



**PARLIAMENT OF TASMANIA**

**LEGISLATIVE COUNCIL**

**REPORT OF DEBATES**

**Wednesday 7 September 2022**

**REVISED EDITION**



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**Wednesday 7 September 2022**

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

**TABLED PAPER**

**Joint Parliamentary Standing Committee on Subordinate Legislation -  
Annual Report 2021-22**

[11.02 a.m.]

**Ms RATTRAY** (McIntyre) - Mr President, I have the honour to present the annual report of the Joint Parliamentary Standing Committee on Subordinate Legislation for 2021-22.

Mr President, I move -

That the report be received and printed.

**Report received and printed.**

**CLIMATE CHANGE (STATE ACTION) AMENDMENT BILL 2021(No. 63)**

**First Reading**

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

**SUSPENSION OF SITTING**

[11.03 a.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 continued briefings on the Homes Tasmania Bill 2022.

**Sitting suspended from 11.04 a.m. to 12.20 p.m.**

**MOTION**

***Motion for Respect: Report into Workplace Culture in the Tasmanian Ministerial and  
Parliamentary Services - Joint Response***

[12.20 p.m.]

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

That the resolution from the House of Assembly be agreed to and the blank be filled up with the words 'Legislative Council and the'.

Mr President, I take the opportunity to speak to the motion.

As members know, in July 2021 the Anti-Discrimination Commissioner, Sarah Bolt, was appointed as the reviewer for the Independent Review into Parliamentary Practices and Procedures to Support Workplace Culture. The review focused on workplaces across the parliament, Ministerial and Parliamentary Services staff and the electorate offices, including practices and procedures, with an aim to ensure a safe and respectful workplace and to assist best practice in preventing and dealing with workplace discrimination, sexual harassment, and bullying.

In November 2021 the commissioner announced the opening of an anonymous and confidential survey as the first stage of the review process, which ran from 21 November 2021 until 17 December 2021. The results of the survey together with the audit of internal policies, procedures, and practices were received and analysed as part of the review and assisted in informing recommendations made in the final report.

On 29 August, the Government welcomed the release of the Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services. Today I acknowledge the effort that has gone into this report and thank those who participated and spoke up about their experiences, both current and historical. I also thank the commissioner and all those engaged to assist with this report and to all those in this place who are united in their commitment to ensure our workplaces are safe, inclusive and engaging.

The Premier said yesterday as the employer of MPS staff, he accepted the intent of the recommendations regarding the MPS workplaces. The report states:

While many Review participants reported negative experiences, it is also overwhelmingly evident that MPS is comprised of an extremely dedicated workforce. Individuals are committed to their work and contributing to the Tasmanian community. The MPS workforce is deserving of contemporary workplace structures which build a culture where they are valued and recognised for the contribution they make to our communities. Their working environment should be inclusive, fair and safe.

However, Mr President, the report also details some serious concerns and challenges that must be addressed as a priority. It is clear that in Ministerial and Parliamentary Services, across all parties, and the parliament more generally, there needs to be a focus on improving processes and policy, as well as training and reporting mechanisms. As parliamentary colleagues and community leaders, it is imperative we show our commitment to ensuring our workplaces set the highest standard in workplace culture and accountability.

The MPS is a complex environment that consists of very distinct workforces. There are parliamentary, political, and government workforces across multiple sites and all these should be safe and inclusive.

Today, I will stand on this important motion to move -

That the Legislative Council -

(1) Notes:

- (a) the Motion for Respect: Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services report released on Monday 29 August 2022; and
- (b) that the Report provides 14 recommendations to improve workplace culture and processes, and ensure a shared responsibility for the varied workplaces covered by the Report.

(2) Acknowledges:

- (a) those who shared their experiences and apologies for the hurt and harm caused to them;
- (b) the need to improve workplace culture and process in the workplaces covered by the Report;
- (c) that Tasmanians expect Members of Parliament and their offices to set the highest standards in workplace culture and accountability;
- (d) that staff employed in the workplaces covered by the Report are hardworking, dedicated and valued by Members of Parliament;
- (e) that the Report addresses a number of individual workplaces with respective needs and employment conditions; and
- (f) that each workplace must retain its individual rights to employ and manage staff, in line with best practice workplace policies, processes and procedures.

(3) Resolves:

- (a) that Members and staff in the workplaces covered by the Report have a right to a safe and inclusive work environment free from discrimination, bullying, sexual harassment; and
- (b) that best practice workplace policies, processes and procedures enable safe and respectful workplaces and contribute towards positive culture.

(4) Supports:

- (a) the development and sharing of policies, procedures and frameworks, and relevant codes of conduct, that would ensure consistency across the workplaces covered in the Report; and
  - (b) the provision of ongoing professional development and training to deliver a culture of continuous improvement.
- (5) Commits to:
- (a) ensuring oversight and accountability for the implementation of recommendations by the relevant employer.

That is my contribution, and I look forward to hearing other members' thoughts on this important subject, and I am sure that the message will be supported.

[12.26 p.m.]

**Ms FORREST** (Murchison) - Mr President, I support the motion as noted and moved by the Leader. I wish to speak in broad terms to the report itself, acknowledging that all the points the Leader has raised have my full support and acknowledgement.

I also note, Mr President, your comments made yesterday, and concur with the matters you raised in your statement to the House here as well. I also express my regret for the experiences of far too many people who work in and with the Ministerial and Parliamentary Services (MPS) and the lack of appropriate structures to support those who have experienced bullying, sexual harassment and discrimination in this workplace.

The Motion for Respect reports a strong willingness, however, to see and be a part of the much-needed cultural change. This is so important, and I personally commit to doing all I can to see the recommendations of the report implemented and a much-needed cultural change occur.

To speak more directly to the motion before us, and the content of the report particularly, having now had time to read it right through, it is apparent that there has been a lack of strong, effective and informed leadership across many - if not all - areas of the MPS over many years, as evidenced by the outcomes of the Motion for Respect review. That is at the heart of this report. Effectively, in many cases this lack has turned a blind eye to inappropriate behaviours, sought to protect the government of the day from embarrassment and inconvenience, and in doing so, has enabled a culture of disrespect to the point that we now know at least 24 per cent of the people in this workplace have experienced discrimination, 15 per cent sexual harassment, and 40 per cent bullying. Every time we walk past any of these behaviours, we become part of the problem.

The reviewer heard that people have felt belittled and degraded. This is serious and they are owed a solution to change the way business is done in this broader workplace and to lift standards.

I have heard many in the broader MPS say that they never saw any of these behaviours. I have suggested to them when I have heard them say that, and suggest to any who do say it,

that they are indeed fortunate. However, in light of the high instance of such inappropriate behaviour, I suggest it is much more likely that they have not perhaps understood what they were seeing. Having witnessed such behaviour as part of the culture of the place for so long, the way things are done around here is just accepted as the norm.

Those stating they have never witnessed any inappropriate behaviour, as is described in this review, need to ensure they do not inadvertently diminish the very real experience of the many, two-thirds of those who responded to the review, and potentially create further harm to these individuals. We must believe people when they report such behaviours.

These behaviours often happen in plain sight, more often than not. We have pretty much seen it all, or been informed of it. For many, it has been so much easier to say nothing, not to get involved, turn the other way, or ignore it. I get this where in many cases, victims genuinely fear retribution in one form or another, and even those who might seek to call it out can also fear retribution. However, those of us who can, should speak up. Effective bystander behaviour must be part of the solution to addressing what has clearly been identified as a toxic and unsafe workplace for an alarmingly high number of individuals.

Some time ago after seeing the experience of some of these inappropriate behaviours, I made a commitment to myself, and to all others who are victims of these behaviours, to call it out and not walk past. That was when I truly knew there was a problem. Not only was I often not believed, at times I was also shamed. Behaviours did not change and the culture remained.

I thank the member for Nelson for writing to the then-premier Peter Gutwein about these matters and suggesting that a review of the culture within the MPS be undertaken, as was occurring or had occurred in other jurisdictions.

I refer to some of the more concerning matters raised in the overall report. It was predominantly managers, supervisors and members who were behaving badly and involved in inappropriate, and at times, unlawful behaviour. The report does apply a bit of a one-size-fits-all approach. However, I believe a recognition of various employers' responsibilities may need to be appropriately addressed to their area with the overarching recommendation being preserved. I know that the motion the Leader read goes to that, and also, Mr President, your comments yesterday clearly articulated that from this place's perspective.

I did have some concerns regarding clause 4 that called for a centralised and independent human resources unit in light of this. This needs to be well thought through in its application. The intent of the recommendation is very solid and very sound, but it is important that it is well thought through, particularly as the areas of the MPS are completely separate operations guided by different values and different arrangements.

For example, many ministerial staff work for the government of the day and are loyal to the government of the day. Parliamentary staff work for the institution, and serve each and every one of us without fear or favour. Our Legislative Council electorate officers are employed by the Legislative Council, and they are not party political.

The report contains many observations that sit under the recommendations that do need to be fully considered. The question remains as to who this responsibility falls to, particularly recommendations related to Legislature-General and how joint services are run; parliamentary

officers and appointments and employment practices; and the review of parliament's governance structure, not the ministerial office governance structures.

I do not think any of us here are surprised by the findings in the report, sadly. In the words of Paul Bongiorno, 'I am rarely surprised these days, but occasionally I am still shocked'. We should all be shocked by the scale of the problem we need to address here.

We need all of us who work within MPS to take responsibility for our own behaviours and actions, and very importantly, how to respond when we witness inappropriate behaviour from others.

The findings in this report identify a number of ingrained and inappropriate attitudes and processes. It reveals, among other concerning matters, high levels of mistrust, prevailing attitudes of self-entitlement, a lack of accountability and consequences and a strong perception of nepotism and cronyism. This is all in the report. I am not pulling this out of anywhere else.

Many of these findings have developed and become deeply ingrained in the culture of MPS, and will be difficult in some respects to completely or quickly turn around. Some attitudes run deep to the point where some are not even aware they are occurring. Heightened self-awareness will be an important part of the education and training work that needs to occur across the whole MPS.

It is no surprise to all or many of us, that not only do we need to know how to respond, but we also need a robust, independent, confidential, well-understood and resourced process for reporting and responding to inappropriate behaviours. We need a process that we can all have confidence in.

The Motion for Respect report contains many key and important recommendations. At first review, I was concerned that there may have been a blurring of the lines between MPs, who regulate, or should regulate their own behaviour, the executive, and the staff who work in the Ministerial Services and parliament itself. I do not believe MPs should be directly making decisions in matters outside of our responsibility.

I was concerned that the proposed committee may have been expected to undertake some of the inquiry processes into matters that are the responsibility of others. However, when reading the whole report and the rationale sitting behind the recommendations, it is clearer the committee is to have an oversight role, overseeing the implementation and I assume monitoring progress of the outcomes of the recommendations as they move forward.

When I raised my initial concerns regarding the scope, remit and role, through any terms of reference for the committee, I spoke with a number of members of the working group raising those concerns. I appreciate those who acknowledged and listened to my concerns on that. The scope of such a committee and its terms of reference needs to be very clear as to the remit and role. I am saying now some of these comments rather than in a subsequent motion.

As I have stated, MPs are responsible for regulating their own behaviour, and presiding officers and Clerks have responsibility for Parliamentary Services and employment with the parliament and the operations of the parliament. This is an important distinction as the Clerks are effectively the custodians of the institution of the parliament and the keepers of the practices, procedures and traditions.

The Premier and departmental leaders have responsibility for executive and ministerial officers. As we know, the parliament is supreme and the executive is accountable to the parliament. I am sure all of us appreciate the separation of powers but to reiterate, the parliament has the power to make and change law. The executive has the power to put law into action and the judiciary has the power to make judgments on the law. The separation of powers works together with the principles of responsible government to guide the way law is made and managed. Responsible government means a party, or coalition of parties, must maintain the support of the majority of members - in Tasmania's case - in the House of Assembly, in order to remain in government. This provides another check on the Executive, ensuring they are accountable to the parliament and do not abuse their power.

