number of EGMs they have or they decide to cut back. It is not surprising that some venues might decide that they are done with EGMs. That is their choice. When I first arrived 17 years ago, the Customs House Hotel had EGMs in what is called 'Vue' now, but they are not there anymore. That business took a business decision to let that part of their business go. That will always be the case, and I do not believe that we will ever be able to legislate for every different situation, every different business model there will be across the state. They will take

advice, as they do. They will probably have some very sharp accountant saying you are losing money on this, you are probably losing money on that, get out of it; or, this is where you are going to make a bit more. That is how it works. I acknowledge that it won't always be smooth sailing for everyone. It never is, and this particular aspect won't be any different.

A myriad of things could be said, and by the time everyone has something to say there will be a fulsome debate on this issue. I have already acknowledged the appreciation to all Tasmanians who have taken the time to make contact, express their views and suggest changes and/or a way forward. This is a complex but an important piece of legislation.

Again, I acknowledge the work of the member for Nelson in providing that detailed table of information for the proposed amendments. It was very useful, considering we did not have the amendments to look at as we went through the briefing session. I will listen and fully consider the harm minimisation strategies being put forward through the Committee stage. I acknowledge the Leader, who managed the briefing process reasonably well today. It is not easy. As the President indicated when he gave us a speech earlier today, it is an emotive area that we are considering here, because of the heartfelt stories we have continued to hear from many people across our community.

There has been a clear direction from the Government around how they see this is going to be put into place. I would like to think they have had enough consultation with industry and certainly with the Federal Group who have been exceptional corporate citizens in my view over many years, since 1968. I am going to take offence if people continue to denigrate the role they have played in our community because it is unfair and uncalled for. At this time, I will be supporting the bill into the Committee stage.

[5.41 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I thank all members for their contributions regarding this bill. I thank the individuals and groups who provided briefings for us. I also thank the President, the Clerk and parliamentary staff for the capacity to be able to record the briefing so members could concentrate more on the discussion rather than having to take notes for reflection at a later stage. I also appreciate the commitment from the Leader that the Committee stage, if we go there, will not occur until next week, which will give us some time to reflect on our second reading submissions.

How quickly time flies. I can remember on 31 August 2016 I was elected chair of the Joint Select Committee on Future Gaming Markets. Tania Rattray MLC was elected deputy chair with MPs Armstrong, Bacon, Dawkins and Courtney. Some of the comments from submission stakeholder hearings from that inquiry still can inform our current thinking and assist in our debate. As I look around we have some new members not here at that time and possibly unaware of some of the findings and recommendations which will help us work through this exercise.

One of the things from my point of view, my network through that 13-month period became more extensive with people contacting me and even since this bill has come forward I have had people contacting me about certain concerns they may have, and I will be reading in some excerpts a bit later. Whilst the then terms of reference required the committee to consider a number of separate issues, they were limited in scope to the Tasmanian casino, keno and electronic gaming markets. That inquiry excluded consideration of other forms of gambling

such as racing; however, the issue of online gaming markets was raised on various occasions throughout the inquiry.

The 2016 inquiry was somewhat unusual for a parliamentary inquiry. Firstly, it was uncommon for the Government to propose a parliamentary inquiry of its own initiative and, secondly, the terms of reference required the committee to consider a number of technical policy issues relating to taxation, licensing and regulation that would traditionally have been considered by government. The Tasmanian Government did not provide a written submission into that inquiry. The reason for not making a submission was later explained by the Premier and the Treasurer at a public hearing as being 'due to the Government not having a fixed starting position on the majority of issues covered by the terms of reference other than the information contained in the Hodgman Liberal Government post 2023 Gaming Structural Framework'.

Indeed, the Treasurer, Peter Gutwein said, in his ministerial statement in the House on 17 March 2016, that:

We want a fully transparent and robust consultation process that allows Tasmanians to have their say. This committee provides a vehicle for that to occur and would serve as an open and transparent fact-finding process to provide information for the formulation of more detailed structural policy elements within the policy framework the Treasurer had set out and to help inform the Government's final policy position. We welcome the committee's efforts in this regard, including us being before the committee today. We look forward to receiving your report in due course. We will consider very seriously all the findings and recommendations of this committee in its report.

The public statement of the Premier and Treasurer at the committee hearings were important in clarifying the Government's understanding of the committee's role in that they were able to clarify the Government did not have a firm position on the majority of issues to be considered under the terms of reference, other than the preliminary view expressed under the framework.

The committee took from these statements the Government would seriously consider recommendations based upon evidence and the views of the Tasmanian community. The committee noted this to include possible changes to the positions expressed in the framework when the Premier stated that:

We want to hear the views of Tasmanians including in relation to our stated policy position and with respect to any other matters contained within the terms of reference which include an ability for the committee to consider any matters it deems appropriate.

Approximately 150 submissions were received and some of them were very lengthy. Eight days of public hearings as well as interstate hearings being conducted in Brisbane, Melbourne, Perth and Adelaide in order to obtain further information on those jurisdictions. A delegation also completed site visits in Townsville and Cairns in northern Queensland. The committee requested these visits following confirmation of information contained in the Federal Group's submission.

Dr James Boyce, author of *Losing Streak* about Tasmania's gambling industry provides the following reflection and insight into how we got here today. For listeners I believe it is well worth reading this small extract into *Hansard*:

In September 2015, Peter Gutwein, then just the Treasurer, was set to sign off on another extension to Federal Group's monopoly statewide poker machine licence. Days before the contract was to be signed, David Walsh - whose desire for a small high-roller, pokies-free casino at his Museum of Old and New Art was being used as the excuse for a contract extension - went public with his concerns.

It forced the government to establish a parliamentary committee to consider the future gaming market. The core principle to guide reform were set out by the treasurer in a ministerial statement to parliament on 17 March, 2016, that said that the tax rates and licence fees for casino gaming and Keno would be reviewed against 'the broader Australian market' while hotel poker machines would be 'allocated and priced by a market-based mechanism such as a tender'.

Large hotel chains, represented by the Tasmanian Hospitality Association (THA), saw the reform process as an opportunity to achieve outright ownership of machines through direct licencing.

Federal Group unsurprisingly argued for an extension of the exclusive licence that it had received for free for nearly three decades. However, it soon became clear that - given the government's policy commitment to achieving a market-based return for the highly profitable licences on offer - the company was faced with two unpalatable options. It could bid hundreds of millions to retain its monopoly through an open tender process or surrender ownership of pub pokies altogether when the contract expired.

It was therefore not surprising when Federal Group struck a deal with the THA. The compromise between the company and the big pub owners was set out in a joint submission to the parliamentary committee on the last day of public hearings in August 2017. It is this internal industry deal, including the proposed casino and hotel poker machine tax rates, that is now set to become Tasmanian law.

How long-established Tasmanian casinos with business models based on collecting losses from local poker machine players would face competitive pressures from venues at the other end of the continent has never been explained.

The agreement negotiated between the Federal Group and the THA gave hotel owners direct licencing of pokies at their venues. The industry submission noted that this would immediately increase the value of pokie pubs by an average of \$1.5 million each.

It proposed compensating Federal Group by slashing the casino pokies tax rate from 25.88 per cent of gross profits to 10 per cent. The state would be

quarantined from an overall loss of revenue by increasing the total hotel pokie tax rate to 39 per cent.

Gambling is an issue in Tasmania which has a number of different elements and hence elicits many wide-ranging viewpoints and opinions.

The industry employs a large number of people across the state directly and indirectly and makes a positive contribution economically through taxation and other fees. It is also a sector of the economy which complements other sectors such as tourism and hospitality.

Many people in the Tasmanian community enjoy gaming activities on a regular basis as a social activity and are able to gamble responsibly. For the record I was very impressed with the intent and the integrity of the THA representatives who attended today's briefings. One can truly understand and appreciate their desire to have legislation passed to help provide security for their businesses. However, whilst businesses will no doubt be able to work with the EGM and regulatory framework, it would be fair to say that there are still a number of unanswered questions and regulatory issues which the THA representatives are facing and they are appreciative of the complexity of this legislation.

In a nutshell, I think they were just wanting something to occur by 1 July 2023 so they have ownership and control of their EGMs and as according to their statements, it will end Federal's monopoly after 26 years. In the Ben Carpenter and Michael Best submission, they wrote:

Operators like ourselves have always, and will always, take care of our patrons. Without them we don't have a business. We care about people. Publicans and hospitality are well trained to service our community in a safe and responsible manner, whether it be gaming or liquor.

The group, including their adviser Mr Danny Nixon-Smith, did mention other states - Victoria and Queensland. It was with interest that I had read earlier some material about the Victorian transition experience and some very similar to what the member for McIntyre mentioned. But I will just put this on the record, what happened when the Victorian gaming model changed?

Prior to August 2012 Victoria operated a gaming machine duopoly in pubs and clubs outside the Crown Casino. Tattersalls and TAB managed about 50 per cent of the venues each, in much the same way that the Federal Group monopoly has worked in Tasmania. I will not go through all the steps as the member but some of them we should think about.

In 2006 the Victorian government announced a review. In 2008 the Victorian government announced the new model for Victoria. In 2009 the drafting of the new legislation was completed. In February 2009 the legislative process commenced which took a total of five months to complete. It was three months after the receipt on 12 March 2009 that the legislation was passed through the Victorian Legislative Council. On 23 June 2009 the legislation received Royal Assent. In December 2009 the tender documentation was prepared. In early 2010 the tender for the new licensing monitoring operator commenced. In November of 2011 the licence monitoring operator agreement was signed. On 16 August 2012 the new gaming arrangements commenced.

Things to note from that experience, the legislative process took five months. The Victorian Legislative Council, which like Tasmania has a lot of independents, took three months to work through the legislation. The transition arrangements took three years and two months. If you look at the requirements or what has happened in our space, how quickly it has been passed downstairs and comes straight to us for approval or amendment.

However, we also know that there are people in the Tasmanian community who have been negatively impacted by gambling through addiction and economic hardship. Other people have also been affected indirectly as a consequence of gambling machines and associated hardships being experienced by family or friends.

On the other side of the coin, one of the individuals who also presented at the briefings was Dr Livingstone, who is a very well-credentialed expert regarding gaming, with years of experience. He was a member of the Australian Government's ministerial expert advisory group in 2010-11, and has been exceptionally active in the gambling space at a local, national and international level. His contribution to the briefings was quite telling. His opening comments were, 'I was exceptionally concerned with regard to the Tasmanian legislation'.

He was very cautious and at times critical and questioned a number of the aspects of the Government's proposed amended legislation. Indeed, he felt that the 250-page amendment bill was so confusing, especially when combined with the very large principal act. Dr Livingstone questioned why there should be such an amendment bill and not a completely new piece of legislation. Dr Livingstone in his work in the ACT stated that:

Total EGM numbers should be reduced over a period of time, particularly in those venues with a large number of machines yielding a high turnover of funds from the community.

I am aware that other members will be making reference to his presentation, so I will not repeat the material.

The percentage of gamblers who have experienced problems in Tasmania is below nationally reported figures. However, the proportion of revenue that problem gamblers contribute in Tasmania is disproportionately high and growing.

Ben Bartl from the Community Legal Centres has provided the following information. He has estimated that there are about 1600 to 3200 people with a gambling problem in Tasmania. According to the Department of Communities, electronic gaming machines (EGMs) are the major form of gambling causing problems in Tasmania with a prevalence of problem gambling in lower socioeconomic communities, double that of the rest of Tasmania.

In 2010 the Productivity Commission found that people with a gambling problem accounted for about 40 per cent of all losses from electronic gaming machines, with the Tasmanian Liquor and Gaming Commission estimating that more than \$70 million of annual player losses in Tasmania was linked to problem gamblers.

More recent research has confirmed that there are significant social harms that arise from problem gambling, including family and relationship problems, emotional and psychological issues, financial harm, loss of productivity and other work-related costs, criminal activity and life course or intergenerational harms.

Finally, it must be acknowledged that problem gambling has a ripple effect on family members, friends and workplaces with a 2016 report estimating that for every person with a gambling problem, approximately six others are also negatively affected. With the evidence clearly demonstrating the significant harm caused by electronic gaming machines on problem gamblers it is crucial that the Tasmanian parliament enshrines harm minimisation measures in the bill.

Some members have already provided examples of the harm minimisation measures which would work. I am also aware that the member for Nelson will be speaking extensively and comprehensively to many of the harm minimisation components or inadequacies of this bill. Therefore, I will not take too much time in highlighting some of the issues the member will share in her contribution.

However, Community Legal Centres included in its correspondence the following:

In our opinion the failure to appropriately address harm minimisation measures in the bill is a significant weakness that will have long-lasting detrimental impacts on problem gambling in Tasmania. We believe that the Legislative Council requires more time to consider best practice harm minimisation measures. We therefore strongly recommend that the bill and, in particular, the proposed harm minimisation measures, are referred to a committee of inquiry for review.

As has been stated before by members, this is the last chance we have to comprehensively look at, change and alter the gambling landscape in Tasmania. Once this bill is passed in any guise or form, its flow-on effects with permits will be there in perpetuity.

Evidence has found the impact of gambling is significant and certain communities in Tasmania appear to have been disproportionately affected by gambling addiction and access to numerous EGMs within local venues. In addition, as the Government has noted, there are many people in Tasmania who question the way the current and previous arrangements for gaming operations in the state were negotiated. In particular, the perception that negotiations were not transparent, not open to competition, has been raised within the inquiry.

The issues of addiction and harm minimisation have been prominent in the evidence the committee received, and have been carefully considered with respect to the dignity of those affected by gambling. Most notable among the issues associated with problem gambling has been the future of EGMs in the community, the density of EGMs in certain communities. Their impact has been notable in the evidence that was received.

Many of those submissions called for the removal of EGMs from hotels and clubs in Tasmania. A number of submissions called for the total removal of EGMs. There is a higher density of EGMs in certain municipalities across Tasmania and they tended to be the ones with lower socio-economic areas. There are currently no restrictions on EGM numbers in a municipality. Previously, communities had not had a role in decisions regarding EGM densities or locations. The recent introduction of community interest test back in 2017 or 2018 is only applicable in limited circumstances, that is where a new licence application is made. The opportunity to apply the community interest test retrospectively was suggested by the social services sector back then but was not supported by the industry.

EGMs provide hotels and clubs with a revenue stream that assists funding other services within the venue. This is notable specifically in smaller regional localities across Tasmania. EGM revenue supports the provision of tourism-based services in smaller regional localities. You can see from this the committee was trying to be fair in the way they assessed the information they gleaned.

Gaming revenue contributes approximately 1 per cent of state revenue in Tasmania. The Tasmanian Government is less reliant on revenue from gaming activities than some other states.

The funds from the Community Service Levy provide for broad community benefits. However, some of the witnesses during the 2016-17 committee process questioned whether sufficient prioritisation had been made to funding programs with the direct benefits to individuals adversely impacted by gambling.

Concerns were raised questioning whether sufficient resources had been allocated to harm minimisation strategies. Some witnesses suggested greater CSL funding could be allocated to sporting clubs and community organisations.

Many individuals who have gambling addictions may also suffer from health and/or other related issues.

By and large across Australia gamblers with problems are reluctant to seek support and assistance for this addiction and for other reasons and there is a general acceptance by advocacy groups of under-reporting.

Western Australia is the only jurisdiction in Australia where EGMs are currently confined to casinos. I will return to this situation a little later in my speech.

Synergies Economic Consulting was the economic consulting analysis of the Department of Treasury and Finance modelling provided to the committee and was requested because we needed a high-level company that was able to help us with some of the more difficult intricacies and complexities of understanding tax and returns. They found that returns to the state are low relative to mainland jurisdictions and that the low returns could largely be addressed by the state retaining excess returns to Network Gaming.

Synergies Economic Consulting advice to the committee was that adopting a fixed term for an EGM licence to align with the operational life of the machine would provide investment certainty for the entitlement holder. The capacity to transfer licences was evidenced in other jurisdictions.

There was no evidence suggesting the arrangement currently in place for the TT-Line's 36 EGMs should be changed.

Synergies Economic Consulting also questioned past Social and Economic Impact Studies as not having assessed the economic contribution of the gaming industry without adequately considering the counterfactual scenario. That is, if there were reduced levels of gambling in Tasmania, for example due to EGMs restricted to casinos, the discretionary expenditure on gambling now would occur elsewhere in the economy, providing an alternative range of benefits.

Unfortunately, the committee inquiry had insufficient time to complete a thorough investigation and consultation of the Federal/THA proposal. The proposed model was presented on the final day of hearings on 18 August. The industry reform proposal was submitted so late in the parliamentary inquiry process it could not be considered by the committee. However, in documents attached to its final report the proposal was criticised by the committee's advisers, Synergies Economic Consulting and the Tasmanian Liquor and Gaming Commission, which believed it ignored the core principle of delivering a market-based financial return and was likely to increase social harm.

I am going to focus my contribution on the need, number and the density for EGMs in our community. Many members have already comprehensively outlined a number of issues which will be debated at the Committee stage and I see no need to repeat that information. However, the following recommendations were agreed to by a majority decision in response to the terms of reference of the 2016-17 inquiry. They are still relevant in this current debate:

- (1) The Government revisit the number of EGMs, 150, which are to be removed from circulation, as stated in the Hodgman/Liberal Government post-2023 Gaming Structural Framework.
- (2) The Government adopt strategies to facilitate the reduction of a significant number of EGMs from Tasmanian Hotels and Clubs by the 1 July 2023.
- (3) The Government devise a mechanism to facilitate a reduction of the number of EGMs in Tasmania post 1 July 2023, as required.
- (4) The Government work actively with communities that are concerned with the density of EGMs in their local area to enable voluntary mechanisms to reduce the number of EGMs.

They were the first four recommendations from that report. None of those recommendations have actually garnered any changes or amendments in the current bill before us - not one.

I was asked by a reporter: 'What do you consider a significant number of EGMs for Tasmanian hotels and clubs by the 1 July?'

As chair of that committee it would have been inappropriate for me to have guessed a number. There had not been a study indicating what that number should be so, at that stage, I did not say what I thought the number should be, but in this contribution I will. The Premier also noted during his appearance before the 2016-17 committee that:

We have stated we are not going to undertake negotiations with the current operator, the Federal Group, without an open and transparent process. This is a significant departure from the past. Most importantly, we believe the right to operate electronic gaming machines post-2023 should be determined, allocated and priced by testing the market. This has not happened before. What we are proposing is a gamechanger in determining the future of electronic gaming machines operating in our state. For the first time we are proposing to put to the market, have the market test the licence to operate electronic gaming machines in pubs and clubs in our state. Handing the

licence to a single operator without a competitive process is something we have consistently been critical of and we believe very strongly it must not happen again when the current contract expires in 2023. One key part of our stated policy position is that we recognise gambling is a legitimate recreational past time, we don't ignore the fact that gambling activity can have serious adverse impacts for some people and we are committed to having in place strong harm reduction measures and I do note and note the evidence to this committee that ours are described typically as nation-leading in assisting those who are vulnerable in our community. We have introduced a new public interest test to determine the location of gaming machines and our policy proposes a reduction in the number of gaming machines in the state by around 150 machines.

As an aside, those 150 machines are not in circulation in the state and never have been.

We believe it is appropriate to also review the tax rate licence fees for EGMs and the application of the Community Services Support Levy and to ensure that returns to players, the licence or entities in these venues and the community by the Government are appropriate and reflective of the broader Australian market.

He goes on to say:

Gambling is, and I believe always will be, a product of human nature. The question for Government is how best to regulate it and how to support our community and provide protections for our community. The process which the Treasurer and I are very pleased to be participating in today is an important part of the community conversation. We have brought this forward in the interests of openness and transparency and accountability. We have been prepared to state a public policy position on it but importantly, to allow for Tasmanians to have their say as well. Some witnesses question the starting point for discussions on the future arrangements regarding Tasmania, again Dr James Boyce commented on the general history of gambling arrangements in Tasmania as a reminder of previous events. Most people in the Tasmanian community think there was a referendum, that we voted to bring in the casino by 53 per cent to 47 per cent. In fact, the 1968 referendum -

For the record and for *Hansard*:

did not ask the Tasmanian community whether they wanted a casino or not. It asked them, 'Do you support the provisions of the Wrest Point Development Casino Act?' They voted for the large development of Wrest Point, built into that was no pokies promise. The only way they could get this casino up, the first casino in Australia, through a socially conservative community was to promise there would be no poker machines. That was built into the original legislation.

He also commented that -

I think I said at the start, I thought you had weird terms of reference. I think they were even weirder, given the fact the Government came out with a policy statement which basically in raw terms said, 'The status quo will continue'. It said a few little things about high-roller casinos and stuff like that but that is almost by the by. Basically the principles will say that there will continue to be an electronic gaming industry in Tasmania which involves pubs and clubs.

Professor Mike Daube from Curtin University also raised some concerns about the framework:

My concern here is that surely it is not the role of Government to be involved in designing a sustainable gambling industry. The guiding principle, in my view, should be first and foremost to protect the health and wellbeing of the community. I was a little surprised that that wasn't a primary theme, and that it is important to recognise its self-regulation in relation to these industries never works effectively.

By contrast the THA confirmed its support for the framework. The THA was also aware of the principles and policy position set out by the Tasmanian Government in their structural framework document. The THA supports these principles and policy positions. The discussions with the Federal Group have centred around delivering a better outcome from 2023 for THA members whilst also delivering on the principles and the policy of the Government.

There was general consensus amongst the individuals and groups opposed to EGMs in the community, that they should be removed and be limited to casinos in the future, with some opinions that they be banned altogether. A general observation was made this was possible in Tasmania for a number of reasons, including the lack of perpetuity of arrangements and the limited reliance the Tasmanian Government has on gaming revenue in comparison with many other states. I can remember the Queensland revenue returned to the state was between 10 per cent and 12 per cent. Ours is about 1 per cent and 2 per cent.

A common position put forward was that gambling addiction should be treated as a public health issue, and we heard that again today. This was well summarised by TasCOSS in its written submission where it noted:

The community sector is advocating for government to view gambling as a public health issue. The public health perspective allows for an exploration of the individual biological and behavioural elements of problem gambling (the current approach) but can also identify and ameliorate the social and economic determinants of problem gambling behaviour; for example, unemployment, poverty, and the effects of co-morbid elements such as alcohol, drugs and cigarette smoking.

TasCOSS further noted:

We also think that there is a fundamental question to ask here. How much harm would we need to demonstrate to you for there to be a major change in public policy in Tasmania? What cost would we have to show you to individuals, families, other businesses and the community, for a change to be made? Even if we use the statistics which we believe to be underestimates about gambling problems in this state, the situation is alarming. They tell us Tasmania has 2000 problem gamblers who gamble on average 890 times a year and spend \$14 000. They also tell us there are 21 000 moderate and low-risk gamblers who gamble about 80 times a year and spend about \$3000. To put that in perspective, the \$3000 that is spent per year by low and moderate risk gamblers is more than is spent by the average Tasmanian household on health and clothing combined, and is double what is spent on alcoholic beverages and tobacco.

Research also estimates that for every person with a gambling problem, five to 10 others will feel the impact and the harm of that problem. The harm from poker machines in the Tasmanian community is not currently being addressed.

Robin Black, Manager Early Intervention Services, Relationships Tasmania, explained the issue of addiction further -

There are multiple complex factors that make people gamble. Although it may be because people have experienced trauma and disadvantage and it is a way to escape, we also know this about the average man and woman in the street who have gone to play pokies on a night out who think it is an easy win and keep going back because of the design of the machines and the design of the venues.

Why don't people just stop? Because the systems around the pokies are designed so you cannot stop. The very things inherent are in the design of those machines so that people who are more vulnerable to them because of a range of psychosocial behaviours cannot stop, which has become an addictive behaviour. This is not accidental. Machines, as we have heard before, are designed to do that. We know that the graphics, the sounds and the physical environment all combine to deliver what has been likened to the crack cocaine of gambling or the electronic morphine. Any one of us is susceptible if we keep putting money into poker machines.

I can remember listening to the whip in the Victorian parliament at that time giving her account as to how she lost her house and everything, because of her gambling addiction. The then Holyoake chief executive officer, Ms Sarah Charlton explained her organisation's experience in assisting people with gambling addictions:

I am going to be talking about pokies. I am not interested in the rest of the gambling stuff. That is the area where we see the real problem is - poker machines. For most problem gamblers or their families, the issue is poker machines. The machines, we find, are highly accessible. They are available widely in the community inside and outside casinos but the majority of the clients we see, I would say 85 per cent, which matches with the statistics from

the Tasmanian Gambling Commission, probably 85 per cent of problem gamblers access poker machines in smaller clubs and pubs.

Dr Livingstone has also made the following comments:

You have this monopoly situation in Tasmania where one company knows everything about how machines perform and they can cherry-pick the location where they put them. As I understand it from the last socio-economic impact report, the Treasury pointed out that Federal or its subsidiaries made the decision about where the machines will go. We can see that reflected in the data that I presented. Does this mean that people in lower income areas are stupid, lacking will or ignorant? No, it doesn't. What they are, though, is usually under more stress. To explain that, I need to talk to you a little bit more about the relationship between what we see happening in people's brains and the form of addiction. What happens in people's brains is exactly the same as happens in people's brains who are addicted to cocaine. There is a neurochemical called dopamine. There are other neurochemicals but dopamine is the principal one and that is released in anticipation of a reward at the point of which a reward is achieved and in a number of other situations.

Dr Livingstone also made comments on gambling addiction and placement of EG machines:

The relationship between the index of disadvantage and the revenue per player, per adult, in the affected areas: you will see again a very strong relationship. This in fact is an extraordinarily strong relationship. It is the highest correlation co-efficient of this type of relationship I have ever seen and I have studied a lot of it over the last 19 years.

And:

In 2017, using data available from the Tasmanian Liquor and Gaming Commission, we assessed the extent to which the distribution of EGMs is regressive: that is the extent to which it extracts greater revenue from the disadvantaged. We provided the data to a joint select committee of the Tasmanian Parliament which was at that time inquiring into the gaming industry. As we said at the time, allowing pokies to continue to be concentrated in Tasmania's most stressed local areas will continue to cause preventable harm to tens of thousands of Tasmanians every year.

This situation has not changed. We note that the distribution of EGMs in Tasmania in December 2020 demonstrates that the distribution of EGMs in Tasmania remains regressive. Thus, the most disadvantaged LGAs continue to have the highest concentration of EGMs. The proposed changes to EGM legislation and regulation do not appear to impose any constraints on the continuation of this pattern, which will impose significant burdens on the most disadvantaged members of Tasmanian society.

The top four recommendations in that report - and the Government said they were going into it with an open mind and wanted to hear from the Tasmanian people - have not been reflected in the amendment bill we have in front of us; nor has anything been done to assist or allow those council areas to be able to decrease the number of machines in their municipalities.

It should be noted that the Local Government Act (1993) Section 20(1) states:

a council [of a municipal area] has the following functions:

- (a) to provide for the health, safety and welfare of the community;
- (b) to represent and promote the interests of the community;

Council has a role in advocating on behalf of its residents to other levels of government. Recent correspondence from the Glenorchy City Council, that we all received, stated:

Council has particular concerns regarding the number of electronic gaming machines in the community, specifically in the Glenorchy Local Government Area, and is a strong advocate for increased consumer protection and harm minimisation measures.

With 240 EGMs across eight venues, approximately one machine for every 156 adults, the city of Glenorchy has the unenviable distinction of being known as the pokies golden mile. The city also leads the way in expenditure on EGMs, with figures from the Department of Treasury and Finance showing that a significant amount of money is lost each month. The correspondence from the council goes on to say:

In both 2017-18 and 2018-19, losses of EGMs in the city was just under \$20 million with an average spend per machine of almost \$71 000. This figure dropped in 2019-2020 to \$14 714 000, noting that venues were closed for nearly three months due to COVID-19. In the 2021 financial year, the city had the highest expenditure of EGMs across the state, as was the case in the last three financial years, with a spend of \$21 442 000. Given the magnitude of the losses sustained by its community members, Council believes that the city of Glenorchy is an important stakeholder in relation to the proposed future gaming changes and there are no changes in this amendment bill that will help the Glenorchy City Council.

As part of the Joint Select Committee on Future Gaming Markets in 2017, the Tasmanian Liquor and Gaming Commission made a submission that raised several concerns which seem to have been left unaddressed. This includes that the proposed model is not the result of a competitive market-based mechanism such as a tender, and does not provide any enhanced harm minimisation initiatives. As the TLGC is an independent body responsible for the regulation of gaming in Tasmania, it is reasonable to assume that its concerns ought to hold significant weight when formulating the proposed model. However, as there is no public modelling available, these issues remain unaddressed.

Council made a submission to stage one consultation on the future of gaming in Tasmania, along with 67 other organisations and individuals. The council is unaware of any

documentation detailing how any of these submissions, either supportive or not supportive of the proposed model, were used to inform stage 2 of the process. They go on to say that:

This approach appears somewhat irregular, as per the research to develop the proposed model, without this information it is very difficult for stakeholders to comment as there is no understanding of whether any of the concerns previously raised have been addressed.

In my electorate on the north-west coast five years ago, Youth, Family & Community Connections, the YFCC - they have changed their name now - raised similar concerns regarding the proliferation of EGMs on the north-west coast, in particular the high proportion of EGMs located in Devonport. It noted that many of the clients the organisation supported had a range of significant issues including family and relationship breakdowns and financial hardship.

The YFCC suggested that there were a number of reasons for their clients having these difficulties, including mental or physical illness, unemployment, poverty or substance abuse, and that some of the difficulties experienced were caused or exacerbated by EGM usage and addiction. The YFCC also noted its desire for EGMs to be removed from vulnerable communities and confined to casinos, as this would be managed access to machines.

Similarly, Mr Stuart Foster from the Salvation Army said that:

Community attitudes: 20 years ago community attitudes were the same as they are today. We do not want poker machines in our communities, particularly low socioeconomic ones.

That is what people were saying 20 years ago and that is what people are saying today. It was evident to me back then, by the number - and I brought this - of letters that I received. They went to the Productivity Commission. The community voiced their view through letters to me at that particular time and they are doing it through different forums at the moment. I echo and endorse exactly what Glenorchy and Hobart are saying.

Ms Janine O'Neill later elaborated on her organisation's position, at Holyoake:

I really think the casino should be the only place, because it makes it harder to get for some people with no licence or car. I still think we need to look at that area in itself, let alone the pubs and clubs. Now, it has become the lifeblood and when you look at where a lot of these poker machines are concentrated, they are in the lower socioeconomic areas. It is compounding a lot of the barriers people are already facing.

Women's Health Tasmania executive officer then, Ms Glynis Flower, also commented on EGM distribution in Tasmania:

There are too many easily accessible poker machines in this state and these should be reduced in number and confined to casinos through a transition plan for the gambling industry.