To reiterate and comment a little further on the supremacy of parliament, as it is key to what will be some of the considerations of the committee if established and others tasked with the delivering on the recommendations. As I have referred to, parliament's role is to make the law, approve the appropriation of funds, that is, pass the budget, scrutinise the executive and inquire into issues. The inquiry and functions of parliament may result in recommendations, but that is all it can do. It cannot administer a government department or corporation. In addition, the executive government has no authority over the affairs of the parliament. The government of the day is answerable to the parliament. Not the other way round. The judiciary interprets the law. Parliamentary democracy cannot function in any other way. Parliament and its members should be an exemplar in conducting themselves.

It is important to also make the distinction between the government and governance. When we refer to governance, this is the system by which businesses, organisations and corporations are directed and controlled. The system specifies the distribution of rights and responsibilities among different participants in the organisations, such as the board, managers and other stakeholders, and spells out the rules and procedures for making decisions on the affairs of the organisation. Governance is different from managing a corporation. Managing a corporation is concerned with running the organisation's business affairs. Governance is concerned with running the enterprise, making sure that it is running in the right direction and being run well.

Although corporate governance is about power exercised over activities of an organisation, corporate governance principles do not explain how, or in whose interest, that power should be exercised. That would depend on the view taken about the role of the organisation and in this, there are many views. Essentially, a governance framework is there to encourage the efficient use of resources and equally to require accountability for the stewardship of those resources. The aim is to align as neatly as possible the interests of individuals, corporations and society. These standards require commitment to delivering value to customers, where there are customers; investing in employees, through training, education, diversity inclusion, dignity and respect; dealing fairly and ethically with suppliers; supporting the community in which the corporation works; and generating long-term value for shareholders, where there are shareholders.

These principles can equally apply to a parliament and it is of note the reviewer has made quite detailed recommendations regarding the governance and operation of the parliament, particularly joint services. Why? The practices, policies and procedures, reporting lines and what we may describe as governance affect culture. Accountabilities and responsibilities are key - who is accountable for decisions and actions and who has responsibility for doing things?

Of note, Mr President, the royal commission into Crown Casino made similar observations. While not about bullying and harassment, the inquiry was about money laundering and irresponsible financial and gaming practices. The commission of inquiry found that these matters had continued.

It is also interesting to note the Report into Workplace Culture at Rio Tinto. The reviewer, Elizabeth Broderick and Co (EB & Co), heard about significant challenges across Rio Tinto's workplace culture, including that:

- Bullying is systemic, experienced by almost half the survey respondents.
- Sexual harassment and everyday sexism occur at unacceptable rates.
- Racism is common across a number of areas.
- Employees do not believe that the organisation is psychologically safe, which impacts on their trust in the reporting systems.
- Harmful behaviours occur between employees, managers, and leaders, including senior leaders.
- Unique workplace features such as hierarchical, male-dominated culture create risk factors.
- A capability gap in leading and managing people exists across many levels of the organisation, particularly on the front line.
- People, policies, and systems are not properly embedded or 'lived' across the organisation.
- Harmful behaviour is often tolerated or normalised.
- Harmful behaviour by serial perpetrators is often an open secret.
- Employees believe there is little accountability, particularly for senior leaders, and so-called 'high performers', who are perceived to avoid significant consequences for harmful behaviour.

Sadly, Mr President, much of this sounds familiar when we read through the Motion for Respect report.

The EB & Co review findings guided Rio Tinto's decision to prioritise cultural change across their organisation. Some of these findings included that:

A strong and commendable appetite for cultural change exists across the organisation -

as we heard in the report here -

... including at senior leadership levels and high rates of confidence among employees that Rio Tinto will make a meaningful difference in relation to harmful behaviours over the next two years.

There are a lot of commonalities between that report and this one.

A visible shift has occurred in recent times towards a healthier culture.

I hope that that is the case in this place as well.

Investment in adaptive leadership development for senior leaders provides a strong foundation for accelerated cultural change.

All these are part of the recommendations and the findings in the Motion for Respect report.

Mr President, we also know that there have been many other such reviews in parliaments around the country, including the federal parliament, South Australian Parliament, and the New South Wales Parliament. All these reports reflect the need to make change, to stamp out bullying and sexual predators and requires cultural change - cultural change that is lived through leadership.

We need leaders who will walk the walk, invest in people, policies, and training, which are key. However, a deep dive into the way that things are run is important as well, including how we fund a parliament, how decisions are made, what the institutional values are, and how we develop leaders and managers. All these matters are fundamental to change here, just as they have been in other organisations.

I note that in the Rio Tinto response - The Importance of Caring, Courageous and Curious Leadership - it stated:

These findings highlight, the importance of caring, courageous, and curious leadership - values which Rio Tinto has identified as priorities across the organisation. Leaders must model these values in a way which drives genuine reform. As one Rio Tinto employee commented: 'Leaders need to be the shining examples of everyday respect'.

Leaders in middle management have the most day-to-day interaction with employees, but EB & Co found that not all in these positions are modelling these values, creating a disjuncture between organisational messaging and the lived experience for employees. It is therefore crucial for middle management to commit to their role in creating an inclusive workplace.

Mr President, as members, we are all leaders in our communities. We are leaders in this place and with each other in the course of our parliamentary work. We need to maintain that leadership. However, I ask, are we leaders in the operations of parliament? We need to make sure we do not cross over into areas that actually are not our responsibility as members.

We also need to carefully consider our role in delving into the operations of the parliament and members, ministerial and parliamentary staff. This is necessary in order to preserve the separation of powers, to manage conflicts of interest that, as members, we may have in driving reform of parliament's workplace. We collectively do not run the executive, and those charged with employing ministerial staffers need to take these things on board. They are the ones who need to act in those areas.

We need to concern ourselves with how we exercise our power and our privileges, including, but certainly not limited to, how we exercise the privilege we have in parliamentary privilege, and in how we behave toward each other, our communities and our staff. I raise these points as they sit behind my concern regarding the scope and role of the proposed committee that will be considered in the following motion. I wanted to make those points. They are the things we need to be cognisant of.

I said any committee charged with monitoring, overseeing, or actually implementing any of the recommendations made is to be very cognisant of these separations, and the various responsibilities and where they lie.

I do not raise these matters only to remind members of our responsibilities, but more so to make it clear to others listening that the separation of powers and responsible government are key pillars to all we do and to the supremacy of parliament. As I mentioned, my key concerns relate to the scope, the remit and terms of reference of the committee to be established under a subsequent motion, should that be successful.

I also note the second recommendation, that an appropriately resourced independent project manager be appointed to execute implementation of the accepted recommendations. I actually hope all recommendations are accepted that relate to this role. It is vital that the person who is appointed to this position is done so through a rigorous, transparent, independent process to avoid repeating some of the problems that led to this review.

There is much in this report that highlights the need for safety relating to complaint-making and balancing transparency with confidentiality. The importance of codes of conduct that also contain sanctions for dealing with misconduct was noted. These are important and complex matters to navigate - that transparency and confidentiality - and it is imperative that the MPS has access to appropriately skilled and qualified people to oversee these critical areas. Victimisation must be avoided, and a better understanding and utilisation of our integrity bodies must be available and accessible in ways that create psychological safety for those engaging with them. This is particularly important when we note the reasons people did not speak up were fear of reprisal, negative impact on one's career, et cetera.

I return to the matter of leadership. As the report states, leaders of the organisation must be dedicated to making positive, proactive and effective change. Further, as noted in the report, strong and constructive leadership will be required to inspire confidence that meaningful change can be achieved. We will need transformational, not transactional, leadership from all leaders within the MPS to ensure the underlying toxic culture that has created an unsafe workplace for too many - from all MPs, party leaders, Clerks, presiding officers, heads of departments and agencies, and managers to ensure that we can, and do, create and maintain a safe, positive, healthy workplace for all.

As noted in the report, workplace culture is directly linked to organisational frameworks, including through comprehensive policies and processes, oversight, accountability, transparency, values, training, competency of leaders, access to support systems, bystander action, and protection from victimisation. What has been clearly described in this report is the need for a complete overhaul of the MPS workplace to effectively address the existing problems and prevent further exacerbation of the existing problems.

There are and will be many involved in this transformation, and we all have a part to play. The proposed committee is only one part of it. As I have said, the remit and scope of the committee does need to be clearly defined to ensure appropriate accountability for all parts of the MPS, and the MPS leadership response is focused on the area of their responsibility and accountability.

My final comment in this important matter is that we all need to be part of the solution here. My commitment is to work together to progress these recommendations and give effect to real, lasting, and meaningful cultural change.

I support the motion.

[12.49 p.m.]

**Ms WEBB** (Nelson) - Mr President, it is a sobering and a salutary experience addressing the motion we have before us here today as we note Motion for Respect: Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services. Salutary for all of us and since the public release last Monday 29 August of the Motion for Respect report, many adjectives have been employed in describing its contents. We have heard, 'shocking,' 'extraordinary,' 'unacceptable,' 'outrageous,' 'challenging,' 'disgraceful,' 'distressing, but unsurprising,' and the list could go on. This collection of adjectives reflects a visceral, emotional response. In that context the adjectives at the forefront of my mind and response are, 'confronting, and appalling.' I am appalled. I am also aware that if I am having such a visceral and emotional reaction to the report's findings, I cannot imagine how difficult and traumatic it must have been for those participants whose experiences have informed the document now before us. If I find reading this report challenging and confronting and appalling, what on earth must it have been like living some of the experiences described in it? Then, being asked to relive it, so we may have the privilege of learning from it.

In noting the tabling of this report, at the outset I must pay tribute to the brave MPS staff who came forward to participate in this important and unprecedented review into our parliament's workplace culture and it cannot be stressed enough that for some it could not have been easy to do so. Thank you to all those who took the plunge and participated in this independent review and in such heartening numbers. I also acknowledge that there would have been MPS staff members who did not feel able to participate who, despite the measures taken to ensure safety and confidentiality in the process of the independent review, may still have felt unsafe, or at risk of repercussions.

Allow me to take the opportunity to say to all MPS staff who have suffered bullying, harassment or discrimination in the course of their work, I am deeply sorry. I am sorry for the hurt, fear, anxiety, the sadness, the anger or frustration that may have been caused by what you experienced. I am sorry for the impact it has had on you, both personally and professionally. I am sorry for the impact it may have had on your family and those you love, who were alongside you while that happened.

While my apology and the apology of others cannot undo the experiences, to those who have experienced those things and had hurt or damage caused by them, I want to say to those people I believe those experiences. I recognise your hurt and damage caused and I am terribly sorry for what happened.

I also express my deep gratitude to the independent reviewer, Sarah Bolt and her review team for their professional, diligent and clear-sighted work on this lengthy and unprecedented process, since its inception in March last year. Tasmanians expect high standards of leadership from their state-elected representatives and those they employ, and rightly so. Sadly, the Motion for Respect report starkly lays out the degree to which these expectations have fallen short on far too many occasions. All parliamentarians have a positive duty of care to ensure all staff working within parliament, political and electoral offices have a safe workplace, effective human resource policies, complaints procedures and support structures in place.

Every person deserves to be treated with respect and to experience a safe workplace. I am sure all elected representatives in this parliament, managers, supervisors and others, would all agree we all share a right to a safe, inclusive and accountable workplace. Many of us would have frequently expressed these and other related sentiments in both our professional and personal lives, but evidently, the MPS workplace is experiencing a gap between rhetoric and reality and for too many that gap is in fact a chasm. That is the challenge presented by the Motion for Respect report. To narrow that gap. To realign our talk with our walk.