Women's Health Tasmania cannot support an activity in which private businesses and government profit from machines deliberately designed to addict people, potentially causing a great deal of financial suffering, which impacts on both their physical and mental health, particularly when a large proportion of up to 40 per cent of the profits government and industry receive come from people who are harmed by poker machines.

The State Government's support for gambling contradicts many of the other government goals and priorities, such as child safety, family violence and suicide. It is our view that the cost to individuals and the community far outweighs the money collected by state government.

Mr Jonathan Bedloe, then the development officer with the Risdon Vale Neighbourhood House has made similar observations:

The amount of money lost to local communities, often already disadvantaged areas, is unacceptable and equates to significant local and economic loss. Money not spent on pokies would still be available for spending in the local community. For example, through their local IGA or to spend on meals at the local pub, or to join the local gym or to participate in other activities.

Our community development model of working gives us a powerful insight into the day-to-day issues experienced by people in local communities. Our communities don't want pokies in local pubs and clubs. At this important opportunity, the Government is well placed to lead a significant change in Tasmania and Australia. Will Tasmania continue to be hostage to the interests of small groups of businesspeople or will we make policy decisions based on the best interests of the whole community?

Community Legal Centres' Ben Bartl stated:

In 1999, the Productivity Commission noted that New South Wales had the highest rate of problem gambling and Western Australia the lowest. This probably reflected the relative availability of gaming machines.

Expressed in another way, reduced access to electronic gaming machines means less problem gambling.

The CLC strongly supports Anglicare Tasmania's recommendations that the overall numbers of electronic gaming machines in the community should be reduced from the bill's proposed 2350. We also support Anglicare Tasmania's recommendation that the legislation should allow for numbers to be capped according to the Index of Relative Socio-economic Disadvantage.

We also strongly believe that the bill should specify that gaming venues can only operate for a maximum of 12 hours per day. It is our understanding that some gaming venues are open up to 18 hours per day. Limiting the hours that a gaming venue may open, remaining open to a maximum of 12 hours, will ensure that problem gambling is reduced.

I mentioned that I would return to the Western Australian model where they do not allow EGMs in pubs and clubs, just in the casino.

In 2016 - and I have chosen that year because the last two years have been interesting with COVID-19 and the impact on the entertainment industry. In 2016, the contemporary Western Australian music industry was contributing nearly \$1 billion into the economy, according to a study by researchers at Edith Cowan University. The study conducted for industry group, West Australian Music (WAM) revealed that the music industry sector contributed \$985 million in 2014, employed almost 3000 people in Western Australia, accounted for wages of \$149 million and hosted more than 350 live music events each week.

The ECU research also found contemporary music made up 49 per cent of ticket sales in Western Australia compared with festivals at 13 per cent, musical theatre at 9 per cent, classical music and opera at 5 per cent.

The billion-dollar figure did not take into account any cash sales. It was double what industry group, WAM chief executive, Mike Harris had anticipated.

WAM president, Al Taylor said the new research allowed the group to mount a stronger argument for private sponsorship and government funding to put music on a more even playing field with the likes of theatre and ballet. Mr Harris said the music scene continued to punch above its weight in national and international markets with bands such as Tame Impala and artists such as Tres Chivan achieving significant global success. The Western Australian contemporary scene is undoubtedly successful and talent also runs deep.

It was interesting to note that in the 2016-17 inquiry it was pointed out by the report from the South Australian Independent Gambling Authority that gambling activities in the hospitality industry were not as job intensive as other activities, with every \$1 million of gambling income creating the equivalent of 3.25 jobs in the gaming industry. By comparison, the report estimated that 8.3 jobs per \$1 million from sales of liquor and beverages were for the retail and 20.2 jobs for \$1 million of takings from foods and meals in hotels, taverns, bars and clubs. So to say that the industry itself creates jobs is a bit of a furphy in that \$1 million expenditure would create two or three jobs in the gaming industry, eight to nine jobs in retail and 18 jobs in food and beverage.

[6.27 p.m.]

Mr President, my voice is getting tired. I move -

That the debate be adjourned.

Leave granted.

Debate adjourned.

RECOGNITION OF VISITORS

Mr PRESIDENT - Honourable members I would like to welcome to the President's Reserve Ivan Dean, his wife, Anne; former president, Sue Smith, and now Parliamentary

Standards Officer; Kerry Finch, a former member for Rosevears; and Rob Woolley is joining us as well.

Welcome again to the Chamber. It is lovely to see you back here, Ivan. I think it is probably the only time that you have ever sat in a chair other than that one.

MOTION

Ivan Dean, former Member for Windermere - Tribute

[6.28 p.m.]

Ms FORREST (Murchison) - Mr President, I move -

That the Legislative Council recognises the service of the former Member for Windermere, Ivan Dean, from 2003 to 2021 and acknowledges his contribution to this House, the parliament and the constituents of his electorate.

In doing that I would like to acknowledge the many years of service that Ivan has given to the community in a number of areas, not just in this place.

Ivan has been a service person in the Australian Army. He has been a police officer and was an awardee of the Australian Police Medal in the year 2000. He has been a local government member for many years, including two years as mayor of Launceston. He would say that is the biggest and most important council in the state; and he was mayor from 2005 to 2007. He was also the member for Windermere in this place for 18 years from 2003 to 2021.

I think by any estimation this is truly a lifetime of service. During this time, he has been supported by his wonderful and ever-patient wife, Anne who is with us today - she is also known as Jill at sometimes - and their three sons, Josh, Brett and Troy. I am not sure how many grandchildren there are now but I know there are a number - seven grandchildren. I can confidently say too that they, especially Anne, have shared in this life of service as active participants, especially at election times and also the important job of choosing the right shirt and tie for the former member for Windermere on every sitting day.

In all my time here, I can only recall one instance where there may have been a faux pas in the fashion sense, so it is quite a remarkable achievement. I can remember the day it was and the member for Windermere will also remember. It was the day our former late colleague Vanessa Goodwin was sworn in. All that were here can remember it. We will talk about that later.

I know other members want to speak about their personal interactions and memories of Ivan and his time here so I will not seek to cover all areas. I want to reflect on some history and it is from the reliable and credible source of Wikipedia. If it is wrong, the former member for Windermere can go online and correct it.

My research tells me that Ivan Noel Dean was born in Hobart on 21 April 1945. It is interesting he came to see Launceston as the capital of Tasmania in spite of that. The former member for Windermere studied at Levendale State School, New Town High School and

Charles Sturt University. He also worked as a farmer according to Wikipedia and I know he has been quite a handyman around his properties and home; however, not always without incident. He had had some injuries and he has proof of that.

He was also an officer in the Australian Army during the Indonesia and Malaysia confrontation. Ivan received training at the Tasmania Police Academy and the Victoria Police Academy, later as a police officer for the Victorian Police, New South Wales Police Force and Tasmania Police. He also rose to the rank of commander before being elected mayor of Launceston on 31 October 2005.

In the October 2005 Launceston City Council elections Ivan defeated the then incumbent mayor, Janie Dickenson, now Janie Finlay who is now a member for Bass in the House of Assembly. One comes in and one goes, that is how it works. According to my research, this was somewhat unexpected. On the first day of counting *The Examiner*, the local newspaper, ran a front-page headline claiming that Janie Dickenson was in front by 2000 votes and will secure her position as mayor and alderman. However, by the next day, Ivan had made a comeback and he won by 441 votes. As other mayoral candidates were excluded, Ivan received the bulk of the preferences and subsequently was elected mayor.

Members may recall he faced criticism during this period by some who believed it was irresponsible to hold two positions in two separate government branches, as a member of the Legislative Council and in the local government as mayor. At the time, he was also receiving two salaries. To counter these claims Mr Dean said, 'If I am successful I will donate my mayoral salary to charities and youth activities' and as a result had a little encounter with the Electoral Commission because there was a claim he was trying to bribe the electorate. I think he won that and he was still here as a result.

Ivan was subsequently elected to the Legislative Council seat of Windermere in 2003, defeating the incumbent, Sylvia Smith. He was defeated as Launceston mayor in the 2007 council elections, losing to Albert van Zettan who is still the current mayor today in what Wikipedia says was a surprise result attributed in part to his ability to hold two public offices and in part to his support of the controversial pulp mill.

We all know Ivan was a strong supporter of the pulp mill. It would have been built in his electorate and he was disappointed it did not proceed. Wikipedia also reminded me that during this time, some in the community praised him as a man who followed up on inquiries. I acknowledge and support that view. In fact, if Ivan saw what he felt was an injustice or an issue negatively impacting on the people he represented, he was like a dog with a bone and he did follow up. He worked enormously hard in his electorate office.

Mr Valentine - Like a fox with a chicken.

Ms FORREST - It was much more than that in my view. Ivan was always well prepared in the Chamber and he read the legislation thoroughly, particularly when there was any role at all for the police. We do miss that already. I was only saying to some justice briefers the other day, 'where is Ivan when you need him'. He could be relied upon to ensure the correct powers were in the legislation to ensure the police could do what was necessary to be done and whether they could use reasonable force or not and what that would look like. I remember many hours of debating what 'reasonable force' was. He also worked extremely hard for his constituents, taking up the cause of anyone who came to him from his electorate. We must remember, he

represented some areas of significant poverty and disadvantage as the current member for Windermere now knows, and there were many challenges. What I always heard was he did follow up matters, he was always available and he would raise matters in debates related to the challenges his community faced.

I am not sure how popular he was though when he came out strongly supporting the idea that all those caught hooning should have their cars crushed. We could have ended up with reduced emissions quite rapidly if that had got up.

On the fox matter, the former member for Windermere created controversy repeatedly claiming the introduction of red foxes to Tasmania was a hoax, and made a number of allegations against the eradication program, resulting in police and the Integrity Commission investigations. However, none of these found any evidence to support his claims, another source of frustration to him - in fact I will probably say eternal frustration to him.

As a police officer he led an investigation into the illegal importation of foxes into Tasmania, which failed to gain any evidence of repeated introductions and was criticised for the result, and we had a number of debates here in this place as a result. I did do a bit of research to get an indication of the media from 2017 to 2021, about the sort of things reported in the media and there were 12 articles about law and order, matters relating to firearms included, seven about smoking, three about foxes, two about football and a broad range of other topics.

One headline stated, 'Dean attacks Government'. Anyone remember that? I will tell you what year it was, 2017.

Ms Rattray - It was not accurately reported.

Ms FORREST - You will remember because it was about the treasurer not producing a document to PAC. The only time he has been known to criticise the Government as far as I can recall.

In special interest matter debates and adjournment debates, we have had eight on foxes, three on smoking and one on football and only one on law and order. But this does not take into account his many contributions on matters in debates, on motions and bills before the House. Ivan could be relied upon to speak on most bills and considered questions most ask of the time in the Committee stage of the bill. He also spent, I am not sure how many years, I did not quite get enough time to do all my research, many years on Public Accounts Committee and a number of years as chair during some quite challenging inquiries and difficult times that we had, as a fellow member of that committee. He was also on the Integrity Committee, he served on many select committees and the Government Administration Committee B. He participated in inquiries covering many areas, from health right through to all other matters related to infrastructure and everything.

In my closing comment, I would like to note that I felt very frustrated for Ivan when the Government called the early election and robbed him of the opportunity to make a valedictory speech in this place. It was an appalling thing to have happened and -

Mr Valentine - He missed out so many years.

Ms FORREST - That is right. So many years of service and in a valedictory, Ivan would have had the chance to talk about not just his work in this place and what achievements he was proud of but of all the other things he has done, in the police service, in his army service, and in general service to the community in the local government sphere. That was a really sad thing that happened. I certainly spoke about it myself publicly and I spoke to the Premier about it but there was nothing I could do. I really felt for the former member for Windermere in that. He was robbed of a very important occasion to be leaving on his own terms and not have that opportunity. I hope we have the opportunity to hear some of that through other means today. I acknowledge the hard work and the contribution Ivan has made over those many, many years. I wish him well in his retirement and hope Anne can put up with him and he is not too much in her hair.

Ms RATTRAY (McIntyre) - Mr President, I also acknowledge the former member for Windermere, Ivan Dean, and his wife, Anne, and our former colleagues, Sue Smith and Kerry Finch, who are in the President's Reserve today for this acknowledgement. I have been here 17 years and, finally, I have arrived in the seat that the member for Windermere would not relinquish.

Ms Forrest - Wouldn't give up.

Mr PRESIDENT - Only one careful owner since 2003.

Ms RATTRAY - I can say that it is a real privilege to be taking over that seat, although I do not believe I will ever be able to make the contributions the member used to make in this place, particularly around foxes, football and what coppers should do.

The member for Murchison talked about the roles he has had in this place and I know from my research - 18 select committees; seven scrutiny committees under the Government Administration, from business names to recreational marine fishing. The list goes on. There are too many to name on this occasion, but Ivan's work ethic in this place is second to none. There was never a bill that he was not all over. It did not have to have any reference to police officers and their role in it.

To be able to watch that, as a member coming in the year after Ivan was elected, has been a real treat, and certainly a great opportunity to learn from him how you go about your work and how you deliver your message in this place. Thank you, Ivan, for being that role model. You certainly gave me lots of valuable lessons and gave me plenty of initiative about how you become a valuable member of this place. It is very much appreciated.

We know that Ivan has been extensively respected by all his colleagues. In particular, he has been a wonderful boss. His staff have absolutely respected the way he has treated them. I know that from speaking to them on many occasions. That is a measure of a person, how they treat their staff. Congratulations.

I also acknowledge his wonderful support, with his family, Anne/Jill, who always came along to any of our events and was always at Ivan's side. I recall one re-election when Ivan was not going to put his hand up again -

Mr PRESIDENT - There were a few of them, I do believe.

Members laughing.

Ms RATTRAY - Parliament sat right until the Thursday before his election, and Anne was out on the doors. He was down here, walking to and from work on many occasions; but Anne was the one who was doorknocking. Congratulations to Anne, I am sure she got you re-elected, Ivan, perhaps not on every occasion but certainly that one. That shows the support Ivan has had from his family over that time.

You only have to see how fit he looks as he arrived in the Chamber this evening to know that we can all look that fit once we retire from this place. I am not ready to retire yet. The distinctions Ivan has received, not only through his parliamentary career but through his career in policing and his service to our country are to be acknowledged and congratulated. I, with all other members, wish him every success in the future, whether he be building, milling, gardening; whatever he chooses to do. He might even become an honorary copper, if the former member for Launceston has his way and gets the volunteer police force in order but certainly, whatever he turns his hand to we know he does it well. You would expect nothing less from a boy from Leventdale. Congratulations.

Mrs Hiscutt - He is dressed for the occasion. In a fox shirt.

[6.45 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I endorse the comments that have been said so far and the kind words from the member for Murchison for bringing this matter as a motion on. I am very grateful for the opportunity to place on record both on behalf of the Government, as well as my own personal appreciation and gratitude for the years of unflinching parliamentary and community service provided by Ivan Noel Dean.

Suffice to say that the contribution of Ivan Dean to the welfare and wellbeing of Tasmania and his people over the years has been significant. And Ivan, you can be justly proud of a job well done. Many of the details of Ivan's career as a parliamentarian, local government representative and policeman have been or will be alluded to, and a lot of it has already been said by the member for Murchison; and I will not go over that again.

What I will say is that Ivan has been tenacious, hardworking and a diligent representative for the people of Windermere, and indeed, his successor is proving to be as such. As Leader, I have to be blunt. I recall, on occasions, regarding Ivan as the proverbial pain in the Government's operational 'you know what'. But that is not necessarily a bad thing - and he was the same for all governments, no matter what their political persuasion. I am confident Ivan would not be offended by that comment. In fact, he may even see it as a badge of honour. During the Committee stage at times, honestly members, Ivan would stand and I would say, 'Here we go,' because at least he knew what he was talking about, he had a point.

Ms Rattray - Don't we all?

Mrs HISCUTT - In my experience, his focus was consistently on the issues rather than the politics. His police knowledge in this Chamber was second to none. We could always rely on him and look to him when we needed that guidance. The knowledge that he had of the Criminal Code 1924 was extraordinary.

Mr Valentine - Sometimes challenged by Mr Mulder.

Mrs HISCUTT - That is your comment, not mine. That is what made him such a good member. In his inaugural speech, way back in 2003, Ivan identified some of the issues he campaigned on that would be the focus of his attention during his time here in parliament. Law and order and the right of people to live in a safe and secure environment; youth, especially youth at risk, and the need to provide them with improved opportunities for employment; senior citizens and the need for improvement in their security and safety as well as their access to services. I do not think anyone can say Ivan did not pursue these and other matters with vigour and determination in this place over many years. His life experience as a soldier, a small businessman, a farmer, sawmiller, a copper, and of course in local government has served him well as a parliamentarian. With his background as a senior police officer, he was particularly well placed to provide all of our members here in the Council with his comprehensive and wise advice on law and order, as well as policing and associated matters.

Foxes have been an interest of the former member for Windermere. My current attire is a small way of acknowledging his passionate and relentless interest in holding the Fox Eradication Taskforce to account. Although I must say, there was a notice of motion that he brought forward where I wore this shirt, and for a detective I thought he was actually not very observant. I had to parade a few times and point it out to him in the end, before he said, 'Oh, yeah, look at that.'

It is perhaps his work in the parliament around tobacco legislation that is the most important. I know it was unfinished business for Mr Dean. He has long advocated raising the state's legal age to 21. His efforts to push new legislation in this area, motivated as they clearly were by a desire to protect the health and welfare of Tasmanians and to minimise the shocking costs of smoking on our community, should be applauded and acknowledged. Thank you for trying.

During his parliamentary career, Ivan regularly demonstrated he is a man of determination and persistence. These are characteristics he applied and upheld in other aspects of his life. Some may not be aware that Ivan is an enthusiastic pushbike rider. He may be slowing down a bit now, I am not sure, I thought I would add that in.

Ms Rattray - No, he has an e-bike.

Mrs HISCUTT - It was only last year that he completed the Pollie Pedal in support of Diabetes Tasmania, a 270 kilometre three-day ride from St Helens to Richmond. Ivan did this, notwithstanding he had recently had hip surgery. In fact, he had been a regular participant in this event for many years. I know the former member for Western Tiers, the honourable Greg Hall and the former, unfortunately, deceased member, Vanessa Goodwin from Pembroke used to go overseas on pushbike tours. There are some stories -

Ms Forrest - Best left until later.

Mrs HISCUTT - Best left to another time. The only thing I can say about that is what is said and done on those holidays stays on the holidays. I do not know a lot because they did not say a lot, but they would look and nod and wink at each other at times. I do not want to know.

Earlier this year Ivan made the understandable decision to retire, saying the time is right to be with his family. Are you okay with that, Anne? His family has given him so much strong support during his policing and parliamentary lives. I understand and I appreciate that. I remember that Ivan said one day he was a keen vegetable gardener and, like me, loved to get into the veggie garden, but he would give everything away. I should imagine he grew heaps more than the family could possibly eat. There would be zucchinis and pumpkins for everybody. Maybe the former member may now have some time to spend in his veggie garden.

In conclusion, I simply want to thank you, Ivan Dean, and wish you and Anne well and all the very best as you progress to the next phase of your life. Mr Plod, who used to walk to and from parliament every morning and every night has now plodded into his future for retirement. It was a pleasure, Ivan, to have known you and have worked with you. I appreciate that.

[6.53 p.m.]

Ms WEBB (Nelson) - Mr President, what a pleasure to be able to make this address today. The respective terms of myself and the former member for Windermere, Mr Ivan Dean, overlapped for a relatively short period of time, the last two years of Mr Dean's 18-year tenure and my first two years in this place. It will not be a surprise to many here that the one thing Ivan and I agreed on during our time as colleagues in this place is that we did not agree on that much.

Mrs Hiscutt - We can all agree on that, yes.

Ms WEBB - However, you can disagree with someone, sometimes a lot and sometimes quite vigorously, while still respecting them enormously. I must say as a new member, being seated between the member for Murchison and the former member for Windermere was an incredibly valuable opportunity to observe up close two of the hardest working members of this place in action. In fact, it was fairly daunting to see the former member for Windermere in action. He was diligent, thorough, at times pedantic even, in the application that he brought to his work in this place, particularly at scrutiny and review.

I am not alone when I say I respect Ivan enormously for his tenacity in this place with which he pursued the issues he took on, sometimes on behalf of constituents, sometimes on behalf of other stakeholders from the community and sometimes just because he believed it was right thing to do. Others have shared many examples already. The ones that jump to my mind would include Ivan's, could we say, dogged pursuit of the Fox Taskforce and the fox-related matters. Also, his drive to rectify the AFL's failure to support a Tasmanian team. Others have discussed in detail Ivan's work on these and other issues close to his heart that they saw more of than I did in my time.

I certainly admired his determination and rigour that he brought to his attempt and work to forge a healthier Tasmania when he tackled the significant public policy issue of reducing Tasmanian's addiction to tobacco products. While I shared and continue to share Ivan's very deep concerns about the negative impact of smoking and tobacco that has being wrought on Tasmanian's lives, the state's health system and more broadly in our community, we did disagree on the best way in which to use the public policy tool of legislation as part of that campaign to turn around our current smoking rates. However, no matter where we individually may have stood on those proposed reforms, an important ongoing legacy of the former member for Windermere's work pursuing that Public Health Amendment (Prevention of Sale of

Smoking Products to Under-age Persons) Bill 2018 is a recognition it is not only our scrutiny and review role in this place but also it is a valid role for the Legislative Council to propose public policy. It can also be a responsibility for us to do so in the public interest and to help progress those discussions.

Indeed, I think that legacy points to the fact we have a responsibility to undertake all parts of our role here, including that one. I respect and thank the former member for Windermere for his work in demonstrating that vital role of this place.

Another significant lesson demonstrated by the former member for Windermere I witnessed occurred during last year's debate on the End-of-Life Choices (Voluntary Assisted Dying) Bill 2020. This was, as we are well aware, an extraordinary and challenging and sometimes difficult, often emotional debate for all involved. For me, a particularly moving contribution was made by the former member for Windermere. He demonstrated it is okay, if not the responsible course of action to do so, to change a position and, therefore, vote in light of new information, research or social developments. In fact, I had at least one person who was watching the debate from afar say to me that despite bracing for emotional and emotive contributions, they had not expected it to be the speech by Mr Ivan Dean that brought a tear to their eye.

That is quite remarkable and it certainly struck me as well, so thank you for that particularly memorable contribution.

I am conscious others are still yet to speak and I will finish up with one last point. When we all end our terms as representatives in this place for our fellow Tasmanians, we will hope to have contributed to a stronger and fairer Tasmania, that we would have left a legacy in some shape or form. A critical part of Ivan's legacy from his work here, with which he and I, I think, are in furious agreement, is the vital importance of the role of independence in this place. While, of course, there is a role for political parties within the parliament, history reinforces that it is a unique contribution of independence in a House of Review that helps to facilitate debate focused on the merits of issues, rather than predetermined and all too frequently inflexible party positions.

Ivan continued to act on his commitment to ensure those many Tasmanians who do not subscribe to a party platform can still be represented by independents and he advocated for that, even after he had formally retired in the lead-up to this year's May election. That dedication and commitment to acting on one's beliefs is to be respected and admired, no matter where one sits on the political spectrum.

In conclusion and as one independent representative to another former independent representative, albeit representing alternative perspectives on many matters of debate, I add my voice to those of your other former colleagues here in thanking you for your diligent work on behalf of many Tasmanians and wishing you and your family all the very best for your future endeavours.

[7.00 p.m.]

Ms LOVELL (Rumney) - Mr President, I join with others in welcoming the former member for Windermere, Ivan Dean, here tonight with his wife, Anne, and our former colleagues, Kerry Finch and Sue Smith.

I am pleased to be able to finally recognise and acknowledge the contribution of Ivan to the Chamber. His 18 years in the Legislative Council on top of many decades of other forms of public service deserves that recognition and I am glad we have the opportunity to do that tonight.

Like the Leader, I went back and read Ivan's inaugural speech in preparing for tonight. It was those things the Leader has already mentioned that stood out to me, the issues that were really important to Ivan at the time of his election. Law and order were an obvious passion and we could always count on Ivan to make sure we all considered community safety and the role of law enforcement, even when that link was not obvious to the rest of us. Ivan always found it. His passion and commitment for young people and making sure there were opportunities for young people in the community was demonstrated by his endorsement of a relatively young candidate in the recent election in the hopes he would be his successor.

What stood out to me was those matters that Ivan identified in his inaugural speech he carried through, right through his entire career here in the Legislative Council. They were important to him on day one and they were still important to him at the end of his career and, every day, he demonstrated that.

We could always count on Ivan to uphold the traditions of the Legislative Council. He always has had a great deal of respect for this Chamber and this place, both the formal traditions and some of the more informal traditions. This became particularly obvious to me during our research trip on the part of the north-eastern rail corridor committee, where I saw Ivan and the former member for Huon spend a great deal of time upholding one of those informal traditions, trying to outdo each other for the entire journey with various pranks, which I am sure we can hear more about later.

I was always impressed by Ivan's diligence, by the thorough approach he took on bills. I sat next to Ivan for much of the relatively short time we had together in this Chamber, just four years. I was often pleasantly surprised when I would see him sitting there, he would be listening to the debate, he would often be muttering away to himself, and then he would stand with a sheaf of handwritten notes he had been taking as he went and he would deliver a really well-thought out, thorough, detailed contribution that went into a great deal of detail and would often consider parts of bills I had not even noticed. I was always very impressed by that.

One thing I did learn in the four years we shared in this Chamber is that Ivan did like to have the last word.

Members laughing.

Ms Rattray - Especially in latter years.

Ms LOVELL - Yes, and I picked up on that pretty quickly. There were a couple of times I tried to play a bit of chicken with him. I thought, I will try to get the last word here. I think I got it once. Once I managed to get in the last word but, other than that, you could count on Ivan to wait until that very last minute to get the last word.

I never thought I would say this, particularly when I was on the receiving end, often standing here at this lectern, but I miss the colour and life Ivan brought to the Chamber -

Ms Forrest - It wasn't just his shirts, either, was it?

Members laughing.

Ms LOVELL - It was not just his shirts, no, but the interjections we were all on the receiving end of at some point in various debates.

Mr Valentine - Some more than others.

Ms LOVELL - Some more than others, correct.

Mrs Hiscutt - We can start it up again, if you like.

Ms LOVELL - Maybe, but we did have some robust debates in this Chamber. Ivan and I did not always disagree, sometimes we did but not often. I do miss that back and forth and that to and fro, the debates we would have and his interjections would often add to those debates. Then we would sometimes need the former member for Rosevears to calm us all down, with the pep talks he used to give us.

Mr Valentine - Or rev us all up.

Ms LOVELL - Well, yes. As other members have mentioned, I do think it is a great shame the end of a distinguished and respected career happened as it did and we did not have an opportunity to hear a valedictory speech from Ivan. I am very pleased we can recognise his career and his contribution to Tasmania, to our state, and celebrate that this evening.

I thank you, Ivan, for your advice and support over the years we shared in this Chamber. I wish you well in your retirement. We spoke before and Ivan told me one of the things that he is really enjoying is the fresh air, which we can all relate to, and also just having one boss. I hope he is listening to that one boss and doing what she tells him. I wish you well, Ivan, enjoy your retirement. Enjoy your time with Anne, with your three boys and your seven grandchildren. Thank you for the contribution you have made, not only here but in your long and distinguished career in Tasmania. I wish you all the best.

Dr SEIDEL (Huon) - Thank you very much, Mr President, for allowing me to speak on the motion. I have to say, I struck gold on the first day in this Chamber because I was seated between the member for Murchison and the man of the hour, the former member for Windermere, Ivan Dean.

I have to say I could not have asked for any better support and guidance from either independent member and I thank them for that. The former member for Windermere was actually quite intimidating because he was always prepared with substantial briefing notes. When the Government was changing the agenda on the hop, he would just write his significant contribution in longhand on the printed bill. I could read Ivan's handwriting much better than my own, which was really quite impressive.

Even more impressive was that Ivan had his boots polished to perfection. For somebody who really tries to make a difference polishing his own boots, that was always something I was really impressed by because he always managed. There was never even a hint of dust on those boots and that was certainly noticed by me.

I do not recall Ivan ever leaving the Chamber during a debate. He was always present. He always made a contribution and as was pointed out before, he always had the final call and he was usually right too. He has encyclopaedic knowledge of animal species with the Latin name *Vulpes vulpes*, which of course is the common European red fox. He had a fox mascot on his desk here in the Chamber. Even during COVID-19 sitting arrangements, I am quite sure he tried to sterilise that fluffy friend of his with the alcohol spray we still have here. I have to say I have probably read more about foxes in Ivan's various printed speeches and tabled reports than in Germany where I grew up and foxes are actually endemic. Of course, Ivan had a point to make when it came to foxes.

Ivan deserves credit as a very prominent and very vocal anti-smoking campaigner. He certainly drove and shaped the debate on tobacco-free generation and raising the smoking age here in Tasmania and I will always, always admire him for doing that.

Congratulations, Ivan, on a distinguished career as a member of parliament. I am looking forward to seeing you at the next Pollie Pedal cycling challenge in February next year.

[7.09 p.m.]

Mr VALENTINE (Hobart) - Mr President, it is indeed quite a moment to be here. I will not say farewell because we will see the previous member for Windermere around. Our time goes back quite a way, when we were local government colleagues, mayors. I cannot remember how many years that would be, Ivan. All I know is that during his time, because he was Launceston and I was Hobart, we were determined to break down the barriers. We used to have a little bit of what you might call a bet, a stake, as to whose team would come out on top during the AFL competition. I have to say, unfortunately for me, it was always the Tigers, except this year, when he was not around. I was pretty annoyed that I could not get one up on Ivan. The only time that Melbourne came to the fore, Ivan was not here for me to enjoy that.

Ms Forrest - It was a long time between drinks.

Mr VALENTINE - It was a long time between drinks, I can tell you. I enjoyed that local government time we had together, that was great.

After arriving in this Chamber, it was interesting, we had come to things from different perspectives as a number of other people have said. We always enjoyed the repartee, probably much to the annoyance of some. What I found was that you did not come in with your mind made up. You would listen to debate and you always gained a kernel of knowledge that really made you think. I appreciated that because it is important we look at things from all perspectives. I thank you for that.

Your police experience was very important. We are here examining laws and playing our part in it being set. It is important stuff for Tasmanians - their lives are impacted and affected by it. When you stop to examine bills and you get good information about how it might impact in different areas that you had not thought about, it is always good to get that information. Thank you for those times, I can remember those times. There were times like that.

The member for Huon said he did not leave the Chamber. Well, he did leave the Chamber but, on one occasion I remember, he did not get back in time. He used to like the last say but,

unfortunately, it did not work out on that occasion. I remember him being really quite annoyed with himself that he had missed that opportunity.