To some extent, the independent review's final report, the Motion for Respect, speaks for itself. The report is thorough, accessible and clearly addresses each task set in the review's terms of reference, which is available in the report at Appendix A. Most importantly, this report does not pull its punches. It draws back what has been, in many cases, an impenetrable cloak, and sheds light on, it must be said, the previously and conveniently shrouded shadows. It makes visible that which had previously been invisible or too readily ignored. It also directs the spotlight to the disturbing fact that too often those things now visible were indeed visible to some at the time, but no doubt for various reasons, witnesses chose to turn away instead of intervening.

Unsurprisingly, there has been considerable public interest in the fact that despite two-thirds of respondents witnessing discrimination, sexual harassment, or bullying, only 11 per cent of bystanders intervened when the incident occurred. Further, only 15 per cent of respondents who witnessed discrimination, sexual harassment or bullying reported it to their employer. However, I recognise there are understandable safety concerns which would have contributed to those choices in some cases. The reticence to intervene is indicative in itself of an unsafe, damaging and unaccountable workplace culture. The report bluntly states the following:

Evidence highlighted the negative impact of discrimination, sexual harassment, and bullying, and the short and longer term consequences of such conduct, which in some circumstances are profound and life changing. It is difficult to find a plausible explanation for the lack of action taken to address repeated, harmful behaviours which continue to negatively affect current and former staff.

The independent review was deliberately provided with a broad scope, and was charged with examining workplace behaviour constituting discrimination, sexual harassment and

bullying. The final report details that of the review's survey participants we have data before us saying that 24 per cent experienced discrimination, 15 per cent experienced sexual harassment and 40 per cent experienced bullying. It must be acknowledged, sadly, some individuals would have experienced combinations of two or three of those infringements upon their safety and wellbeing in their time in this workplace.

There are further statistical breakdowns provided, including that of the 24 per cent experiencing discrimination, 59 per cent reported discrimination on the basis of gender. Of the 15 per cent experiencing sexual harassment, it is of serious and deep concern that the majority of those, 32 per cent, reported being sexually harassed by a member of parliament. Words fail me on that. They truly do. Of the 15 per cent experiencing sexual harassment, 27 per cent of those reported sexual harassment by their supervisors or managers. In regard to the 40 per cent who experienced bullying, 56 per cent of those were subjected to frequent bullying behaviour and 42 per cent reported bullying by supervisors or managers. So if we look at those figures, 40 per cent experienced bullying and for half of those, it was frequent bullying behaviour. That is one in five people, it indicates to us, who experienced that in this workplace.

This is just a brief summary of some of the data contained in this report. It indicates very clearly the power imbalances that are very seriously impacting on the MPS workplace in all its iterations. It cannot be a surprise that after hearing those statistics, we have also learned that 82 per cent of respondents voiced general dissatisfaction with current complaints processes, as invariably they involve or rely upon supervisors, managers, or even MPs, to make a complaint and see it brought to fruition.

There is much content -

**Sitting suspended from 1.00 p.m. to 2.30 p.m.**

## **QUESTIONS**

### **Social Housing - King Island**

**Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT**

[2.30 p.m.]

With regard to the Government's policies around access to affordable and accessible housing and the response related to the construction of social housing, including housing for those with a disability, the response last week included the fact that no houses are being constructed on King Island.

- (1) Can the minister confirm whether any homes are currently being built or are planned to be built in the next five years on King Island; and

If so, the number of properties that are suitable for residents with disability, including the availability of hoists?

- (2) The previous response provided by the Leader stated:

Where practical, all new social houses built under the Government have adhered to the design policy which is comparable to silver level on the Livable Housing Design Guidelines (LHDG). The policy states that all new homes will be constructed to meet the changing needs of the residents across their lifetime, including easy and cost-effective adaptation for the specific needs of people living with disabilities.

As I understand it, hoists need to be considered in the construction of the building to ensure structural integrity that is required to ensure a hoist can be safely installed and used by the resident, not retrofitted.

Can the Leader confirm that silver level on the Livable Housing Design Guidelines ensures adequate structural integrity to ensure a hoist can be retrofitted?

## **ANSWER**

- (1) Under the current stage of the Community Housing Growth Program - properties to be delivered by June 2023 - there are no dwellings committed for construction on King Island.

A further expression of interest process for new social housing supply will be released by the end of 2022. This will be seeking proposals for construction of new supply in areas of demand, as informed by the social housing waitlist. This will include both King and Flinders islands.

- (2) The silver Livable Housing Design Guidelines focus on seven key structural and spatial elements that are critical to ensure future flexibility and adaptability of a home. These core elements do not necessarily accommodate the needs and abilities of all people living with disability, but are considered to be of most widespread benefit and use in the majority of circumstances.

The seven core elements include:

- (1) A safe, continuous and step-free path of travel from the street entrance and/or parking area to a dwelling entrance that is level;
- (2) At least one level step-free entrance into the dwelling;
- (3) Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces;
- (4) A toilet on the ground or entry level that provides easy access;
- (5) A bathroom that contains a hobless shower recess;
- (6) Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date;
- (7) Stairways are designed to reduce the likelihood of injury and also enable future adaptation.

The inclusion of hoists or infrastructure to enable easy adaptation to include a hoist when required are not core elements of any level, either silver, gold or platinum of the Livable Housing Design Guidelines. This infrastructure is a customisation option for specialist disability accommodation based on identified individual's needs for those with more significant levels of physical disability. Assistive products such as portable hoists can offer an alternative to fixed ceiling hoists to provide opportunities for aging in place.

The development of higher level specialist disability accommodation is supported through project-specific briefing with specialist consultants and allied health professionals.

### **Ambulance Tasmania - Unfilled Shifts**

**Ms LOVELL question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT**

[2.34 p.m.]

Can the Leader please detail the number of unfilled shifts at Ambulance Tasmania, broken down by month, for the past two financial years?

### **ANSWER**

I thank the member for her question. In accordance with the Ambulance Service Award, rosters for staff employed under the Ambulance Service Act of 1982 are provided 56 days in advance and ensure there are sufficient and appropriately skilled staff rostered to work to provide appropriate patient care and to meet anticipated service demands. As with any organisation, unplanned leave can occur, and Ambulance Tasmania employs a range of strategies to cover these absences, including the use of casuals or part-time staff, use of overtime, or the redeployment of on-shift staff who have clinical credentials.

The minister has also advised the exact breakdown of unfilled shifts is not currently available; however, the Department of Health is working to implement a new human resources information system. Further advice is that the new system will provide for greater automation and digital processes for all human resource management functions, including reporting.

### **MOTION**

**Consideration of Resolution from House of Assembly - *Motion for Respect: Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services***

**Resumed from page 13.**

[2.36 p.m.]

**Ms WEBB** (Nelson) - Mr President, I was speaking about some of the findings and data from the report. There is much content worthy of detailed discussion and analysis contained in the Motion for Respect final report. It is a discussion which should continue beyond the confines of this one particular formal debate. I know others here will be highlighting key

findings, content and elements that they found particularly significant, and I will listen with interest to hear those analyses and responses.

I will now move on to focus on the road map for lasting change provided in the form of the report's 14 recommendations. For me, this list of 14 detailed recommendations is one of the fundamental and significant contributions made by this report. I welcome not only the forensic approach to identifying what needs changing and how it should be changed, but also the proposed time frames by which these actions should occur.

The timetable woven throughout the recommendations list inserts a clear accountability mechanism by which review participants, their families who witnessed the toll of unacceptable behaviour, all former, current and future workers within the MPS environment, the media, the public, and indeed, each of us, can be held to account. We can hold ourselves to account.

On 29 September, for example, they can demand where are the public statements by the House of Assembly, the Legislative Council, and Legislature-General, acknowledging the importance of the Ministerial and Parliamentary Services being a safe workplace free from discrimination, sexual harassment and bullying, and committing to assisting with implementation of accepted recommendations. That was a recommendation for the first month. Luckily, we will be well held to account on that one.

On 29 November, for example, anyone who has engaged with this report could seek to know where the recommended joint House standing committee is, and what the committee has done about appropriately appointing an independent project manager. We will happily be able to report well on that one.

This time frame gives us an extra push towards accountability, an extra expectation that we well and truly meet these standards, and a challenge not to be tardy in doing so, not to let things lapse, and to respect the work that has gone into this report, and the contributions from MPS staff that have populated it. The culmination is the time line of two years from now, with recommendations to be delivered by 29 August 2024, including the important report outlining implemented recommendations, any subsequent survey findings, steps remaining, and adjustments needed to ensure the purpose of the recommendations has been achieved. It clearly says it is to be published on the Tasmanian Parliament website home page. That is an important public accountability to us too, at that two-year mark, to present the evaluation of how well we have done. Further, by accepting the recommendations as set out in this report, the parliament is committing to undertaking a Ministerial and Parliamentary Services Workplace Culture Survey to be administered to all personnel on, at least, a biennial basis with results published on our Tasmanian Parliament website. I hope we can live up to that recommendation, but that will be an ongoing way that we can be measuring and engaging our workplace safety and culture and seeing how our progress has progressed.

We must also not lose sight that although the report does not make a specific recommendation about imposing the positive duty - which was identified as being absent - the independent reviewer does urge consideration is given to legislative change, to impose a positive duty to prevent discrimination, sexual harassment and bullying. This identified gap warrants further investigation.

In relation to the significance of the road map provided by the report, I draw this House's attention to the independent reviewer's following statement:

Recommendations from the Review must be prioritised and actioned expediently to ensure that accepted recommendations do not become stale, or worse, ignored or forgotten. It is envisioned that any time period as set out in a recommendation should commence upon acceptance of that recommendation.

To delay the implementation of accepted recommendations has the potential to undermine the trust and confidence of Review participants and those working within the MPS Workplace more broadly.

That is an important prompt to us. It refers to accepted recommendations and happily, in principle, all the recommendations have been accepted. There may be some nuances and tweaks particular to the various iterations of this workplace in bringing them to fruition, but the firm commitment is there across the board to see it happen.

Following our noting of this report in this place today and in the other place yesterday, many may wonder, 'What does that mean for me right now? I am not personally involved in delivering the road map, so what does the list of recommendations, or its implementation timetable mean for me and my immediate workplace environment today, tomorrow or next week?' These would be very fair questions. Some of the recommended actions and flow-on effects may appear remote to some working in the MPS environment. Further, it may not appear the report's recommendations will impact on them directly, or just as importantly, specifically require anything of them. I promise, or perhaps caution, whichever the case may be, that is not the case.

I go back to the original brief, as presented to the independent reviewer, which said:

... to undertake the Independent Review into Parliamentary Practices and Procedures to Support Workplace Culture ...

I emphasise the word 'culture' in that task. We all use that word in our personal and professional lives and we understand the concept when we hear it, but it is worth drilling down into the context of this report by specifically asking ourselves, what does it mean for all of us working within the MPS workplace?

We can find a definition of 'culture' in the Oxford Reference:

The way of life of people, including their attitudes, values, beliefs, arts, sciences, modes of perception, and habits of thought and activity. Cultural features of forms of life are learned but are often too pervasive to be readily noticed from within.

Further, workplace or organisational corporate culture is defined as:

The values, customs, rituals, attitudes, and norms shared by members of an organization which have to be learnt and accepted by new members of the organization.

The key elements of these definitions which I find interesting and pertinent to the challenge before us are attitudes, values, habits, norms. Those words spring out. Also of

significance, is the taken for granted assumption which threads through those attitudes, habits, norms shaping, forming and perpetuating them. Stripped down, these are the basic elements at play when we refer to culture, and particularly workplace culture. A quick scan of the Motion for Respect report reveals 92 mentions of culture, excluding headings or titles. It is worth noting that of those 92 references to culture in the report's content, 26 references were from direct quotations provided by participants. Many of the participants' statements highlight the extent to which problematic and toxic attitudes, values, habits and norms have pervaded people's work environments and experiences. To highlight a few of those contributions, one participant is quoted in the report saying:

I would describe the current culture as toxic and antiquated. The culture could be improved with the full support of those in positions of authority in allowing modern practices to be introduced and supporting change.