The members of your community could never complain about your contributions. If you missed one, well, you made so many other contributions to make up for that. I am sure - obviously they kept electing you - you had their confidence. I always say in this place, whenever we get up to speak we have 25 000 people who have told us to be here and to do that job. We often do not think about that. You line them up in a row, and I know not all 25 000 are voting for the individual, but it is a lot of people. It is a big committee that elects you to this place and scrutinises your moves. Well done on the 18 years.

I was impressed with the fact that you walked home every night. I was blown away with that. I thought, here he is, he is walking from parliament all the way out to Glenorchy. That is a significant stretch and I remember passing you one night, putting my head out the window and asking if you would like a lift, and I do not think you ever accepted. I think you said, no, I am walking, this is my exercise, and that is the way you kept fit.

Ms Rattray - When he was training for Kokoda, he walked with bricks in his backpack as well. Amazing.

Mr VALENTINE - Well, there you go. Some of the bills that we deal with would have been heavy enough.

Members laughing.

I acknowledge of those who are here tonight: the previous member for Rosevears and our erstwhile president sitting up there in the corner, and Anne, alias Jill. I believe that *Toad of Toad Hall* might have set that up. We can thank him for that.

I am sure you are anything but retired. I cannot imagine you not being active. I just wonder how many committees you have set up in the family since you have left here.

The issue about your valedictory speech - I can see that that was a chance that you should have been given but when I think about it a number of us here might have dodged a bullet.

Thank you for the long service you gave to the state and thank you for the companionship and the repartee that we were able to have in this Chamber over many different matters. It has really been appreciated. All the best for the future.

[7.16 p.m.]

Mr WILLIE (Elwick) - Mr President, a short contribution from me. I walked into this place knowing that the member for Windermere had enjoyed a good relationship with my father in Launceston. They shared a passion for young people at risk, proactive policing and re-engaging with education. I also know the member for Windermere is on *Hansard* speaking about my father's death. I have read that and I appreciate that.

I believe we enjoyed a good relationship too.

Mr PRESIDENT - They call it a bromance.

Members laughing.

Mr WILLIE - I always felt like the member for Windermere's wayward son on the wrong side of the tracks, probably politically in the age spectrum, but we enjoyed great respect for each other, even if we had a dust-up in the Chamber. I think we shared a good sense of humour and it was never like that in the corridors. We were always having a laugh and talking about our passion for Tasmania and all things that we were doing in our communities.

One of the things I really respect about the former member for Windermere is his work ethic. You did not just hear that from members in this Chamber; you heard it from people in his own community when you visited there. That grassroots style of politics, if someone needed representation and someone in their corner, they had an honourable member in the former member for Windermere in their corner. He would go above and beyond to make sure that he could connect them with whatever government service was required and assist them often to turn their lives around in difficult situations. That is something I really respect and admire about him and his time here.

Obviously, his preparation and contributions to debates and committees is well known. But I do not think that work in the community can be overlooked either and it is something that I would like to pride myself on too, that grassroots style of politics. That is something I took away from the honourable member.

We shared different pathways. I grew up in Launceston and migrated to Hobart and was very passionate about Hobart and the honourable member grew up in parts of my electorate and moved the other way. I think we shared a passion for both cities deep down and knew both very well so we shared that in common as well.

I wish Ivan all the best for the future. Enjoy your family time. They have given up a lot too for your time here but I can say their sacrifice was worth it because the contribution you have made is long-lasting and the people of Tasmania thank you for it.

Ms Forrest - You are not allowed to provoke an argument.

Mr PRESIDENT - Ninety-nine to one.

[7.19 p.m.]

Ms ARMITAGE (Launceston) - I think that is something between other members, Mr President.

I am pleased to welcome our former colleague, Ivan Dean, and his wife, Anne and of course Kerry Finch and Sue Smith.

Ivan Dean, Independent member for Windermere from 2003 to 2021. The member for Murchison spoke about his one clothing faux pas, but there was one she omitted, which was the time he wore his bathers to our rail trail committee excursion, thinking they were shorts until he returned home and Anne pointed out to him he had worn his bathers all day. I am sure the President will remember that.

Ms Forrest - You are still in counselling.

Ms ARMITAGE - I met Ivan many years ago, when he was commander of police in Launceston and I was undertaking community service manning the city's cameras between 11 o'clock and 3 o'clock in the morning. That was before the police commander Dean, at that stage, changed the time. At that stage, everything finished at 3 o'clock and everyone hit the streets. It was a very good move by Ivan and came from some research he had done - I remember you spoke on UK radio about it - that every club and pub did not close at 3 o'clock and everyone was not on the street at the same time. It really was a very good move by commander Dean at that stage.

Wikipedia describes Ivan as a farmer, officer in the Australian Army, police officer, politician, not to forget, husband and father. One thing I always noticed about Ivan, he was usually calm and it really took a lot to rattle him. It was pretty hard to rile him but, I have to admit, on a few occasions, and Kerry was probably involved many times, too, in our office, we did tease him on some occasions. For Ivan, it was always water off a duck's back. He was always good humoured and he was always willing to lend an ear if you had a query or concern or something you were dealing with.

We were on Launceston City Council together and Ivan will remember the late Jeremy Ball called us Mildred and George, a reference to the bickering couple from the British sitcom. Our bickering or perhaps disagreement over an agenda item was always only ever in the Chamber. As other members here have said, when you left the Chamber, we were always friends. Ivan took his time on council very seriously, as he did in this place.

There would be very few who worked as hard as Ivan. It did not matter what time you got to work, he was always there, usually by 8-8.30 a.m. I used to leave about 7 o'clock because Bruce finished work at 7 o'clock, but Ivan would not be leaving much before me, half-past-six, quarter-to-seven, Ivan had been there since 8-8.30 a.m. If I called into the office on a weekend, it was not unusual to see Ivan's car there. His work ethic was second to none, as has been mentioned here.

I also found Ivan's legal and police knowledge of immense value, particularly in this place. As the member for Murchison mentioned, on occasion, it has been missed. There are occasions when it has not been missed -

Members laughing.

Ms ARMITAGE - and some of our bills do go through much more quickly.

Ms Forrest - I was much more generous than you.

Ms ARMITAGE - Sometimes, things were delayed, as the Leader has said. We used to think it was really great when Ivan missed the call, at one stage. All jokes aside, you really gave great contributions and sometimes raised issues that certainly had not been thought of by other people, and you came up with things that give you a rethink. That was one thing we probably learned from local council: you never make a decision until you have heard all the evidence. You were absolutely great at that and always willing to give advice.

You were also always willing to assist our electorate office. Sometimes, we would have odd situations and some difficult people. There was never a time I can recall when you did not make the time, whether you were on the phone, and you were always on the phone - that was

one thing no-one has mentioned. You would forget to turn your phone off. Regardless of where you were, whether you were in committee, we would be sitting next to you and your wrist watch would be ringing and you would ask, 'How do I turn it off? How do I stop it?'. If I could have done one thing, it would be to take your phone off you.

Apart from that, you were great to share the office with. We all got on well. Sometimes, there were practical jokes, particularly to do with foxes. I do recall catching you in the ladies' toilet. Kerry was probably just as bad, but the men's toilets were quite a way away. If Ivan could get into the ladies' toilets and not have to walk all the way to the men's, he would. I did catch him in the ladies' toilet on occasion.

Ivan and his wife, Anne, and three sons, Jason, Brett and Troy have given a lot to our community and we cannot underestimate the family and home time that has been missed when fulfilling the obligations of public life. It really is important to thank Anne and the boys for allowing Ivan to do the work he loved. As I know they have given up a lot of time with the husband and father and they can never get that time back, but as was mentioned by other members here, we consider it was time well spent but for them. They have certainly made a huge contribution to Tasmania.

Ivan devoted most of his working life to the Tasmanian community in one role or another and much of his personal life. It is hoped you are now enjoying the fruits of your labour and not pining too much for the working life you left behind. In all seriousness, it must be hard when you are so used to coming and working full-time. I know you have other things you are doing and I am sure you are enjoying your grandchildren and your family life. I am not sure how the house is going because he used to blame you, Anne, I am not sure whether it was your fault but he used to say, 'Anne just keeps throwing out the plans and we have to keep getting new architects.' I am sure part of it was probably Ivan as well - sorry to put you in it there, Ivan. I am sure that now you have the time, you can move along and work out that house together.

Ivan, you have been an extremely hardworking, passionate advocate for the people of Tasmania. You have been a good friend, a great work colleague and your time with Tas Police, Launceston City Council and the Parliament of Tasmania has been of immense value to the people of Tasmania. I am sure you will not be quickly forgotten. On behalf of, particularly, the people of northern Tasmania, I thank you and we certainly miss you.

[7.26 p.m.]

Mr GAFFNEY (Mersey) - Mr President, it is always difficult to go towards the end but Ivan, Anne, Sue and Kerry and Rob, I am pleased you are here and pleased you are having this opportunity. I looked up there, I could see Kerry and Ivan, and it reminded me of *The Muppet Movie* and the two old guys on the balcony. Then when the member for Launceston said that Ivan had some difficult people in his office, I thought, 'And were there constituents as well?'

I have known Ivan and his family for quite a while. I was fortunate to have taught Troy at Devonport High. One of the things that people have not mentioned I am aware of is Ivan's capacity to help at all stages. I remember when he was fairly well up in the police force and giving up many, many hours for his football umpiring and helping the kids on the coast. If anyone was going to be there, Ivan would be willing to show up and do his bit. Very few of the players and the parents argued with Ivan. Not because he would change his mind, but I think

he was kind of deaf when he was running away from them. He was always very good and he gave up a lot of time. He was well respected within the community.

I know in the local government when I was president of the local government, Ivan was also the mayor and a very good mayor, and worked hard for the community and I expected nothing less when we were in this place.

I wish you well, fellow Tiger supporter. I am sure you are going to have many more times with Anne and the family. I am pleased we have been able to acknowledge your wonderful contribution to this place. Tasmania has been - is - better because you have been here doing your work. Thank you very much.

Mr PRESIDENT - Honourable members, before I put the vote, I also acknowledge Ivan and his great contribution over a number of years to the Legislative Council. He has been a very proud member and a fierce defender of the Legislative Council. The Leader mentioned how challenging it is sometimes having legislation go through and having Ivan in the Committee stage -

Mrs Hiscutt - Is that what I said? They are very good words.

Mr PRESIDENT - Yes, well, try doing that as a leader for a Labor government and see how you go. Ivan was always very fair and during the debates always had his knowledge right up to spec, as other members have mentioned and was always very courteous. There may have been the odd time he did not agree with that particular government but, at the end of the session, there were no grudges, no ill feelings. We just moved on and kept going. That is one of the wonderful things about this Chamber. Ivan is a great family man and very proud of his family. I know you will be very happy to spend more time with your family.

I also remember you always trying to get the last word. I think that particular occasion came down to a fight between the two plods; and we missed both of their contributions because they were fighting it off to be the last speaker and they both missed out.

Ms Forrest - It could not have happened in a better way really.

Members laughing.

Mr PRESIDENT - I cannot remember what the legislation was, but I have been reading through a few pieces of legislation from back then just to prompt my memory. There was also the residential tenancy debate where we had a huge session in Committee about whether there should be one or two burners on a stove. I think Paul Harriss was the one who fired that up.

Mrs Hiscutt - There was also a bit of conversation about what if someone had a Thermomix, so it went on and on.

Mr PRESIDENT - That is right. It was one of the better debates. Speaking of Paul Harriss firing things up, and the members have mentioned that you did not leave the Chamber much, I remember one particular occasion we had a social drink after a sitting one night in Paul Harriss' office, he was the deputy president at the time. Paul put on some food and some light beverages and Ivan and the aforementioned other policeman had a couple of light beers at the time. Ivan, after a while, poured his bottle into a glass and it just went 'gloop

gloop gloop'; he had already had the rest of the bottle. The next day we were having this debate, and quite often Ivan would say: 'I am only going to make a brief contribution', and he would talk for hours; but on this day his contributions were very short because he would get up and speak and you would see him change colour and look a bit odd and uncomfortable and he would end and rush out. As he tended to speak on every single item that we had on the card, that happened several times through that day. I do not know if he has ever forgiven Paul Harriss.

Also, of course, the great bike-riding trio of Hall, Goodwin and Dean and the many trips. I am very surprised that Greg Hall was not left overseas on a number of those occasions because of the things that he did, and then quite proudly spoke of them when he got back. I think of the wedging of a soft drink tin in your bike seat and then riding 300 kilometres on a hot day and not realising it; but he owes a lot to a lot of people.

I was a little worried that you were not going to come tonight, because it did take a bit of convincing to get you here. I thank all members for their contributions, because it is really important that we acknowledge Ivan's career. I thank the people who have travelled down to have our little celebration shortly with Ivan, because a career like Ivan's should not go unnoted. I thank you, Anne, too; you have always been a tremendous support and a real part of the Legislative Council family.

I wish you all the very best in your retirement, Ivan. You deserve it, and you have been a great servant of the people of Tasmania. Congratulations.

Members - Hear, hear.

Motion agreed to.

SUSPENSION OF SITTING

[7.33 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the sitting be suspended until the ringing of the division bells.

This is for the purpose of a dinner break. Members, I expect that to be for about an hour.

Sitting suspended from 7.32 p.m. to 8.37 p.m.

GAMING CONTROL AMENDMENT (FUTURE GAMING MARKET) BILL 2021 (No. 45)

Second Reading

Resumed from page 37.

Mr GAFFNEY (Mersey) - Mr President, just to remind people, before the adjournment I was talking specifically about the committee's involvement with the WA bill and how

Western Australia is the only state that confines its EGMs to its casino. When we travelled to Western Australia, to Perth, and we met with the casino operators and the licensing board there, a number of witnesses in that inquiry were asked how they felt with regard to EGMs being confined to casinos and not in hotels and clubs.

Mr Michael Connolly, who was the director general of Department of Racing, Gaming and Liquor in Western Australia was asked his opinion and expressed a private view on the reason why his state had the lowest rate of problem gambling in the country. Mr Connolly:

My personal view? I think it is a good thing, I really do. I do not think the community misses out on too much. There is a significant downside that you would be aware of, with the incidence of problem gambling. Western Australia has the lowest incidence of problem gambling for a reason. There is one destination. It is destination gambling. You have to make a decision to go to Crown Perth if you want to play gaming machines.

Ms Bev Giles, Executive Officer with the Financial Counsellors Association of Western Australia also commented on the probable link between EGMs being limited to the Crown Casino and the lower rates of reported gambling problems. She says:

From a financial counselling perspective, as I said, we manage the National Debt Helpline for WA, which is a national 1800 number. We know that our data in terms of gambling is much lower than other states and we attribute that to not having poker machines in other venues. We get very few referrals directly with gambling issues, which is good news. However, we recognise what others have said. People are often very reluctant to disclose that as the presenting issue. They may present with a debt issue and then once we look at their income, bank statements and so on, we see that gambling could be a problem, but it is not often a thing they ring the helpline for. In our experience they ring to get out of other debt.

I agree with what others also said, we are starting to see a steady increase, particularly among young men, in using the online gambling platform. We are starting to hear stories of people using payday lending to borrow money to gamble. That is of increasing concern for us, because payday lending is quite predatory and deliberately targets quite vulnerable people. We know just by its advertising market that sports betting is looking at young men. That is a real concern for us because young men often don't know what they do not know and that is concerning in terms of how that becomes a problem for them.

Mr Chris Toomey, Leader in Research and Development from the Financial Councils Association of Western Australia and Ms Giles both confirmed that unlike other states, clubs and associations were generally able to continue to operate successfully in the absence of EGM revenue.

Those venues will tell you the amount of money they put back into the community, supporting sporting clubs of whatever it may be, it is a significant amount.

What is interesting is we still have social venues and we still have sporting clubs here without the pokies in them. They still manage to get in enough resources, get enough membership and they tend to have a very high participation rate. They put money back into these clubs. They have told us that we are looking at two different areas of Australia.

Victorian Primary Care Partnership Advisory, Ms Susan Reney provided a perspective on the community experience with EGM's in Melbourne:

Partly because the industry has placed most poker machines in these areas, certainly Melbourne stands out time and time again. You look at where the poker machines are. They are out in Dandenong, over in the west, in pockets in the outer northern suburbs. They are not placing poker machines in Hawthorn, Ethan or in the most advantaged suburbs.

In some of those communities under stress there are lower levels of social capital perhaps, some issues around isolation. Poker machines may be appealing to some people for whom English is not the first language. You can get out of the house, feel safe in the venue and do not need English to participate is the place where machines are in those locations and this is an enormous problem in health promotion whether being sure about what has happened actually prevented harm and how you measure it.

Having done this work for nine years I am increasingly of the opinion that if we are serious about reducing harm we need to go to the source of the harm. The source of the harm is poker machines. If we could make that machine safer, that would be the best way to reduce harm. There is no number of community development initiatives, or education sessions going to create a measurable impact when the driver of harm is people living in communities where they are over-exposed to machines.

It has been acknowledge that Australians are some of the most prolific gamblers in the world, spending about double the average of other western countries and indeed 70 per cent of Australians participate in some form of gambling each year. For some, gambling is an occasional recreational activity, entertainment, a chance to socialize, but for others it destroys lives.

Alison Xamon, gaming spokesperson in Western Australia recently wrote:

Problem gambling is a serious issue that tends to fly under the radar in Western Australia, because unlike other states Western Australia does not have pokies outside our one casino.

There is, and I think this is a very important point, an inherent conflict between the government's role as a gambling regulator and its position as a financial beneficiary of the industry. I think that is something that we have to come to term with.

Mr President, James Boyce states:

If public accounts, or another committee scrutinises the tax cut, or provide an opportunity to question Treasury and the Tasmanian Liquor and Gaming officials about the modelling done and the process undertaken. These are the most valuable public licences available in Tasmania.

The extraordinary return the Government was seeking on them was not scrutinised by the Parliamentary Standing Committee of Public Accounts. The question of Treasury and requests for modelling will provide an opportunity to verify the full cost of the tax cuts and the implications of this for public revenue and the Health budget in particular. Serious scrutiny of a major tax concession kept secret from the Tasmanian people which gave serious long-term implications for a budget under enormous strain from rising health costs is simply an Opposition and a Legislative Council doing their job.

Upholding minimum standards of democratic process that demonstrate the integrity of MPs in the sovereignty of parliament will create genuine opportunities for negotiation and compromise, including the harm minimisation parts of the legislation. Such concessions can only benefit the thousands of largely powerless people whose life chances will be determined by this bill.

I urge you to make a stand and conduct basic scrutiny of the unheralded casino tax cuts for the sake of the wellbeing of the community, the health of the budget and the integrity of our sorely-threatened democratic process.

In closing I appreciate the bill will pass probably into the Committee stage and whilst I would personally prefer to see EGMs in Tasmania only accessible in the casinos and the TT-Line, I realise that will not occur. Perhaps, then it would be appropriate for a significant decrease in their numbers. I am suggesting 50 per cent is a significant decrease and for EGMs to be evenly spread across all GAs and not target those council areas which can least afford them.

They go back to the four recommendations and one of those saying they have to decrease the amount of EGMs in some of the areas. That has not occurred and it is not going to occur in this bill.

Members have also mentioned a number of aspects regarding this complex and complicated legislation and there are still many questions which need to be answered.

In his book, James Boyce, also has a number of outstanding questions which I request the Leader of the Government answer in her response. I am not using all of them, just some of them:

- (1) How was the Liberal Party policy arrived at, given it contradicts the advice of the TLGC, the Treasury, the parliamentary committee and the Government's own clearly laid out principals of reform?
- (2) What was the process that led to the Government policy directly licensing all existing venues, protecting them from future competition and abandoning a market-based mechanism?

- (3) Why is the Government's tax rate for hotel poker machines the same as that set out in the industry's joint submission to the parliamentary inquiry?
- (4) Why did the Government decide on a 20-year licence when TLGC believed it should only be for seven years? Treasury indicated it should be related to the length of the machine life which is five years and Victoria decided on ten years.
- (5) What advice and modelling supports the Government's policy. Why did the Government reject TLGC advice documented during the parliamentary inquiry?
- (6) Why is the Government putting in place a system which guarantees licences for existing venues but locks out new entrants, even though the market is dominated by big players? There are so few clubs or small hotels with poker machines and venues are concentrated in disadvantaged regions to an extent unparalleled in Australia.

Another question from Mr Boyce:

- (7) Why is the Government only listening to the big pub chains that make up the nine-member gaming committee of the THA?
- (8) How has the Government consulted with 74 per cent of Tasmanian hotels and 96 per cent of Tasmanian clubs which do not have poker machines and what is done to ensure a level playing field?
- (9) How will the Government ensure there is no cross subsidies of food and drink or other anti-competitive and socially harmful incentives designed to attract patrons under a direct licensing model?
- (10) What is being done to ensure the windfall capital of \$150 million which will flow to the owners of pokie hotels - the figure given by the industry itself - is invested in venues rather than being taken as profits by owners?
- (11) What restrictions will be placed to stop the Federal Group and other big pokie pub owners from selling their venues once the free pokie licences are granted and just cashing in their windfall profit?
- (12) Why are casino poker machines' taxes being set lower than hotel poker machine taxes, given casino pokies are lower cost due to economies of scale and higher profit due to regulatory privileges?
- (13) On what basis can it be said that Tasmania competes with the Northern Territory and Far North Queensland with regard to poker machine venue investment and why is the keno licence not going to tender and why are Keno taxes not being increased to ensure a full market-based return or at least made comparable with other states and territories?

He asked some questions about the source of the millions of dollars in donations for parties, not explaining the disclosure return, and he also commented on individual members

receiving individual donations from the gambling industry but I did not want to go down that rabbit hole.

I would support an inquiry process directly related to the legislation which would seek to introduce effective harm minimisation measures and modelling of the financial implications of what is best for the Tasmanian community, both socially and economically. I said earlier that I was fortunate to be connected with quite a few people - not only in Tasmania - but from outside the state who are concerned about what is happening in Tasmania.

There is a concern that has been mentioned about the possibility of Federal becoming the licensed management operator and whether you want the person who is involved with owning most of the machines actually regulating that business or managing that or being that operator. And so, I am going to put some of the concerns that have been given to me about the new gaming market transition in Tasmania, talking about the issues and also the time frames and we have to keep this in our mind when we are looking at the amendment bill. It says:

The transition from the monopoly to the multi operator model requires a significant amount of preparatory work. The Government is allowing 18 months total for the transition. This is around half the time it took in Victoria, who despite taking three years and two months still encountered significant technological problems between the LMO venues and individual EDMs. The short transition period will inevitably lead to mistakes and is a recipe for disaster.

It would be prudent for the Legislative Council to ask the President to arrange for a gaming expert with knowledge of the transition issues in Victoria to come to Tasmania to brief the Council. After that occurs, the Council could then ask officials from the Tasmanian Liquor and Gaming Branch to take legislative councillors through the transition issues facing Tasmania and the time it will take to finalise. Only then will we be able to assess whether the legislation provides enough time for the transition to be completed before the new gaming arrangements commence.

And set out here is a range of issues that need to be finalised through the transition period before the new model takes effect. It is the transition issue and the likely timetable. The LMO tender process, they have to review the service level agreements for the following: gaming machine maintenance, respond to ad hoc works including new gaming machine installation, review help desk matters and undertake training for the LMO system for a start. Probably six months to complete. They have to prepare the tender document for the LMO, about three months to complete. They have to issue the tender, field questions from interested parties and receive formal bids, probably another three months to complete. They have to assess tenders and award the successful tenderer, probably four months to complete. Contract negotiations with successful LMO is another two months to complete.

The new licence operator, if the new LMO is not running a QCon system - the QCon is a sophisticated network system that allows LMO to communicate directly with the individual modern EGMs as they do in Queensland. All EGM games in the network will have to be changed to operate under the new system or the LMO changes to a QCon system. New deeds and contracts between venues and the LMO will need to be drafted and approved by the TGLC, distributed to the licence holders, reviewed, signed and returned.

The new LMO will need to establish its own communications network with every venue. The new LMO will be required to manage and get approval for new games from other jurisdictions not yet available in Tasmania. Training of staff for the new operating system and changes to venue operations for gaming will need to be undertaken. That is an example of site balancing, reporting requirements, tax generation and payment. The new central monitoring control system needs to be built and independently tested before it can be approved for Tasmania. Reports need to be developed for tax reporting. Installation of in-venue monitoring equipment needs to take place. An audit check of the new network prior to changeover to the new model needs to occur at each individual venue. Completion of all these items under this heading will take at least 24 months, however, based on the Victorian transition experience, it may take even longer. In Victoria -

Ms Forrest - I appreciate that description of all the things that have to happen. It supports that argument of having a heavily regulated monopoly running this, rather than having all these separate operators, surely. The costs alone are going to be extraordinary.

Mr GAFFNEY - Yes. In Victoria, they encountered problems with the communication systems between the LMO and the individual venues and EGMs.

The Liquor and Gaming Branch, what do they have to do? They have to change gaming licences for all gaming staff and they have to issue new venue operator licences, including conducting probity checks on EGM authorities. They have to have new venue operating procedures that need to be written by the Liquor and Gaming Branch and implemented by venues, they have to train venue staff on new procedural changes that need to be undertaken - that is, changes to the mandatory code of practice, EGM reporting, tax reporting, jackpot management and reporting. If machines are to be surrendered, who makes this decision? Is it the licensee or the venue owner? This is not clear.

Management of jackpots, development of process and training for venues. Development of processes for the LMO to manage game-changing parameters - completion of items under this heading will take 18 months. While some of these matters can happen concurrent with the items under the LMO heading, but others such, as in (d), (e), (f), (g), should only happen after the LMO processes are complete. I think there has been an extra \$500 000 for our TLGC to get all this done.

In individual venues there is payment of jackpots and associated fees and taxes. Venues will need to make provision in advance for this. Low cashflow venues may need at least 24 months to accumulate the funds. Purchases of EGMs from suppliers, purchase of EGMs from Network Gaming, EGM rent catch-up, that is, low cashflow venues need time to repay outstanding amounts and handback of machines. Items under the individual venues will take 24 months to complete and can happen concurrent with other matters, once the new LMO has been selected and the contract negotiations have been finalised.

Based on the Victorian experience and the large amount of work to be done, at least three years and six months is required for the transition period. We need to ask whether the Liquor and Gaming Branch has enough staff to adequately manage a transition over 36 months? How can you have a situation in which the Government proceeds with a tender process for the new licence management operator before the TLGC has investigated and reported on the reference that the House of Assembly inserted by way of an amendment? That reference is to look at

mandatory harm minimisation measures that are common features of most jurisdictions in Australia now.

This Council will need considerably more time than the few sitting hours available in the schedule this year to properly consider all of the clauses in this legislation. My comments only deal with the transition arrangements, which must be completed in under 18 months as the legislation is currently drafted.

The suggestion that the Liquor and Gaming Branch and the minister responsible, Mr Ferguson, should be required to report back to the Public Accounts Committee and certify that all the transition processes have been successfully completed, audited where necessary and trialled satisfactorily before the new gaming market system can commence. This will require an amendment to the legislation, including the starting date. Then, if there are ongoing problems as experienced in Victoria, let it be on the Government's head for not having done that work. We should not let this pass in the manner it is going to be.

After listening to the briefings on Wednesday morning, I am inclined to vote this legislation down and send it back to the Government and say, redo, start again, come back to this place with a more responsive and responsible piece of legislation. I acknowledge this is not the issue of OPC's writing style, more so the policy parameters around which the legislation is written. That is, as directed by the Government. As we heard from the ex-commissioner, Peter Hoult, this legislation mirrors the framework and model presented by Federal and the THA to the committee inquiry on 18 August 2017.

I suppose one of the lessons I learned from the VAD legislation was that it was best to start with a new bill and build it from the ground up. In the foreword of his submission, Pokies Plunder, The Final Chapter, James Boyce was even more direct and wrote:

Most Tasmanians will be aware that in late 2017 the ALP became the first branch of the Liberal or Labor Party in any state with poker machines to commit to withdrawing them from pubs and clubs. Everyone bore witness to what followed. The pokie's industry locally and nationally (recognised the dangerous precedent of reform), directly intervened in the election through bankrolling the Liberals and funding their own anti-Labor and anti-Green advertising campaign. It is for a good reason that the 2018 election is now popularly known as the 'bought election'.

What even many Tasmanians don't know, however, is that the Liberals sought to deliver equally radical reform, one that would see massive windfall capital gains to their donors through new poker machine licences and further concessions on casino pokie taxes for the Federal Group.

The legislation to implement the reform sought by the poker machine industry is expected to come before Parliament in late 2020 or early 2021 -

He was wrong there -

and given that it is already clear that it will abandon the Government's earlier commitment to achieve a market-based return for pokies licences, provide further tax concessions to the Federal Group at a time of severe budget

pressures, go against the advice of the Tasmanian Liquor and Gaming Commission and, in the Commission's judgment, increase social harm; the legislation should not get through Parliament if MPs do the job they are elected to do.

In conclusion, Mr President, I appreciate the input I have had from a number of people collating this information. I appreciate the time that the committee spent back in 2016-17 working to try and come up with some recommendations and findings that would help the Government make certain, for much further than 20 years, the Tasmanian community will be well served by its gaming legislation.

This is the time that we have to do it. Whilst there will be people out there listening, saying, 'This is going to delay it', I would rather delay it now for two or three years and get it right than have to be in the same situation in 20 years saying, 'Well, why didn't they do their job back in 2021?'.

[9.01 p.m.]

Ms ARMITAGE (Launceston) - Mr President, at the outset I thank the Government for arranging the briefings, and I thank all of those who briefed us in relation to the bill. I will make a few comments from the briefings from both sides, from the notes that I took this morning. I consider it is really important to be balanced, not just have one side.

Dr Charles Livingstone mentioned that it was a complex piece of legislation and legislation that was weighted very heavily, he believed, towards the gaming industry, and that market dominance was left wide open. He pointed out that whilst the legislation was big on providing benefits for the industry, very low consideration had been given to people with gambling harm; that Glenorchy had the biggest poker machine losses; and that relationship between disadvantage on machines and losses is the biggest in the country.

He also mentioned that the legislation can promise everything but deliver nothing; that measures that can have an effect are to lower maximum bets and slow spin speeds, to assist disadvantaged communities. He also mentioned that the \$1 bet would not affect recreational gamblers, or he didn't believe it would affect recreational gamblers; would have a positive benefit for those who are compulsive gamblers; and that there was solid evidence that it would work for those experiencing harm.

Peter Hoults, former Liquor and Gaming Commission chair, mentioned that it was the most major change since 1993; that there was no idea of the effect of this legislation on small and medium businesses or enterprises; and that at the current time, we do not know the start-up costs of the new model. He was also concerned about no additional resources given to liquor and gaming, and that the monumental change had not been costed. He finished by saying, 'This is a basket of unknowns.'.