Another participant's contribution observes:

Culture provides an informal mechanism to control behaviour, but there cannot be a good culture without other factors like leadership, formal mechanisms in place to set standards, as well as shared understanding of values and understanding of employment law duties and obligations.

Further, another participant characterises the MPS workplace as:

... a culture of minimising, normalising and keeping quiet instances of unacceptable behaviour.

That was clearly echoed in another statement:

There has been open discussion from staff criticising victims of such harassment, normalising the culture of unwanted sexual attention from men as 'boys will be boys'.

This last one I point to is quite an articulate illustration of the situation from this participant's perspective. It says this:

The adage, 'the tone starts from the top' is very pertinent to the workplace culture and behaviour that has been enabled, condoned and thus permeated the whole workplace of MPS. I believe the public expect the Parliament and the behaviour that goes on within it, both publicly and privately, should be above repute and set a standard that we expect in other workplaces. A standard of behaviour where women are respected, gender equity and equality is the goal, power is not abused, and all employees feel safe. I note Parliament is a different workplace, however respect, dignity and the safety, physical and psychological, of all who work in and engage with MPS should be afforded the same as that which society expects in all workplaces.

That was a very well-put comment.

It must be noted that not all identified mentions of culture regarding MPS were negative but the positives were definitely in a small minority, as noted in the report. The key point here

is that this independent review was not tasked to investigate any particular incidents of alleged assault or wrongdoing, but rather to cast a comprehensive cultural net. That cultural net includes everyone within the MPS, no matter our individual role or status, and we can all start driving cultural change from now. There is no need to wait for the actions to play out from the recommendations. We can see that each of us can recognise that while those recommendations are important in their implementation, all of us can contribute from today with cultural change.

I was saddened that the Motion for Respect report provided such a concentrated litany of outdated and toxic norms which remain apparently pervasive in this workplace, from trivialising unacceptable behaviour; belittling people attempting to balance parental responsibilities; dismissing intrusive and leering behaviour as passing compliments; abusive, bullying and disrespectful behaviour ranging from verbal put-downs to yelling; and many instances, it would seem, of sexism. It is down to perpetrators to change, but it is also down to all of us to look in our mirrors and to double-check ourselves whether we are enabling these pervasive and learned norms, unconsciously or not. We must challenge ourselves to challenge these attitudes and behaviours which result in toxic culture instead of the workplace culture being recognised as providing respect, dignity and safety for all. We must be encouraging and supportive of each while doing so.

For example, what was once anecdotal has now been formally recognised as substantiated fact in the MPS. To quote from the report:

Safety at work is also compromised by consumption of alcohol ... Levels of sexual harassment are linked to alcohol consumption.

As individuals we do not wait 12 months for the recommended consumption of alcohol policy to be implemented to become more conscious and aware of the risks posed by alcohol consumption in the workplace, and moderate our own behaviours and decisions, as well as be more aware of the potential impact alcohol consumption may pose to staff and colleagues in certain situations. That is just one example and there are many others we can all identify detailed in the report. Put simply, we need to reset these problematic cultural norms. We can all take responsibility for when and how we choose to do so, as stated by independent reviewer, Sarah Bolt:

The initiatives proposed through the recommendations will not drive themselves. ... [It requires] a top-down approach to demonstrating and role modelling positive behaviours and attitudes.

To look back briefly, to the rhetorical question posed earlier: what does this report mean now for review participants and others within the MPS workplace? Hopefully, it means those identified toxic cultural norms will be constructively challenged on a daily basis at the individual level, office level, managerialist/supervisory level throughout the MPS while the report's recommendations are put in place, and certainly, at the level of all members of this Chamber.

I was very heartened by a very clear message from the report, which was there exists an overwhelming appetite for cultural change, accountability and consistent workplace practices. That gives us a basis on which to go forward. Staying in that context of culture and challenging established cultural norms, I wish to briefly revisit the impetus behind this independent review.

On 15 February in 2021, many of us will recall Brittany Higgins went public with her allegations of being raped by a colleague in federal parliament in a ministerial office in 2019. Cultural concerns had been raised for years prior, we only need to think back to the reaction to then prime minister Julia Gillard's blistering speech on misogyny in October of 2012 to see that the sexist roots were very deep in our federal parliament.

However, by 2021, there was a public expectation that these experiences in parliamentary workplaces were recognised as representative of systemic cultural problems, would be taken seriously and appropriate action would be taken in a timely manner. Additional to the controversy surrounding our federal counterparts in 2021, the South Australia Parliament was also waiting for their independent review into allegations of harassment occurring in that workplace.

Against this backdrop of serious, shocking and disturbing revelations occurring interstate, I found myself growing deeply concerned about the situation closer to home. Our parliament's place of work is modelled on the same power structures and the MPS work environment here shows many similar characteristics as those identified as contributing to the alleged behaviours in our sister parliaments. If established political office practices are perceived as the norms, driving, enabling and perpetuating these unacceptable behaviours and attitudes, leading to sexual harassment and bullying in those parliaments, how can we possibly presume those damaging norms have not also taken root in ours?

It would be arrogant and extreme to assume similar problems did not or could not occur here. It would be irresponsible and a dereliction of duty to close our eyes, put fingers in our ears and hope nothing untoward gets dragged into the light. In fact, I am sure we have all had first and second-hand experiences of unacceptable behaviour occur across the MPS at some stage during our tenure in this place. Some will also have attempted to access reporting or support services to then be disappointed, bewildered or frustrated by a quagmire designed to protect the status quo.

Following the release of the damning independent Review of Harassment in the South Australian Parliament Workplace 2021 report, which was tabled on 2 March in that parliament, the following day on 3 March, I wrote to then-premier, Peter Gutwein, proposing that the Tasmanian Parliament act without waiting for specific allegations to emerge. That correspondence I sent was cc'd to both Labor and Greens Leaders in the spirit of forging a cross-partisan collegial approach, as well as to both presiding officers, including yourself, Mr President.

People should not be put into a position of having to publicly expose specific incidents of harassment, bullying and discrimination that impacted them. They should not have to turn their pain and distress into a public spectacle in order for the situation to be taken seriously and for appropriate action to be taken on their behalf.

Hence, although I was not acting on anyone's specific allegation or issue of concern when I first wrote to the Premier, we would already have failed if we waited for that to be the situation. We would have failed our staff, colleagues and ourselves if wait-and-see was the threshold to be applied. The public record will then show the following day of 4 March, last year, then-premier Mr Gutwein mentioned in the other place his intention to follow up on my proposal with his formal correspondence being sent through on 5 March to me, and the other party leaders, the presiding officers of both Chambers and the then-Independent member for

Clark, Ms Ogilvie. Mr Gutwein also reiterated this commitment during his Premier's Address delivered on 16 March 2021. Interestingly, on 5 March, that same week, the federal government established their review, the Independent Review into Commonwealth Parliamentary Workplaces, the Jenkins Review, undertaken by federal Sex Discrimination Commissioner, Ms Kate Jenkins.

We did have a disruption in progressing this with the early May state election. However, when Mr Gutwein returned after that election, on 28 July he announced the appointment of Anti-Discrimination Commissioner, Sarah Bolt, as the independent reviewer and released the review's terms of reference. The process and methodology undertaken by the independent reviewer, Ms Bolt, and her team, are detailed in the final report, so I shall not repeat them here. Instead, I wish to acknowledge former premier, Peter Gutwein's swift acceptance of my initial proposal last year. I believe his actions and interests in progressing this were genuine, as were, and remain, others involved in bringing this initiative to fruition.

Ms Bolt has publicly described as 'extraordinary' the participation rate in the review process, while also acknowledging the scope of the review is unprecedented within Australia as it includes workplace conduct constituting discrimination, sexual harassment and bullying. That was a broader remit than any of the other similar reviews, interstate or at the federal level. Additionally, it is worth noting that currently Tasmania also stands out from our national counterparts in that this review was commissioned pre-emptively and proactively in the spirit of cooperation. I mention this not so we can pat ourselves on the back, far from it, but it does set a high expectation that we do now rigorously and expeditiously act and follow through on the report's 14 recommendations in the same spirit of cooperation.

Further, it is also worth noting Tasmania's unique pre-emptive and proactive approach highlights the constructive contribution that can be made with genuine collaboration, inclusive of independent as well as party-affiliated voices. Such an approach is not necessarily a norm in this place but maybe it should be and perhaps henceforth it is more likely to be. That could bode well for the necessary challenge of turning around what has been shown to be, at times, a damaging and toxic culture and norms, and achieving a reset of our workplace culture.

In the interests of providing as complete a public record as possible of both the review process undertaken by the independent reviewer and the reports produced, it is worthwhile to note the role of the informal, bicameral, nonpartisan committee, or working group - as I have always thought of it - which has been mentioned in the report and in commentary on the review. At times, there has been some concern or confusion regarding the status of this informal committee and the process to date. There have also been queries about the appropriateness, or otherwise, of the committee's involvement.

I have to admit I also had reservations when the committee, or working group, emerged as an ongoing entity from the initial roundtable discussions about how best to progress the proposed independent review. However, I came to realise that for the purposes of this unprecedented and necessary examination of the MPS workplace maybe we needed to think outside the square and find an equally unprecedented way of working together rather than getting stuck in the archaic, inflexible structures many participants have identified as being contributors to the MPS incapacity to move with modern expectations.

Once the terms of reference for the review were finalised the fundamental rule was that at no time was this informal committee to influence, or interfere in any way with the conduct

of the independent review process. I am confident that we all adhered to that undertaking. The committee, or working group, served as a point of reference when required by the independent reviewer, which was rare. One such example was highlighted by the independent reviewer, Sarah Bolt, in her March progress report:

I also acknowledge the support of the Committee, particularly regarding the progression of the Justice Miscellaneous (Independent Review Amendments) Act 2022 through Parliament, and the endorsement of measures to ensure the Review process upholds principles of safety, confidentiality and consent.

That same progress report detailed further steps the review would be undertaking, including the fact that the final report would be provided to the committee in July 2022 and then made available publicly thereafter. It is also worth pointing out that the other important purpose served by this informal committee was to depoliticise the independent review and its surrounding commentary. This was particularly important to encourage confidence in the process for potential participants. This was not a government inquiry. It was not subject to weaponised pot shots by non-government MPs. It enabled the independent reviewer to not be perceived as working solely for, or to, the Government.

There will be some for whom a more arms-length approach might have been preferable. While acknowledging that, I for one believe that that process worked quite well in the circumstances.

The independent reviewer's recommendation number two notes the committee's role will now change with the final report's release and recommends that there be established a joint committee to ensure proper formal processes governing the committee are observed and upheld throughout the implementation of accepted recommendations. That particular recommendation we will deal with in a separate motion, so I will not dwell on it here.

I acknowledged the former premier, Mr Gutwein's support along with the committee representatives and in the interests of fairness and equity I must also acknowledge the continuity provided by the current Premier, Jeremy Rockliff, leading this task. I am particularly appreciative of Mr Rockliff's acknowledgement of an agreement that common decency and a responsible duty of care demanded that review participants were not left to hear via news reports that the final report had been released.

I also take this opportunity to formally acknowledge the cooperation from all committee members who provided the independent reviewer the time to contact review participants in advance of last Monday's public release, not only to advise participants of the upcoming release, but also to ensure they knew of and had access to support services if needed.

An unorthodox creature of circumstance as it may have been, in a way the support committee provides an example of a constructive challenging of the established parliamentary cultural norms. It is an example of how cooperation can occur across political lines to deliver on behalf of ourselves and others.

It is also important to acknowledge the independent reviewer's progress report which was released on 17 March 2022, but which some people may have missed. The progress report release marked approximately one year following the public announcement of the then-premier that such an independent inquiry was to be held and approximately eight months following the

formal appointment of Anti-Discrimination Commissioner, Sarah Bolt, as the independent reviewer.

Despite unforeseen disruptions, such as the May election, plus subsequent delays due to identified legislative amendments needed, meaningful progress is detailed in that March report. While most of the progress report content is now superseded by this final report we are noting today, it is worth noting that even at that stage of the review process, key indications based on preliminary analysis were identifiable.

That report showed a very high participation rate and engagement from MPS staff, certainly higher than similar investigations in other jurisdictions. It was already identifying discrimination and discriminatory conduct. It was making observations about the diversity of the demographic in the MPS workplace. It was noting sexual harassment as being present in this workplace, and issues around our internal complaints processes within the MPS workplace. It pointed to bullying as something which would be featured in the final report.

The March progress report also provided important background information regarding the role of that informal bicameral multi-party committee, or working group, plus the detailed methodology of the review process, projected time lines and definitions. Not all of that information is necessarily reproduced in the final report, which is why I mention it here and point to that interim report as an important piece of the whole process.

Back in March this year, when that interim report came out, those watching knew that the MPS workplace certainly would not be getting a clean bill of health from the final report once it emerged. Far from it, indeed. However, forewarning in no way dilutes the justified shock and distress, an entire range of churning emotions many felt when the release of the final report came about last week.

As I come to the end of my contribution, it must also be acknowledged that despite the comparatively broad scope of the independent review, it still has its limitations. Specifically, I am only too well aware, there are others who have relevant experiences and insights they could have shared with the independent reviewer, but they left MPS workplaces before 1 July 2019, the historic cut-off point used. I can only acknowledge this seemingly arbitrary boundary and for those who fell outside it, undertake that once the timetable of recommendations is implemented, should you return to this workplace, sometime in the future, we would hope you would not recognise it, for the better.

Neither was the independent reviewer able to investigate, make determination or comment on any specific incidence that might be raised during the review. I would like to think the review process may have provided some sense, in some way, of closure for some individuals. If not, I am deeply sorry for the pain and undertake to work to the best of my ability to assist in transforming this MPS workplace culture, to ensure nobody goes through what we have heard from some people has been their experience.

To put it quite simply, this report is confronting. To put it bluntly, we needed to be confronted.

To conclude, it is important to stress the delivery of this report culminating in the review process is not perceived as an end in itself. Too often we see the release of a highly anticipated report receive a flurry of media coverage and well-meaning statements with well-intentioned

people and then as soon as it is out of the public spotlight, it feels as though it has been relegated in people's minds as 'been and done' and filed in the past. That cannot be allowed to happen in this case with this report tabled that we are noting today. It is not the end of anything. Instead, it kicks off the beginning of the next and just as crucial stage of this cultural review process, which requires all of us to roll up our sleeves and get stuck in to build a safe, inclusive and accountable workplace.

We asked the question and now we need the fortitude to accept the response and follow through on being agents of cultural change that is required. For us here and now in this place and also the other place, formally acknowledging the review participants and their experience is the first step taken. Now is the initial very vital step where we say we hear you, we will learn from you, and we will challenge discriminatory norms and will change for you. By doing so, we honour those who worked in workplaces previously, currently and invest in those who will work here in the future.

Because I do not believe it has been done, I seek leave to table three documents as a matter of public record, those being the full report released last week, the summary of that full report and the progress update released in March 2022.

**Leave granted.**

[3.08 p.m.]

**Ms WEBB** - Mr President, to close my contribution, I reiterate my heartfelt gratitude to those who participated, recognising it was not easy to do so. I reiterate my thanks to the independent reviewer, Anti-Discrimination Commissioner, Sarah Bolt and her team for their professionalism and diligent work undertaking this review. Lastly, in anticipation of positive progress, I also acknowledge the party leaders and all parliamentary colleagues' expressed commitment to implementing the recommendations of the report and upholding our shared duty of care to all who work in our parliamentary and MPS workplaces.

I note the review's final report, and the very important, unprecedented Motion for Respect: Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services.

[3.09 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I acknowledge those who identified the need for our workplace being investigated in the first instance. The member for Nelson has covered that ground and I thank her for her contribution.

I acknowledge the Anti-Discrimination Commissioner Sarah Bolt for her involvement in the whole process, right through to the production of what is a significantly damning report. I do not think anyone would say otherwise. I also express my regret for the experiences many have had over the years, as a result of inappropriate behaviours in the MPS workplace. While I have not absorbed the report in its entirety, it clearly points up a culture that must be changed. The solution starts with each of us understanding further what is and is not acceptable and the boundaries we should not cross. Some are as simple as a turn of phrase we have been brought up with, that might seem innocent, yet strikes with a blunt force to some.

I look at point 4(a) in the motion and it mentions policies, procedures, frameworks, codes of conduct. It is important for consistency across the workplaces, as it says. It is all very well

for these procedures and instruments to be in place, but professional development and training is important to deliver the culture that we, as a parliament, wish to achieve. As the motion also indicates in point (5), proper oversight and accountability is so important, otherwise whatever we put in place could be seen as simply paying lip-service to addressing the issues. Each of us needs to be aware of our power to impact those around us. Clearly, there is work to do and we need to see it is undertaken effectively with due care and concern.

I want to work in a non-threatening environment, that has a good, positive, respectful culture. I want to be seen as part of the solution and not part of the problem. I believe it starts with me as a member. It starts with you as a member and that saying that we have heard, in more recent times, the standard you walk past is the standard you accept.

I am thankful that we have this motion before us today. I look forward to progress in this MPS workplace culture space, so we can all enjoy our time here in the service of those who elected us. We carry their sovereignty on our shoulders. Let us make them proud of parliament and not be seen as a place deserving of their derision.

I note the motion and support it.

[3.13 p.m.]

**Ms LOVELL** (Rumney) - Mr President, like others, I support the motion and will make a few comments about the content of the report and its findings. The Motion for Respect report is a very sobering and confronting read. I hope that every one of us, across both Chambers, has taken the opportunity - or will take the opportunity very soon - to read the report in full. I know that many have found it a difficult report to read, for varying reasons. I am mindful of the nature of the material that we are discussing and hope to be sensitive to that when speaking about the report, but it is so important that we do.

As others have done, I acknowledge the work of the commissioner, Sarah Bolt, in conducting this investigation and producing the Motion for Respect report in a sensitive and inclusive manner, which is demonstrated by the very high participation rate. I especially thank those who contributed to the report and participated in the investigation. I am deeply sorry not only for the experiences that have been reported, but that people did not feel safe to report these experiences sooner. That is not okay. I am grateful that you have been able to share your experiences in such an open manner now, because this is the catalyst for the change that is so clearly needed.

I also acknowledge those who have experienced or witnessed these unacceptable behaviours but for whatever reason - and there are many - could not or did not want to participate in this process. I am sorry for your experiences also.

This is a unique workplace. It is a unique environment to work in, particularly in terms of levels of accountability and reporting mechanisms. However, no longer can that be allowed to be an excuse for allowing a culture to continue that has been described as toxic and damaging to people's mental health. We are privileged to have such good people working here and across our offices. We are so lucky to have the staff that we have with the level of commitment and the professionalism displayed every day, supporting us to do the jobs that we have been elected to do, the staff who support ministers to do their work. None of us would be able to do our work without the dedication of these people. Our staff are just as important in upholding our democracy as anyone.

I wanted to touch on something the member for Murchison mentioned earlier, the number of people who have said they have not witnessed the kind of behaviours that have been captured in this report. There have been a couple of comments on this and some explanations proposed. To me, this suggests that many of us have fallen into the trap of adopting a way of thinking that this is just how it is. I know that I have been guilty of that myself. It can be challenging, particularly when you come into a workplace or an institution that has been established for such a long time. It can be hard to call things out when everyone around you seems to accept it. That is not making excuses, that is just the way things are. I am taking this as a personal reminder that that is not okay. It is never okay. The standard we walk past is the standard we accept. I apologise for any part I have played in allowing this culture to thrive.

In saying that, I am not shifting any blame or responsibility for these unacceptable behaviours to anyone other than the perpetrators. I know there are many reasons why people may not have spoken up sooner and how critical it is that people feel safe to do so. It is unreasonable to expect anyone to challenge any behaviour in an environment in which they do not feel safe to do so. I hope that this process will create the change we need so that everyone feels safe to speak up when they need to.

This is where our focus now must be on implementing the change in systems and structures that will create an environment where people can feel as safe as possible, not only to attend work, but to report where they need to.

On that, I wanted to read from the foreword of the report something that stood out to me:

Individuals working within the MPS Workplace are entitled to expect that their workplace is a safe place - a place in which respectful behaviours are the norm, where contemporary human resources policies and practices are in place and appropriate training is provided, where supervisors are appropriately skilled in people management, complaints are encouraged and actioned in a timely manner, where parties are protected from victimisation, and accountability and consequences flow from unacceptable behaviours.

For me, that sums up what this process is all about.

This report is important work, but we should not fall into the trap of thinking that this is all we need to do, or that this is limited to Ministerial and Parliamentary Services as a workplace. Truthfully, this report should not be a surprise to anyone. This is typical of many parliaments, as we have seen across the country. This is typical of many workplaces. It can often be very difficult for workers to report instances of bullying and harassment, of discrimination.

There is a significant power imbalance that comes into play, especially in workplaces where there is a question over job security. It is hard enough for employees to speak out at the best of times. However, when that person is working in a role without the protection of job security it becomes exponentially more difficult. Job insecurity is one of the biggest threats to workplace safety.

There have been calls to extend this investigation more broadly throughout the public service. We are privileged - and I have said this from the beginning - to have mechanisms to

establish an investigation through the parliament and through the Ministerial Services, but not all workers are.

The CPSU was instrumental in this review and encouraged participation, and it has repeatedly called for this to be extended throughout the public service. I support that call. It frequently hears from its members that these issues exist across the public sector, and we must listen. Let this be the lesson: we must listen.

I sincerely hope the Premier and his Government find a new appetite as a result of this report to ensure that all the workplaces they are ultimately responsible for are safe, are supportive and are respectful. We all share responsibility for this workplace and every one of us, as elected members, is responsible for the change that is needed. The Tasmanian community rightly has high expectations of us, as elected members, to act with integrity and to treat each other, and those who are employed to support the work of government and members, with the utmost respect. We are community leaders and we should be acting as such.

I was pleased to see the other place move quickly to establish a joint House committee and I understand that we will shortly have the opportunity in this place to do the same. The work of this committee will be a critical part of this process and needs to be an absolute priority. It will require openness and collaboration with departments and offices. We know there are complexities in the employment arrangements across the MPS, but the bottom line is that everyone must be committed to this.

In closing, I will read from the concluding remarks of the Anti-Discrimination Commissioner:

My strong hope is that the recommendations in this Report will be seen as an opportunity by those in a position of leadership and influence to implement change.

That is my hope as well. I hope that this report is not in vain; that the great number of people who shared, in many cases, deeply distressing and personal experiences have not done so in vain. I hope that we use this as an opportunity to implement the change that is so obviously needed.

Mr President, I support the motion.

[3.22 p.m.]

**Ms ARMITAGE** (Launceston) - Mr President, I acknowledge the points the Leader and other members have raised and support the motion as noted. No one should endure bullying, harassment or any form of discrimination. Everyone has the right to a safe, inclusive, engaging workplace. I am saddened that many people have experienced the issues as clearly set out in the Report into Workplace Culture of the Tasmanian Ministerial and Parliamentary Services.

As the report outlines, discrimination, harassment and bullying can take many forms and as members of parliament we are expected to set an example. I thank those people who told their stories and experiences, and I am very sorry for what they have gone through and perhaps in some cases are still experiencing. I am sure there are others for a variety of reasons who did not tell their stories, but who have issues. Everyone should be treated with respect and, like others, I was surprised, shocked and saddened that this could be happening in our workplace.