Reverend Dr Chris Jones from Anglicare felt that Tasmanians could be negatively affected, and questioned how do we make sure that Tasmanians are better protected, in the best way possible. He believed that we need some clear moves in harm minimisation areas and questioned what the commission can do to keep people safe. He also mentioned how the Community Support Levy gets allocated, and whether it does the best it can to protect Tasmanians. He also believed that the commission needed to be resourced to make a

difference, and if we could add more harm minimisation it would lead to a better outcome for vulnerable people.

TasCOSS considered it was a bill of deep concern right across their sector, and they believe that machines are designed to be addictive. They also said that at the core of this legislation, it puts profit before people. They mentioned that Tasmanians lose over \$500 000 every day, that gambling is a public health issue and has a ripple effect right across the community. The key question - how do we support people struggling with their gambling addictions?

Then onto the hoteliers. Hoteliers believe that this was removing the monopoly in the industry with an opportunity to have ownership in their own businesses, with regional venues the ones who get the most benefit as it gives them extra capital. That provides them the opportunity to do a lot of work in their communities, to do some capital works and improve the facilities for many people in their areas. They also mentioned that Tasmania was the only jurisdiction left in Australia with a monopoly, effectively a third partner in the business.

They consider that harm minimisation was good, and they felt they do look after their patrons. They have trained staff, they keep an eye on their patrons and it is to their benefit to look after and take great care of their customers. It was considered this is a game changer for the industry, and an improvement coming from removing the monopoly. They also considered that facial recognition technology would be a good thing and an amendment that the industry is looking forward to. Removing the monopoly regime will give them more autonomy.

They made the comment they do not believe that the Tasmanian people want to be told how and where they can spend their money; that industry needs the bill now, without further amendment; that it is well overdue to receive a greater share of the revenue; and that the new model provides an appropriate share of revenue to clubs and pubs. With increased profitability to venues, valuation increases will enable increased further access to more borrowings which then can enable them to do more capital investments.

They mentioned that the industry needs certainty, which is a good thing for venues and can only benefit venues. It was also mentioned that no-one gets legislation totally right first-up and there are often changes along the way. My husband had a hotel for 42 years. He said he could have had poker machines but decided that was not a path he wanted to take. He always believed that his hotel was a pub of a different nature, end of story, and to the time he left he always considered the Royal Oak was a pub of a different nature. Communication, talking to people, having a meal together, that was how he wanted his hotel to be. Many hotels, pubs and RSLs do have poker machines, and that is their call.

I had asked my mother about poker machines, because they have been around for a long time. My mother stated to me on more than one occasion, when I asked her about the proposed legislation and poker machines, that no-one had the right to tell her what to do with her money.

Ms Rattray - Including you.

Ms ARMITAGE - Absolutely. I would not dream of it. I would certainly be told that was not my place. My mum, widowed, was a member of the Country Club at Prospect, she would use the swimming pool, she would play a game of golf, she would go and have a roast meal and she played keno or the poker machines for entertainment. For mum, and many others,

this was a safe place to go alone and have an evening's entertainment. Every second Friday, my mother and her elderly sisters would have a roast meal at the Hotel Tasmania and play keno or an hour or two of machines, and that was their outing. They caught up at the Hotel Tasmania, had a nice time and they felt it was a safe venue. When mum went to her shack at St Helens, again she would play golf and then have a meal and play the machines for an hour or two at the local RSL. My mother did not have a problem with gambling, but found it a safe place to go to socialise with others and have a meal.

Can we make legislation that suits everyone? No, we cannot. Do hard cases make good laws? In fact the saying is that hard cases make bad laws. In other words, we need to make laws for everyone, sad as it is that there are a number of people who are addicted to poker machines and the effect that it has on themselves and their families.

Harm minimisation is absolutely necessary and in briefings we heard from hotel groups that they are well and truly in favour of harm minimisation. I found The Future of Gaming in Tasmania, Public Consultation Paper 2020 was very clear and easy to read, answering many of my questions, particularly with regard to EGM numbers and capping. I thought that was a really good document that I found on the internet. The consultation paper was also clear on the high-roller casino licence. I also found the information paper on the Treasury and Finance, Liquor and Gaming, Future Gaming Market site providing the submissions to stages one and two and it all helped considerably to understand the complexities of the bill. I thank the department for that because it made understanding it and reading it a lot clearer.

I have listened to the debate and the matters raised and my view is that the principle of the bill should be supported. Like the member for McIntyre, I feel it is unfortunate that some in the community have maligned Federal Hotels, for whatever reason. It is not Federal Hotels fault they have a monopoly, or had a monopoly. It is not their fault they have electronic gaming machines. This parliament gave them those rights. It is not their fault that the licence agreement was not earlier put out to tender. It was this parliament.

It is also to be remembered that back in 2003 when the deed was agreed upon, there was a real concern in the community that there were too many gaming machines in existence. There was the ability for Federal Hotels under their agreement with the Government to increase the number quite significantly. The Labor government at the time was pressured by the community to stop the rollout of further machines and therefore negotiated with Federal Hotels for that to occur. The result of the negotiations was the deed of 2003. I believe they have been very good corporate citizens, with figures provided by Deloitte for 2015-16 of 2337 FTEs and the total value added in dollars to the Tasmanian community of \$343.12 million. That was also mentioned by the member for McIntyre.

Ms Rattray - But they are significant numbers, are they not?

Ms ARMITAGE - Significant numbers and I believe they have been good corporate citizens. It has always concerned me when we talk about going out to tender for things like gaming and casinos, you only have to look at Crown. The last thing I would like to see is the Chinese, or some other country, come in and take money offshore. At least with Federal the money does stay in Australia.

There has been comment on the monopoly held by Federal. I looked interstate to see how Federal went about their business compared to other states. I do not have to dwell too

long on that because other states have been very much under the microscope of inquiries or royal commissions and the results of those have not been savoury. I will not dwell on them all but I will make mention of the Victorian royal commission into the Crown Casino who could well have been an applicant for a licence back in 2003 if the licence had been put out to tender.

The commission was established to inquire into Crown Melbourne's suitability to hold a casino licence. The precursor of this was two findings in what was the Bergin report. The first was that Crown Melbourne facilitated millions of dollars to be laundered through a bank account of its subsidiary. The second was that Crown Melbourne allowed operators with links to organised crime to arrange for junket players to gamble at the casino.

The main focus of the commission's inquiries was to discover whether this conduct identified in the Bergin report was more widespread and if it was, who was involved and what should be done. Within a very short time the commission discovered that for many years Crown Melbourne had engaged in conduct that was variously illegal, dishonest, unethical and exploitative. The commissioner described the catalogue of wrongdoing as alarming, all the more so because it was engaged in by a regulated entity whose privilege to hold a casino licence, is dependent on it being at all times a person of good character, honesty and integrity.

Crown's underpayment of the casino tax showed a similar disregard for the law. What disturbed me with the findings was the way in which Crown Melbourne dealt with many vulnerable people who have a gambling problem. For years Crown had held themselves out as having the world's best approach to problem gamblers. In the commission's opinion, nothing could be further from the truth. They heard distressing stories from people whose lives had been ruined and whose situation might have been improved if the casino staff had carried out their obligations under their gambling code. They had not. I could go on but what I am saying is that when we compare the behaviour of other casino operators in other states and compare that behaviour with Federal who have never come under the notice of royal commissions or inquiries for wrongdoing or otherwise, sometimes those who criticise Federal's monopoly should be careful what they wish for.

We heard during briefings of those people who are either problem gamblers, moderate-risk gamblers or low-risk gamblers. I was encouraged by the recent study which was tabled in parliament in July last which showed that Tasmanian gambling participation, expenditure and rates of problem gambling are among the lowest in the country. Those figures, I think, were mentioned by the member for McIntyre.

I feel desperately sorry for those problem gamblers and some of the stories which have been recounted are sad indeed but an area that I believe should be focused on in an endeavour to further decrease the figures is that of advertising. In recent weeks we have seen a glut of advertising on the AFL Grand Final - first goal, first kick, most goals, Norm Smith medallers, half-time leader and, of course, the winner.

Ms Rattray - Even up to three-quarter time I think you could still put a bet on.

Ms ARMITAGE - Absolutely, and by what margin, at what odds. The list goes on. The Melbourne Cup has just been done and dusted and how many people, young people especially, placed a bet on it? There has been a tsunami-like increase in online betting. I read recently that during COVID it had increased by 132 per cent.

I also read the Australian Gambling Research Centre report which was released on 13 October 2020. It noted that men aged 18 to 34 made up 79 per cent of new account holders. That same group's medium monthly spend increased from \$687 to \$1075. The same group of 2000 gamblers said that the number of participants who placed bets more than four times a week increased from 23 per cent to 34 per cent. What was the reason? Boredom, isolation and betting promotions. The comment from the report was:

Being heavily exposed to ads and promotions was often the motivation to gambling. That wasn't mainly at the race tracks or the casino; that was online, 78 per cent of it. There was even betting on novelty events such as the weather and reality TV.

Ms Rattray - You are joking.

Ms ARMITAGE - No. On being surveyed, a 23-year-old stated:

Whenever I'm bored my finger automatically opens the app now. I knew my limits. Now I can't stop.

Last year Tabcorp's digital betting grew to \$7.1 billion. Sportsbet parent company, Flutter Entertainment, their online net revenue was up 45 per cent in the first half of the year. If you click on Google and you look up your top trending games, there you will also see your top-rated casino sites for November 2021. Goodman's have a welcome pack of \$750 plus 150 free spins. Megaslot have a welcome pack of a bonus of \$550 and 225 free spins. You go to Fair Go Casino where you get \$1500 together with 150 free spins, and the list goes on.

You can check out the top-rated slot sites - slot sites for 2021 - and you can explore the best casino of the week and the month. There is your problem. These are the sites grooming prospective gamblers. There is even advertising on Facebook and Instagram if you get written permission. To me, this seems to be the emerging trend for gamblers that our parliament and federal parliament should be focusing on. It is a real concern and I believe more concerning than any other form of gambling. I learnt yesterday that there were things known as loot boxes.

Ms Rattray - What?

Ms ARMITAGE - Loot, l-o-o-t boxes, which are a form of monetisation with players either buying the boxes directly or receiving the boxes during play and later buying keys with which to redeem them. Look it up and see what you can find. It is quite interesting. They give an advantage to players who spend real-world money in competitive games. They pop up in kids' video games. They are illegal in Belgium and the Netherlands and are controversial in the USA, Germany and the UK and a number of other countries. They have been compared to gambling. In my opinion, they groom young video users into gambling but they seem to have gone under the radar here. Is that because we are not focusing on some of the real gambling problems? Personally, I have real concerns about online gambling, on our phones.

I accept that we have many problem gamblers in Tasmania but, as I mentioned, I do not believe that hard cases make good laws and that has been said many times over the years. I really believe we should be looking at some of the gambling advertising. You cannot turn on a television set - not that I watch a lot, we do not have a lot of time to watch much television but when you do you will get at least two or three gambling advertisements. How many people

during COVID-19 have been able to sit home, not go to a casino, not go to a club or pub but actually sit home with their phone, they do not have to leave their lounge room and they can bet as much money as they like off their credit card or off their bank account from their phone. I believe that is a real concern.

There are many issues that I am concerned with. As for the bill before us I will be supporting the principle of the bill and I will be voting it through to Committee.

[9.20 p.m.]

Mr VALENTINE (Hobart) - Mr President, the hour is getting on, but we are dealing with a major bill. It is not lost on me and I am sure it is not lost on all the members in this Chamber. As we always do, it is important to thank the Leader for the briefings provided. I want to say how you allow those briefings to happen without fear or favour, it does not matter whether the brief is diametrically opposed to what the Government is presenting you always do it and you are to be commended for that.

It is a bill that has grabbed significant interest across the community and everybody would understand with the number of emails they are receiving. I have received in the hundreds with regard to this. Many people are talking about this, it does not matter where you go. People are asking, what is happening with our gaming bill? Something has to be done. I get that feedback and I am sure all of you are getting similar feedback.

The Government claims they have had two elections and therefore they have a mandate. I will say it again in this Chamber: the only mandate any government has with anything they put before the people is a mandate to put it on the agenda. The reason being that whatever they are putting forward, they are putting it forward in a positive light. They are not looking at the negatives and they are not looking at the unintended consequences. It is this place's role to test what they are putting forward. It is this place's role to review it and it is important that we do that.

If it was a mandate, then why are we here? We may as well not have the Legislative Council doing this job because the people have spoken and, ipso facto, it should be passed. No, that is not the way it is. We have a job to do, we have been elected. I have said earlier outside the Chamber, we have 25 000 people that have put us here, not all of them have voted for us of course. Generally, less than half, but by the time we get to this Chamber we have got the job. We have got to do what they are expecting us to do and that is to examine and examine it fully. We have to get it right, we press the button on this bill and while we can amend it going forward, if there is a will to do so, there are problems it is significantly changed with sovereign risk perhaps rearing its head.

This is the only time we will see, in the past however many years since it has been in play, that the ducks are aligned and we can actually do something without sovereign risk, at this point with everything restarting, recommencing. Once the licences are renewed it may well be they can be sold to another operator and that might start another period of time and means they will be out of sync. It does not matter what you do, when you amend things there is always going to be a risk that somebody is going to have some money in the game and that means there will be a level of compensation required if there are significant changes. There may well be minor changes that might be able to be made. It is important to understand that. It is a significant point in time and as we have had pointed out to us at the briefings and I was saying, it is a once in a generation moment here. It is a 20-year thing. Well no, I was reminded

in the briefing room by the member for Nelson, it is 20 plus 20 plus 20. It could go on and on. This is not just a once in a generation opportunity. This is probably the only major opportunity we have to make changes to this bill and to improve it.

It is important all stakeholders know how this bill will change the scene for them. It is important we learn ourselves how machines are impacting some in our community now. That is important. Whether they be hotel operators or whether they be the people harmed by these products. After the briefings I know there are not enough safeguards. It concerned me to hear some urging us to get on with it, just get this signed and then we can move forward. Well, we can get it signed off and put the bill in play. If they then find out they did not quite understand exactly what this meant, they are in a circumstance where they are probably never going to be able to change it effectively. That is for the operators, but for us trying to protect the community, we definitely need to do that.

I can understand certainty is needed when it comes to the operators. As we heard, it is about balance for them. They focus on banks being satisfied there is enough security there to be able to lend money. I commented about turnover. Surely turnover is enough but no, they think they need the surety of this legislation to improve that. I am concerned about whether small to medium enterprises are fully aware of the impact. That is not a comment on the capacity to get their head around things, because let us face it, we all have that problem from time to time. There are some bills that are absolutely convoluted. We do our best in this Chamber.

Some are complex and I do not know whether people managed to see an article on the *Mercury* website today by the Solicitor General, Michael O'Farrell. It made me smile a little and then I thought it is a pretty serious situation really. I will quote from that article. It is an article written by David Killick:

Some of the laws passed by the Tasmanian parliament are so badly worded that even the state's top lawyer can't understand what they're on about. Solicitor General Michael O'Farrell said "if he couldn't make sense of legislation, ordinary people had no hope. Parliament's endeavour should be to make laws that ordinary people can readily understand", Mr O'Farrell said in his annual report tabled in state parliament on Tuesday.

"The complex and prescriptive nature of the provisions of some Tasmanian statutes do not lend themselves to this aspiration".

He nominated schedule 6 of the Land Use Planning and Approvals Act as a particular favourite.