I am also saddened that there was an overwhelming lack of faith in the process and fairness in dealing with complaints and complaint outcomes. I have no doubt that sometimes influences whether someone will come forward with issues. They fear that nothing will happen to resolve the issue, and sometimes they fear they will become a target.

I was pleased to note that with regard to positive experiences comments were made that:

In the most part, the staff that work at Parliament House are excellent.

Another comment:

There is a high degree of respect and professional competence and a strong culture of looking out for one another.

It is important to look out for one another and to call out inappropriate behaviour. There is no place for harassment, bullying or discrimination of any kind in our workplace and I support the motion before us.

[3.24 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank all members for their contributions and it is very good to see there is a lot of support here. I hope that we will get through the motion.

**Motion agreed to and message transmitted to the House of Assembly.**

## **SUSPENSION OF STANDING ORDERS**

### **Extension of Sitting Time**

[3.25 p.m.]

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

That so much as Standing Orders be suspended for this day's sitting to allow the Council to sit beyond 4pm.

**Motion agreed to.**

## **MOTION**

### **Joint Sessional Workplace Culture Oversight Committee - Establishment**

[3.25 p.m.]

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

- (1) That the Resolution to establish a Joint Sessional Workplace Culture Oversight Committee be agreed to.

- (2) That the number of members to be appointed to serve on the Committee on the part of the Council be four.
- (3) That the Committee be appointed with power to send for persons and papers and with leave to report from time to time, to oversee the implementation of any recommendations, by the relevant employer, contained in the report.
- (4) That four members be appointed to serve on the Committee for the Legislative Council and that two of those be the President and myself, the Leader, and two others to be decided by ballot.

[3.26 p.m.]

**Ms FORREST** (Murchison) - Mr President, I will make a brief contribution on this motion to establish the committee. I did make a number of references to my previous thoughts about the committee in my comments on the motion we just dealt with. I do not intend to repeat those.

The Motion for Respect report contains many key and important recommendations. This includes the establishment of a joint House committee to oversee the implementation of recommendations made in the Motion for Respect report.

As I previously stated, it first reveals concerns that there may have been a blurring of lines between MPs who must regulate their own behaviour, the executive, and staff who work in Ministerial Services and the parliament itself. I still believe members should not be making decisions directly into matters they do not have responsibility for. I was concerned and raised this matter with a number of members and others who could advise me on how this committee was intended to work and to ensure that the role and function of the committee was an oversight role. It was not to be actually implementing and delivering a number of the recommendations over which members, including presiding officers to some degree, who have different responsibilities in the parliament than a member on their own - those concerns were dealt with in many respects.

I appreciate those who have acknowledged and listened to those concerns. The scope of such a committee's terms of reference need to be clear. The motion before us is a little bland in that it does not actually narrow the scope. It is important members of the committee are very aware of their responsibilities and obligations in relation to the recommendations as they have stated and that oversight role.

Any committee charged with monitoring, overseeing or actually implementing these recommendations must be very cognisant of the separation of powers I referred to in my previous contribution and will not repeat here. These separation of powers and responsible government are the key pillars to all we do and the supremacy of parliament.

As I noted in the previous debate, this committee will be tasked with oversighting and monitoring the progress of a change of culture, and will be part of that leadership approach on the delivery of the outcomes that are very much needed and identified by all members who have spoken. Hopefully, this will lead, in not too long a time, to an opportunity to create and maintain a safe, positive and healthy workplace for all. That includes that work undertaken by

the committee, but more broadly, the work that will be required under the recommendations made in her report by the Anti-Discrimination Commissioner, Sarah Bolt.

What is clearly described in the report is the need for a large of body of work to be undertaken. It needs to be undertaken promptly, as the Anti-Discrimination Commissioner described in her report.

This committee is only one part of that. The remit and scope of the committee does need to be clear and well understood. I support the establishment of a joint House committee and I look forward to seeing that play out and to see the change become very evident to all who walk into this place. For those who work in this place, I hope we will see it create real, meaningful, and lasting cultural change for the benefit of all who work in and engage with us as MPs and other members of the MPS.

I also indicate I will put myself forward for consideration for membership of the committee and the two positions that will go to ballot.

[3.31 p.m.]

**Ms WEBB** (Nelson) - Mr President, I very much welcome the motion before us today seeking the establishment of a joint House committee as recommended in the parliamentary workplace culture review report by the independent reviewer, Anti-Discrimination Commissioner, Sarah Bolt. I feel that many of the salient reasons as to why we find ourselves addressing this matter are covered in my contribution earlier when we noted the Motion for Respect report.

However, there are a couple of specific points I believe are worthwhile to reiterate. Specifically, it is important to note that this proposed committee will not be responsible for implementing the Motion for Respect report recommendations per se. I agree, if that was to be the case, it would be extremely problematic on more than one level.

However, if we go back specifically to the Motion for Respect report's recommendation two made by Sarah Bolt, the independent reviewer, it stated that within three months the committee - meaning the informal previous bicameral nonpartisan committee - in place while the independent review was undertaken, is to be formalised as a joint committee. Further, an appropriately resourced independent project manager is to be appointed to execute implementation of accepted recommendations. The project manager is to report to the committee, and is to work with the presiding officers, Clerks and Deputy Clerks of each House of Parliament and with other key stakeholders regarding such implementation.

We all are now quite clear that the key phrase there is 'an appropriately resourced independent project manager is to be appointed' et cetera. In the Motion for Respect report the independent reviewer goes to great pains to further elaborate on the role and responsibilities of that project manager, and stresses that throughout the implementation phase, the independent expert is to exercise accountability and transparency and ensure that work remains unaffected by power dynamics and conflicts of interest.

The report is also clear that as the committee is responsible for overseeing the implementation of the recommendations - not actually doing the implementation - the independent expert should be answerable to it. That was quite a thoughtful recommendation from the independent reviewer, in terms of the role of the joint committee being proposed. It

recognises that impartial actioning of recommendations is essential to achieve their purpose and avoid perceptions of gatekeeping or inappropriate influence.

Additional to that initial responsibility of appointing an independent implementation project manager with appropriate expertise, the proposed Joint Sessional Workplace Culture Oversight Committee is to be responsible for ensuring other actions are undertaken to facilitate implementation of those recommendations within appropriate time lines. That is probably to make sure the space and resources and other sorts of assistance are able to be accessed and provided when necessary.

We are familiar with the roles that committees play in this place, and I agree with the member for Murchison that the terms of reference for this committee will be important. They are not yet clearly provided for us specifically. It is a rather general motion in the first instance, so that is important. It remains to be seen how this proposed committee ties in to some of those normal processes that we see undertaken by committees in this place.

We are used to committees overseeing specific aspects of executive government in greater detail than the whole Chamber might. We are used to committees examining legislative proposals, regulations, operation of policy in detail. We are used to thinking of committees as a way that we link parliament to the people and provide forums where individuals and interest groups are able to participate into the parliamentary area and have their views recorded and provided under the protection of parliamentary privilege.

We are used to committees that provide a link to parliament and ultimately accountability for a number of independent statutory officers, like the Auditor-General, the Ombudsman, Custodial Inspector and Integrity Commissioner. There is a range of these sorts of roles we are used to understanding are allocated to committees. It will remain to be seen how we configure this committee and have the terms of reference and how that sits across those sorts of roles we are used to seeing.

One of the things that comes to mind, when thinking about the way this committee undertakes its task of oversight, is whether there are ways we can ensure staff voice and representation are well and truly present and feeding into implementation processes. Not that the committee would do that necessarily itself, but it would make sure there were those opportunities as part of the overarching process.

Clearly, I have a great commitment to this process from being involved in it from the start. I am very welcoming of this committee being progressed and progressed ahead of time lines indicated in the report. I welcome the opportunity to be a member of the committee and have put my name forward for consideration. I feel very strongly about continuing that role and responsibility on seeing this through and would very much like to contribute to that oversight task to ensure we are delivering on what we have promised through this review process.

It is interesting, just a short while before our Motion for Respect report was released, a couple of weeks earlier, on the 12 August this year, there was actually a report released in New South Wales. The Broderick report, which was called Leading for Change: Independent Review of Bullying, Sexual Harassment and Sexual Misconduct in NSW Parliamentary Workplaces 2022 undertaken by former Sex Discrimination Commissioner, Elizabeth Broderick. As you may well imagine, this makes for some sobering reading, similar to our

report here. Unlike our Motion for Respect report, the Broderick report does not present a mechanism by which to ensure recommendations are implemented. That is an interesting difference when we are thinking about this proposed committee.

In New South Wales, the Premier, Mr Perrottet, has announced he intends to establish a new cross-party group of MPs to implement the New South Wales recommendations, which sounds a bit like they are ending really where we started. The point that is relevant to these deliberations about a formal committee is the New South Wales parliamentary staff union delegates have raised concerns there is already a lack of confidence in informal mechanisms and measures. They have raised the point that to avoid repeating the mistakes of the past, staff and survivors need to be included in implementation structures. It is an interesting point and one which we need to engage with as to how we are going to consider it. No doubt it is something the committee will turn its mind to when it is formed - how we will ensure that those staff and survivor voices and input is provided throughout. We are going down the right track where we will not necessarily be facing the same risks that New South Wales does, in terms of informal mechanism.

In closing, I am very pleased that we have a mechanism available to us through the excellent recommendations provided in the report. I look forward to seeing the very active, ongoing implementation under the oversight of a committee, hopefully once formed. I encourage members to support the motion and I certainly support the motion.

[3.39 p.m.]

**Ms LOVELL** (Rumney) - Mr President, a few brief comments in support of the motion. As I mentioned in my contribution to the previous motion, I am pleased the parliament is acting quickly on this, because this is absolutely critical. This committee will play a really important role in implementing or ensuring the recommendations of the report are implemented across the various workplaces they apply to.

I will flag and I have spoken to a number of members that I will put my hand up to be part of the committee, both as Leader of Opposition Business in the Legislative Council and also as shadow minister for workplace relations. Given my background, I feel that this is a committee that I can contribute to and I would very much like to be part of that change.

In saying that, I support the motion and I look forward to the work that will be done on the committee.

**Motion agreed to.**

## **SUSPENSION OF SITTING**

### **Joint Select Committee - Ballot**

[3.39 p.m.]

**Mrs HISCUTT** - Mr President, I move -

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

This is for the purpose of conducting a ballot to finalise membership of the Joint Select Committee.

**Sitting suspended from 3.40 p.m. to 4.08 p.m.**

## **MOTION**

### **Joint Sessional Workplace Culture Oversight Committee - Membership**

[4.08 p.m.]

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

That the following members be appointed to serve on the Joint Sessional Workplace Cultural Oversight Committee on the part of the Council:

The President;  
Ms Forrest;  
Ms Lovell; and  
The Mover of the motion;

And that Tuesday 27 September 2022 at 9 a.m. as the time and Committee Room 2 as the place for holding the first meeting of the committee.

**Motion agreed to and message transmitted to the House of Assembly.**

## **HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2022 (No. 19)**

### **Second Reading**

[4.10 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I have finished my contribution, and I look forward to hearing other members' contributions.

[4.11 p.m.]

**Ms FORREST** (Murchison) - Mr President, I support the bill and the provisions contained within it. We often get legislation just to tidy up a few anomalies and correct a few errors, particularly in some areas of justice. I know the member for Hobart was particularly excited about fixing the spelling of the word 'authorise'.

**Mrs Hiscutt** - As was the Chief Pharmacist.

**Ms FORREST** - We will get to the Chief Pharmacist in a minute.

It is not a small bill, but a lot of it relates to correcting these references and the spelling of the word 'authorise'. However, there are some important changes in it, and I will briefly comment on a couple of those.

It seeks to tidy up some areas where ambiguity or possible unintended consequences or impacts may have resulted, mainly through historical application of definitions, and the changing world of health care delivery. It makes changes to the Poisons Act and Poisons Regulations as well as other health-related legislation.

I particularly welcome the amendment relating to the definition of 'paramedic'. As the Leader said in her second reading contribution, currently under the Ambulance Service Act 1982, and the Ambulance Service (Paramedic) Regulations 2014, a paramedic is a person who is registered under the Health Practitioner Regulation National Law (Tasmania) in the paramedic profession. Until it changed in 2017 - the Leader can clarify that if I am wrong - paramedics were basically restricted to working within Ambulance Tasmania. Whilst that has not been a restriction for those last few years, it clarifies that, and makes it clear that paramedics can indeed work -

**Mrs Hiscutt** - Through you, Mr President. To clarify, it was 2018.

**Ms FORREST** - Sorry, 2018, yes. Only one year out.

**Mrs Hiscutt** - Actually, 1 December.

**Ms FORREST** - Okay. So I was a little bit out. Anyway, that change occurred in 2018. The reality is, that has been seen as a barrier to fully utilising paramedics across our healthcare settings.

Mr President, without discussing deliberations of an inquiry into Rural Health Services, if members have been watching or paying any attention to the public hearings of that committee, it has been clear that the pressures in rural Tasmania for our health services are great. Ensuring that paramedics and others can work across as many areas of our health services where their skills and qualifications enable them to, is really important, particularly for paramedics. Paramedics are some of the people who attend the most horrific of incidents. They are very much the frontline responders to some of the worst car crashes, the worst examples of violence, and the most tragically injured people, as well as deaths. The impact of those can be profound, particularly in small rural communities. I have mentioned this in this place before; in small rural communities, where you rely on volunteers as well as career paramedics, the risk of attending an incident where someone you know is involved is very high. That can have enormous impacts on that person's capacity to continue to work in their current field. Paramedics are really the only profession that is trained to deliver care in the community. As nurses, we are trained to deliver care in the community, in hospital and in many other settings, but paramedics are specifically trained to deliver care in the community.

For those paramedics who may have had psychological trauma, or who suffered from PTSD, this then provides a very clear pathway to other employment. I know the Government at the moment is trialling other models of care with paramedics in the Emergency Department of the LGH. They do need some real help in the LGH with their backlog of patients and the ambulance ramping. It is important that we enable the full utilisation of our available health workforce and I welcome that, to clarify that point.

The other definition that was changed was in relation to pharmacists. They have been called a range of things, including 'pharmaceutical chemists'. I made the point in the briefing that when I was young and used to go to the chemist with my mum - usually with my mum because dad was mostly busy on the farm - but that was not the building; that was the person and they were called 'the chemist'. They have a very great knowledge of chemistry, absolutely they do, and biochemistry and a range of other related areas of science. We know from the national regulations and national law that pharmacists are a category of medical expert in their field and this clarifies that and removes some of those outdated terms and perhaps somewhat limiting terms. I know the Chief Pharmacist was pleased to see these changes being made.

The other change I note was the Public Health Act. This is a term that I had not seen used previously. It has obviously been in legislation but I have not actually come across it previously, the 'medical officers of health'. In the briefing, we were informed that these are people who are actually medical practitioners who are employed by local government in these roles within Public Health, whether it be to deliver vaccines or another requirement for medical practitioners.

I questioned why we were even retaining the term and I accept that it is a recognised term within the Public Health space and there is a number of people who are employed in these. In fact, I understand that most local government areas have appointed medical officers of health. It is a body of work that needs to be reviewed and perhaps contemporised separately to this legislation.

I made the point in the briefing that the Public Accounts Committee's report into the Government's response to the COVID-19 pandemic - the first inquiry we undertook - one of the recommendations in that was to review the Emergency Management Act and the Public Health Act. I appreciate that message being passed back to other people in Public Health and the deputy secretary, Dale Webster, gave me a call after that briefing to say that the review of the Public Health Act has not actually started yet. It will. They have been dealing with the ongoing challenges the pandemic poses, particularly over the winter period. I absolutely get that but it is a commitment and it will start and there will be more publicity about that later. I appreciate that being passed through and I expect we might see some clarification on that matter at a later time.

I do not have any particular issues with the bill itself. As I said, a lot of it relates to just tidying up terminology and spelling and contemporising some of the provisions in it.

I did ask in the briefing about matters relating to the Poisons Act. I wanted to be sure so I will ask the question here and the Leader can clarify it as it was clarified in the briefing. We do need an effective and appropriate regulation for prescribing and dispensing drugs of dependence, which is what this relates to. They do carry risks of overdose, as well as diversion into the illegal markets.

As I said in the briefing, I presume, or assume, there is a provision to make an application under clause 40 section 59E amended that will enable the secretary to authorise a medical practitioner, dentist, authorised health professional or authorised nurse practitioner to facilitate access to patients needing these drugs. I understand it is particularly about assisting people with end-of-life care, when they are going to be on narcotic syringe drivers or infusion pumps, particularly for those who live in more isolated areas where they do not have ready access to pharmacists or even other medical professionals at times.

I wanted to be sure that this was not going to make it more difficult for those who do rely on sometimes daily dispensing of narcotic drugs to deal with their health conditions, that they were not going to be caught up or disadvantaged in this in any way. I know the officials did indicate that would have no impact on that aspect. I wanted to clarify, because it can be very difficult in our rural areas to actually access pharmacy services on a regular basis when some of them are required to do that for their own safety.

**Mrs Hiscutt** - We will get that clarified during the summing up.

**Ms FORREST** - Overall, I support any of the legislation and look forward to seeing these changes made.

[4.20 p.m.]

**Ms ARMITAGE** (Launceston) - Mr President, I also have quite a short contribution. The bill is largely administrative with quite a few definitional changes and realistically, just a housekeeping or a tidy up as mentioned. As was mentioned by the member for Murchison, particularly with amendments to the definition of 'paramedic,' it has been updated as 'para-medicine,' to become a regulated profession, under the Health Practitioner Regulation National Law (Tasmania), 1 December 2018, as the member for McIntyre pointed out.

**Mrs Hiscutt** - Along with the member for Hobart.

**Ms ARMITAGE** - Some of the other terms are out of date and have changed, but I still hear people refer to going down to the 'chemist,' so I must admit that.

**Ms Forrest** - It was not the building, it was the person.

**Ms ARMITAGE** - People still refer to the chemist as being a person. It is probably a pharmaceutical chemist, but it is good to update and it is just a tidy up. One of the important ones I have seen is to do with the Poisons Act and the slight changes. The authorisation currently for S8 drugs if a doctor does prescribe something and then makes a slight change, the amount of work they need to go through previous to this bill, whether they be dropping the medication dosage - obviously, every change needs to be authorised by the Director of Public Health, or the Public Health officer who oversees it. It is a good change, to make things a bit easier and not so onerous, particularly on doctors and on patients when obviously, things do change from time to time and with S8 drugs we do need to be careful. Another good change and realistically, contemporising the act. It is good - the correction in spelling, from authorize with a 'z' to authorise with an 's' so we are all on the same page, we are looking like we are all living in the same country. It does make a difference.

Going through the bill, most of the changes are to do with simple things like that. Simple amendments to bring it up to date. While it is rather a large bill, I have noticed the majority are simple changes and 'authorised' and 'registered pharmacist' takes up a lot of the bill.

I support the bill, it is purely housekeeping and it is well due.

[4.24 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I will seek advice on that clarification for the member for Murchison. It is quite a lengthy answer, but I will put it all into *Hansard* so it is clear.

The Health Legislation (Miscellaneous Amendments) Bill 2022 proposes minor changes to section 59E of the Poisons Act. Those proposed changes are needed to allow the secretary to authorise a medical practitioner, dentist or other prescriber to make more than one narcotic substance, or specified substance available to a patient and to specify an amount that is up to a maximum amount through a single authority.

Section 59E of the Poisons Act allows the secretary to authorise a health professional to make a narcotic substance, or specified substance available for use of a patient. The application and authorisation process, while necessary, can be cumbersome and time-consuming for patients who are in receipt of multiple narcotic substances, or specified substances.

The bill proposes amendment to section 59E to allow a medical practitioner, dentist, authorised health professional, or authorised nurse practitioner to apply for authorisation to make more than one narcotic substance and more than one specified substance, or a combination of one or more narcotic substances and one or more specified substances available to a patient.

The bill also proposes amendment to section 59E to allow the secretary to authorise a medical practitioner, dentist, or authorised health professional, or authorised practitioner, to make more than one narcotic substance or more than one specified substance, or a combination of one or more narcotic substances and one or more specified substances available to a patient.

Lastly, Mr President, the bill proposes amendments to section 59E to enable an authority granted under this section to specify an amount, which may be an amount up to a maximum amount of the substance, or substances, to be made available by way of the authority, and to enable the secretary to vary the terms of the authority as well as the conditions. This will help simplify the section 59E process for patients who are in receipt of multiple medications of varied strengths. It will also remove the need for a new authority whenever a variation is needed. The amendments will streamline the operation of section 59E and provide greater flexibility for prescribers without compromising any of the protections and oversight mechanisms that the section affords vulnerable patients. To put it simply, the changes will not negatively affect access to narcotic substances.

**Bill read the second time.**

**HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2022  
(No. 19)**

**In Committee**

[4.27 p.m.]

**Clauses 1 and 2 agreed to.**

**Clauses 3 and 4 agreed to.**

**Clauses 5 and 6 agreed to.**

**Clauses 7, 8 and 9 agreed to.**

**Clauses 10 and 11 agreed to.**

**Clauses 12 and 13 agreed to.**

**Clauses 14 and 15 agreed to.**

**Clauses 16, 17 and 18 agreed to.**

**Clauses 19, 20, 21, 22, 23, 24, 25 and 26 agreed to.**

**Clauses 27, 28, 29, 30 and 31 agreed to.**

**Clauses 32, 33, 34, 35, 36, 37 and 38 agreed to.**

**Clauses 39, 40, 41, 42, 43 and 44 agreed to.**

**Clauses 45, 46, 47, 48, 49, 50 and 51 agreed to.**

**Clauses 52, 53, 54, 55, 56 and 57 agreed to.**

**Clauses 58, 59, 60, 61, 62, 63 and 64 agreed to.**

**Clauses 65, 66, 67, 68, 69 and 70 agreed to.**

**Clauses 71, 72, 73, 74, 75, 76 and 77 agreed to.**

**Clauses 78, 79, 80, 81, 82, 83, 84 and 85 agreed to.**

**Clauses 86, 87 and 88 agreed to.**

**Clause 89 -**

**Ms RATTRAY** - I want some clarification on this. Look at the clause notes and it says, 'this clause identifies the Public Trustee Act' and then clause 90 goes on to talk about amending section 3 of the principal act by omitting the definition of 'pharmacist'. This applies to the following one as well, the Workers Rehabilitation and Compensation Act.

I am interested in some clarification or further information about what that actually does for both of those two acts.

**Mrs HISCUTT** - The answer is the definition is being put into the Acts Interpretation Act 1931. That is where it is going.

**Ms Rattray** - So we do not need it in these two acts anymore?

**Mrs HISCUTT** - They will always refer back to the Acts Interpretation Act.

**Ms Rattray** - It does not say that on the clause notes.

**Mrs HISCUTT** - I think it is taken - anyway. That is okay. Madam Chair, while I am on my feet, I was looking for the opportunity to thank the myriad advisers on this particular bill. As you can see we have somebody from every act here and I appreciate the support.