"The schedule includes this 100-word behemoth of a sentence", "The Minister may by a planning directive issued in accordance with subclause (2A) under section 13(1) of the former provisions, modify the provisions of a directive (the original directive) that was issued in accordance with subclause (2A) under section 13(1) of the former provisions, but only if it is necessary to modify the provisions of the original directive so as to ensure that the provisions, contained in a planning scheme in accordance with the original directive, will be consistent with the provisions of the SPPs as amended by an amendment of the SPPs made after the original directive was issued".

Ms Forrest - We passed that just recently.

Mr VALENTINE - I know we did.

Ms Forrest - Exactly.

Mr VALENTINE - That is right. It took a lot to get my head around.

The point is, we have a bill here which is an amendment bill, and it is quite complex. I spent one or two nights getting my head around that bill. I drilled right down and asked some questions today, which you will all be aware of in the briefings, but I had no hope of chasing them all down to the nth degree because of the time frame. That is why I am very interested in what the member for Mersey is suggesting.

For me, it is not just about the harm minimisation. It is actually about the bill itself, and understanding the full import of this bill. I did not go onto your inquiry earlier, for whatever reason. I think I might have put my hand up; I think there was a specific number. It might have been because it was on the wrong committee. That was good work, but I need to know what this bill says now, and I need to give it some good thought and to dig even further. I think the committee process would allow that.

We all dig down and we try to understand what each bill does. As I say, we have 25 000-odd people, around that number, who have put us here to do that. We have their sovereignty in our hands to undertake those duties to the best of our ability. We have their power to do that.

Ms Webb - And a mandate.

Mr VALENTINE - We have a mandate to do the scrutiny, you are right. Think about it. Every person, of those people who voted for you, did so because they know what you stand for, for the most part. They are relying on each one of us to apply the principles and ethics that we display when we are out there canvassing, to make sure the legislation that we pass is good legislation.

In any bill there might be certain areas that are more impacted than others. I am the member for Hobart. This bill may not impact my area as much as it might, say, Glenorchy, when I look at some of the figures, but I am here to look at legislation for Tasmania, not just Hobart. If I took that attitude and said I was only here for Hobart, and if it did not bother Hobart, then why would I worry about it? We are here for Tasmania. Legislation is for Tasmania, so I want to make that point again.

I am learning more and more about this bill as briefings have progressed, and it is important to do that. I have to be honest and say I would like more time, as I said before.

Members of the community have contacted me, and I have heard from various organisations and have received those other briefings. I want to fully understand the points they raise, and test whether what they say is fact, and the work will be in the Committee stage with regard to that.

I want to read a summary of those concerns that have been expressed to me. The major concerns of the general public who have been writing in:

- Please do everything you can to minimise harm.
- Reduce or eliminate pokies.
- Political decision-making and undue influence by those with vested interests in gambling.
- The bill should include set the maximum bet to \$1, current a \$5 maximum bet.
- Set six-second spin speeds (currently three seconds).
- Reduce the maximum jackpot.
- Prohibit losses disguised as wins, which is a celebration of net losses and false near misses.
- Introduce regular machine shutdowns to provide a break in play.
- Reduce the opening hours of gaming rooms from 20 hours a day to 12 hours a day.
- Require staff intervention when customers show signs of problem gambling.

Not surprisingly, Mr President, from all submissions received, overall there was a strong consensus on harm minimisation being essential in trying to limit the devastating impact of problem gambling on families and the community.

Various submissions were received. There was one from TasCOSS that I had summarised, because they are all quite long. If I look at the summary of key issues and recommendations in that TasCOSS paper, it is important to read these out:

Create a sustainable industry. ... Before the Gaming Control Amendment (Future Gaming Market) Bill 2021 was introduced into Parliament, the Tasmanian Government conducts and releases economic modelling on the effects of the proposed gaming framework on the gaming industry and holds public consultations on the modelling.

Well, it is too late, the bill is here.

Ms Webb - Never done. Never happens.

Mr VALENTINE - I do not know how far we can go with that, but we do need to try to get that modelling. Maybe we can do that through the committee that you are suggesting. We can only ask.

- The Tasmanian Government introduce licence fees, priced by a market-based mechanism for electronic gaming machines.

- Amend the Gaming Control Amendment (Future Gaming Market) Bill 2021 to provide for electronic gaming machine licences of a period of seven years.
- Provide the highest standards of probity.
- Amend the legislation so that pubs, clubs and casinos pay the same tax and community support levy rates on electronic gaming machines.
- Amend the Gaming Control Act 1993 to provide for the community interest test to apply before the granting of a venue licence.
- Prohibit the licence monitoring operator from also holding an individual venue licence.
- Ensure returns from the gaming industry are shared appropriately among the industry players and the community, which of course is represented by the Tasmanian Government.
- The share of revenue to player to be calculated and made public.
- The return to player is increased through programming changes to electronic gaming machines.
- Additional Community Support Levy funds are directed to evidenced, informed activities that address gambling-related harms and their prevention.
- The percentage allocation of Community Support Levy funds to be set in legislation.

Point 4 -

- Continue to minimise the harm caused by problem gambling.
- Set the maximum bet limit to a dollar. Current \$5 maximum bet allows losses of up to \$600 per hour. A \$1 maximum bet limit will limit losses to \$120 per hour.
- Set the spin speed to six seconds. Lowering the speed from the current three seconds will slow down possible losses.
- Reduce the maximum jackpot to \$1000. Current maximum jackpot is \$25 000 which allows long periods of uninterrupted use and therefore risks addictive behavior.
- Prohibit losses disguised as wins. Machines currently celebrate net losses with a visual celebration on the screen, deliberately misleading machine users and keeping people playing longer and making it harder to keep track of losses.
- Increase the return to player rate from 85 per cent to 95 per cent. Increasing the return to player returns more money to machine users, therefore reducing harm overall. It also ensures a greater share of returns to users.

This is in line with the policy aim of an appropriate share of returns to players, as well as industry and community via taxes and the Community Support Levy paid to the Tasmanian Government.

- Regular machine shutdowns. Long periods of uninterrupted use make electronic gaming machines more addictive and potentially harmful. Regular programmed shutdowns allow the opportunity for a break in play, allowing a machine user to consider whether to continue gambling.
- Limit venue opening hours to a maximum of 12 hours per day. Currently some electronic gaming machine venues only close for four hours a day. Limiting access to electronic gaming machines will reduce opportunities to incur losses.
- The projected savings from extending the interval between social and economic impact study reports - that is \$1.5 million - is redirected to relevant gambling research, which is commissioned by, and provided to the Tasmanian Liquor and Gaming Commission.
- The Tasmanian Liquor and Gaming Commission is resourced to provide a policy response to social and economic impact study findings and make recommendations to the Tasmanian Government.
- Lastly, the Tasmanian Government is required to respond publicly to the Tasmanian Liquor and Gaming Commission recommendations within two months.

So, that is TasCOSS. I thought that was quite a full response by them and I wanted to read in a summary of that. I also want to turn to those who handle the fallout from the operation of the machines. As I said before, I hear what the member for Mersey is saying about needing to ensure that good harm minimisation measures are built into this bill and to properly examine them. The second reading speech says:

The state's existing harm minimisation framework will not be affected by this bill as the Government's policy is about the structure of the market rather than the way gaming services are provided.

I have to say if we do not increase those measures we can kiss goodbye to the opportunity to introduce those measures, I believe. I have explained why because in some way, shape or form, as I said before, sovereign risk may well kick in given the investment that operators will be putting into their venues and machines and the way it is set up. We will not get the opportunity to review them properly, not as one. The overriding question for me is can this bill be amended to be acceptable?

I would not be alone in thinking it really must be improved, I am sure of that. I have to say it will take a lot for this bill to be made acceptable going by all the concerns that have been expressed during the briefings and the answers received. There are significant concerns and I look forward to the remaining contributions to learn more about where we go in the Committee stage.

I want to read some stories to you, just a couple - sorry four probably - about people who are affected by these things and you can say, 'well, it is one or two people'. I mean everything is going to have its victims, if you like. Do we stop the world because people are affected by this or by that, traffic accidents, all of those sorts of things? We do not stop cars using the roads. You can go through it all but they are real people and they are really suffering.

Hayley's story. These are stories from Gamblers Help Service. This is Anglicare Tasmania Gamblers Help Service:

Hayley contacted the Gamblers Help Service to complete a self-exclusion deed. During her first appointment with the service, Hayley spoke at length about her current stressors in life which included themes of a stressful work environment, a history of family violence, mental ill health, feelings of loneliness and monetary concerns in relation to her gambling behaviour.

Hayley was unsure whether she wanted an exclusion to be completed and the details of the exclusion were discussed. Hayley made the decision that her goal at the moment was to control her gambling behaviour rather than completely cease gambling. An exclusion was not completed.

Harm minimisation and controlled gambling strategies were discussed. Hayley identified a desire to continue with counselling. Strategies to control gambling were initially successful and Hayley spoke of decreased gambling behaviour. Unfortunately, a stressful event occurred in Hayley's life which led to her again spending a significant amount of money on gambling. Hayley contacted the Gamblers Help Service after the incident and decided to proceed with placing an exclusion. Hayley also decided to continue to engage in counselling. Feelings of loss and grief were associated with placing the exclusion and support continued to be provided.

Recently, an event occurred for Hayley which caused major stress. She was able to identify that in the past she would have gone straight to the poker machines to 'escape'. Hayley said she was assisted by the exclusion and support from family and the Gamblers Help Service, Hayley has not gambled in 8 months.

Ben's story:

Ben sought out the assistance of Anglicare's Gambler's Help Service to address his ongoing concerns in relation to gambling behaviour. A young male, Ben lived with his partner and baby. He was engaged in full-time work and held qualifications in the trade sector. Ben was a talented sportsman, who at 18 years of age was drafted to a national sporting team. He spoke of a culture in the sporting sector of gambling behaviour and, at 18 years old, had joined the team's punters club, where members engaged in skills-based gambling on horses and dogs. He also spent time on poker machines in both pubs and casinos.

During his initial appointment, Ben presented as teary, and withdrawn and risk assessments completed indicated concerns around mental ill health. Ben was encouraged to also seek out the support of his General Practitioner.

The Gamblers Help counsellor worked with Ben to identify his goals in relation to his gambling behaviour. Topics of support related to identifying high-risk gambling situations, which were during his lunch break at work, and chasing his losses, which led to financial hardship.

At Ben's request, he was supported to contact his bank to assess whether financial caps could be placed on his spending on gambling. Ben discussed his partner gaining control of their finances to reduce the financial implications of his gambling on the family. Ben also blocked himself from being able to gamble on online sporting forums and did an exclusion.

Ben engaged with the service for a number of months until he felt he was in control of his gambling concerns. Support was also offered to Ben's partner; however, this was declined.

Andrew's story

Andrew linked his high stress levels and depression to his ongoing use of poker machines. His wife and children had left and he had debts of \$19,000. He felt that his life had hit rock bottom. Anglicare arranged some emergency food relief for Andrew. Our Financial Counselling service helped him make a plan to pay off his debts.

Over the next 18 months, a Gamblers Help counsellor worked with Andrew, who eventually used self-exclusion to prevent further access to poker machines. Andrew has since reunited with his wife and family and his mental health is improving.

They are some of the success stories, and point to the reason why the Community Support Levy needs to go to services like that. Michael's story is from the Salvation Army, in a letter headed Future Gaming Market Project, Gaming Control Amendment (Future Gaming Market) Bill 2021, and I have been provided with this -

Michael is a 25-year-old, recent university graduate. Whilst looking for work in his chosen field, Michael's sole income has been the JobSeeker Payment. Michael attended our gambling support services, acknowledging he is a compulsive gambler. He had only been gambling for two years. He had one big win, which sucked him in, but has reportedly spent about \$35 000 during this time, including \$5000 that he withdrew from his superannuation and an unspecified amount that he had stolen from his partner, Zara.

Since commencing counselling, Michael has had a couple of relapses but had not spent a significant amount. The impact of the theft and her discovery of her partner's gambling was devastating to Zara. She engaged in counselling herself to work through her trust issues and to set some clear boundaries for her partner, including a zero tolerance for gambling. To save the relationship, Michael agreed to some stringent practices around his financial affairs but found that this adversely affected his mental health.

This case is still ongoing. Both Michael and Zara continue to receive relationship counselling and Michael is attending Gambling Help counselling. Michael and Zara cleared all the credit card debt by borrowing from family and by reducing their expenditure on other items. This preserved their credit rating, which was important to them in view of their longer-term desire to buy their own home.

Financial Counselling has concentrated on strategies protecting the couple's income and assets, both now and into the future. Measures include restricting Michael's access to credit cards and other borrowed money. Michael and Zara believe that, as a result of the support they have received, their relationship will survive and flourish.

This is the work that our community service organisations, like the Salvation Army, are doing because of the opportunity there is for poker machines and the like, to cause dysfunction in their lives. They are the people who reached out for help. You could call them success stories; and that is good. That is why the Community Support Levy needs to go to organisations like that and, with respect, not to sporting clubs. We should not be making people's inability to control their spending into a cash cow to be paid elsewhere.

We should not be doing that. We heard today that hotels support lots of things in the community, and that is good. However, when you look at where the money might come from, that is what we have to think about. These are the ones who called out for help, these are the ones that went to an organisation that could help them. How many others have not? How many others have taken other steps, and maybe are not with us anymore? That is the point. The names I used were not their real names, of course.

Mr President, I look at my electorate, and courtesy of the member for Murchison, who forwarded me the figures - she was reading out some figures from different electorates yesterday.

Ms Forrest - And you felt left out, didn't you?

Mr VALENTINE - I was left out. Yes, I felt disappointed - not really. I was keen to learn those figures. My electorate has the same number of venues as the Hobart municipality has. My electorate is only half the municipality. The other half is in the member for Nelson's area. Five venues, and 124 machines, with losses of \$4.25 million per annum, which is an average of \$34 000 per electronic gaming machine per year. It is not so great a money sinkhole like some of the other areas, such as Glenorchy. It is pretty devastating when you think about how much money is being lost.

I am not here to say that no one should gamble. I have Tattslotto tickets here and there, for example. It is the type of gambling that captures the person into a vice grip that they cannot get out of - I want to see the harm of those reduced.

In the late 1970s, early 1980s, I helped a mate who used to own the newsagency down at the casino. A couple of times I thought I will go and have a look down in the gaming area and they had blackjack machines. I plugged in a couple of dollars and I had a good return because I knew how to play blackjack. There were only about five blackjack machines; the rest was full of poker machines.

I did this every two months or so, when they wanted a weekend off. It was not long before those blackjack machines disappeared because they were not making money. They were losing money for the organisation. Poker machines have an overt advantage to the house, in my opinion. I would like to learn a little more about that, and how this bill can be changed to reduce the harm.

That is all I need to say. I wanted to provide my little bit of an insight. We had some great briefings today. The briefing from the previous Liquor and Gaming Commissioner, Peter Hoult, was very informative.

I am trying to find the page and I am not having much success; it is probably time for me to adjourn the debate if I can't flick it up in the next minute. In conclusion: harm minimisation, yes, please.

Debate adjourned.

CONTAINER REFUND SCHEME BILL 2021 (No. 54)

First Reading

Bill received from the House of Assembly and read the first time.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the second reading of the bill be made an order of the day for Tuesday next.

Motion agreed to.

ADJOURNMENT

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the Council at its rising adjourn until 12 noon on Thursday
11 November 2021

Motion agreed to.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, before I move the adjournment I would like to remind members of our OPCAT briefing tomorrow at 9.30 a.m. followed by a departmental briefing followed by a Housing Land Supply briefing. Members are aware of the 11 a.m. Remembrance Service out the front, unless it is raining and then it will be in the Long Room.

The Council adjourned at 9.55 p.m.