**Madam CHAIR** - A small cast.

**Mrs HISCUTT** - I want to put that on record.

**Ms Rattray** - It was good to have asked the question.

**Mrs HISCUTT** - It was. Thank you.

**Clause 89 agreed to.**

**Clause 90 agreed to.**

**Clauses 91 and 92 agreed to.**

**Clauses 93 and 94 agreed to.**

**Schedule agreed to.**

**Title agreed to.**

**Bill reported without amendment.**

**Third reading made an order of the day for tomorrow.**

## **HOMES TASMANIA BILL 2022 (No. 35)**

### **Second Reading**

[4.36 p.m.]

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

That the bill now be read the second time.

The Homes Tasmania Bill 2022 delivers on the commitment made by this Government in February 2022 to create a dedicated housing authority. This authority will be responsible for delivering improved housing services and increasing the supply of social and affordable homes in Tasmania. Following consultation feedback, the authority will be called Homes Tasmania. This reflects the importance of having not just a roof over your head, but also a place to call your home, and the broader role that the authority will play in ensuring the wellbeing of those in need of housing and homelessness services, as well as in building livable communities.

Housing is a basic human need and is critical to our community's health, wellbeing and financial stability. Every Tasmanian deserves a roof over their head. The Rockliff Government

has a plan to achieve this. However, we need the right structures in place to address the increasing need for housing solutions.

This Homes Tasmania Bill establishes a new framework, the right framework to futureproof housing for many decades to come. This bill represents a historic change in our approach to delivering housing for Tasmanians in this state. No one in this House can deny that we do not need to do things differently. The need in our community is critical. We must be innovative, agile and responsive and we need to change the way we have been doing things to be more contemporary to prepare for the next decade and beyond.

Housing is a whole-of-community need. Where and what we build determines the fabric of our communities, the services and supports that we need to ensure our wellbeing, our culture and connection to each other and to the world around us. Urban design and renewal are integral to this and it is what makes livable communities.

This legislation creates a role for Homes Tasmania in broader housing considerations beyond what the current department has historically held. This means it can consider our community housing needs and how our vulnerable are supported within this. It also means it can play a role in key worker accommodation and how that fits within the broader housing need, particularly in regional areas or areas of high demand.

Homes Tasmania is established to promote the development of affordable housing; to enable the provision of housing assistance to, and improve the housing conditions of, eligible persons; to support the provision of affordable housing, housing support services and community support services to persons who require housing or services; to assist in developing policy for housing and any other related purposes.

Homes Tasmania will be responsible for delivering the Tasmanian Government's record capital investment of \$1.5 billion to build 10 000 homes by 2032. We know this an ambitious target and an ambitious plan, and we know we need to partner with the building and construction industry in order to deliver this record build program. We have started this through the memorandum of understanding Building Tasmania's Future with the industry signed in May 2022, which seeks to address challenges in our supply chains, improve processes and build resilience in our industry. However, we cannot stop there.

We must change how we have done things in the past to allow for more innovative, more efficiency and faster development to get houses out of the ground and providing homes for people who need them as quickly as possible. At the same time, we need to make sure these homes are the right types of homes and are built in the right places to meet the needs of vulnerable Tasmanians, both now and into the future. We also need to make sure they represent value for money and demonstrate a responsible public investment. The Homes Tasmania Board will help bring in the expertise needed to deliver these homes through modern and contemporary partnership models, complemented by the work we are already doing.

While delivering these homes, we must not forget who we are building these homes for and what they need. We must remember these people need support in a home right now. We must continue to work closely with our community service providers and sector partners in ensuring a cohesive and integrated approach to homelessness and housing services across Tasmania. This means working across all our communities, both in the cities, but also in the regions and understanding and meeting their unique and different needs. This bill will not

change that. Homelessness and wraparound services will continue to be a core focus of the authority and this focus and priority will be enshrined in the statement of expectations from the minister. This includes putting a focus on those most in need: our vulnerable youth under 25; women with children and those leaving their homes due to relationship breakdowns or family violence; those with a disability or specific needs; and elderly Tasmanians.

We want the people of Tasmania, our Government and non-government partners to work together to build the community of the future. Our sector partners and businesses will be integrally involved in shaping and delivering on these plans, as will the Australian and local governments. That is why we have convened a new ministerial reference group on housing and homelessness. The first meeting was held in mid-July and attended by 17 community service providers, peak representative bodies and the local government of Tasmania. The reference group is working closely with us to develop a 20-year housing strategy for Tasmania.

We expect this strategy to be complete in mid-2023, which will guide Homes Tasmania in ensuring we build the right homes in the right places and provide the right services to those who need them, when and where they need them. We will leave no stone unturned in delivering the homes and housing support services Tasmanians deserve. This is the very reason why we are establishing Homes Tasmania.

This bill establishes the authority and sets the framework for an organisation that will be guided by a board. This allows us to work more closely with expertise from across our community and leverage our collective knowledge in addressing Tasmania's housing challenges. The board will be supported by committees that will bring in the lived experiences and representative knowledge of the relevant sectors, such as homelessness services and the building and construction industry to help guide and balance the board's decision-making.

The need for these committees was a key piece of feedback we heard through the consultation process and it is believed will only work to improve and enhance decision-making. This will bring more representative views into housing and homelessness decisions than ever before in Tasmania.

The board will be directed through a statement of ministerial expectations, which sets the direction from the minister on the priorities and focus of Homes Tasmania. The minister has tabled a draft statement with the bill to demonstrate the function of this document and how he intends it to drive transparency and community outcomes of the authority. The minister intends to hold the board and the executive management of Homes Tasmania to account for delivering against the expectations, which will be tabled in parliament once finalised.

The Homes Tasmania Bill replaces the Homes Act 1935 in its entirety and provides a new structure and new governance arrangements that will enable the delivery of more homes for Tasmanians, especially those in need. There has been criticism over many years about the limitations of the Homes Act in providing the right framework for a broader, more strategic legal setting in fitting with the diversity of housing needs in the Tasmanian community.

Mr President, we applaud the efforts of the then-housing minister, the former honourable Jacquie Petrusma MP, who ushered through a series of changes in 2016. These were key changes that have been reviewed in their operation and improved on in the Homes Tasmania Bill. However, it is important to note we have continued to face many barriers given the structural difficulties in the operations of the Homes Act.

As you well know, laudable attempts to modernise old laws over time can overcomplicate and even render unworkable many of their provisions. While ever we rely on the Homes Act, there will continue to be many constraints on the provisions of more homes for Tasmanians, especially those more vulnerable members of the Tasmanian community.

This bill provides substantial clarity about the roles and functions of the new housing authority in the modern context. It retains the best features of recent improvements and builds on these to ensure Tasmania has the most integrated, whole-of-system approach to developing land, building, procuring, maintaining, modifying and disposing of homes that may have passed their use-by date.

This new legislative framework provides the right underpinnings to consolidate efforts across government to increase the supply of homes, deliver more affordable homes and ensure housing and support services are as integrated as possible.

The purpose of the bill is to do numerous things and I will now run through them. It is to increase the opportunities for vulnerable Tasmanians and persons on low and moderate incomes to live in safe, secure, appropriate and affordable housing. It will enable the provision of housing assistance and housing support services. It is to encourage the development and implementation of short-term, medium-term and long-term housing strategies. It is to facilitate the ownership, leasehold or occupation of residential premises by vulnerable Tasmanians and persons on low or moderate incomes. It is to encourage the development of flexible and innovative financial arrangements to improve housing outcomes. It is to enable the strategic acquisition of land and land and premises, primarily for the development of housing. It is to promote an efficient and effective system of administration of housing services, housing support services and community support services. It is to assist in ensuring the existence of a variable and diversified sector for the provision of housing assistance and housing support services. And it is also to ensure appropriate transparency, scrutiny and direction of the performance and exercise of the functions and powers of Homes Tasmania.

Homes Tasmania will perform and exercise the functions and powers currently assigned to the Director of Housing under the Homes Act with relevant new functions and powers added under the new structure of Homes Tasmania. The functions and powers conferred under the bill provide the foundation for Homes Tasmania to effectively plan for and manage the housing and homelessness system, as well as to acquire, develop or redevelop and manage homes in line with the purposes set out.

A key feature of the bill is the strategic focus on building communities so our housing developments are planned and coordinated with our communities as they grow and change. The bill represents the first step in establishing an authority with the necessary powers and remit to deliver the homes Tasmanians will need into the future.

We believe there is more work to do to provide new residential development to house our growing population and reduce wait times for those on our housing register. In order to do this, we will work closely with our stakeholders, the ministerial reference group and across government agencies to achieve the right balance between protections and progress. There is also further work to be done on how tenancy laws apply in social housing so vulnerable tenants are appropriately protected. Our Government has made a strong commitment for further work to be undertaken to improve housing outcomes for Tasmanians. We want to be able to work

with the board of Homes Tasmania on this work, meaning it is important that we establish the authority as a first step.

In addition, Mr President, we want to make it clear this Government is committed to pulling all possible levers to addressing our housing challenges. This includes our ambitious planning reform agenda. We are delivering our Tasmanian Planning Scheme, which while taking longer than anticipated, is already in effect in 15 local government areas. We are drafting Tasmania's planning policies and updating our regional land use strategies to allow more proposals for the rezoning of land to residential purposes to be considered on their merits. We have also commenced a review of our State Planning Provisions to ensure that we have the settings right and that our planning rules are not standing in the way of appropriate development.

These processes are already underway and the minister looks forward to working with our colleague, the Minister for Planning, Mr Ferguson, to facilitate their progression to deliver the outcomes that we need.

Mr President, we also want to make it very clear that this Government is strongly committed to tackling the current housing challenges being experienced by many Tasmanians. We look forward to working with stakeholders and those in this House to work through these challenges and propose solutions. If required, the minister will bring forward legislative changes to implement reforms back to parliament during 2023.

There is a series of amendments contained in the Homes Tasmania (Consequential Amendments) Bill 2022. These amendments are necessary because they interact with the roles and functions of Homes Tasmania. The Homes Tasmania (Consequential Amendments) Bill 2022 repeals the Homes Act and makes the relevant substitutions where required in all relevant acts:

- Replace the Director of Housing with Homes Tasmania;
- Replace references to the Homes Act 1935 with Homes Tasmania Act 2022;
- Replace references to the Housing Agency with the responsible department in relation to the Homes Tasmania Act 2022;
- Replace references to Government land with Homes Tasmania Act land; and
- Replace references to Homes Act land with housing supply land

Changes have also been made to the State Service Act 2000, adding the roles of Homes Tasmania Chief Executive Officer to Schedule 1 of that act.

I thank all those contributors, including peak bodies, our built environment partners, sector stakeholders and community members who have made submissions on the draft bill. Many suggestions have been incorporated into the bill and I consider that the bill, in its current form, is better as a result. Examples include a stronger focus on housing being a basic human need in the bill's objectives, including a focus on livable communities and sustainability and including representative views in board decision-making through the advisory committees.

The minister recognises that the establishment of Homes Tasmania represents a significant structural change in the way housing and housing support services will be delivered into the future. We want to reassure current staff that their employment conditions will not change and there will be no redundancies or job losses associated with the establishment of

Homes Tasmania. Mr President, the member for Hobart asked that question during the briefing, so that clarifies that for him.

We can also assure sector partners that current funding arrangements will remain in place under Homes Tasmania. We also want to reassure members of this place that their interactions with the minister and his office, as the responsible minister for housing, will remain the same and that he will continue to be actively engaged and drive the Government's agenda to improve housing for all Tasmanians, particularly those most in need.

The minister also thanks all those members who have engaged with him and his office on the consultation on this bill. It has been a productive and positive experience and one that he believes represents the type of bipartisan approach we should all be bringing to the table on an issue as fundamental as this.

We look forward to working together constructively with colleagues and remain optimistic that we can enact this good law in the interests of all Tasmanians, but particularly those who need our help the most.

Mr President, I commend the bill to the House.

[4.54 p.m.]

**Ms FORREST** (Murchison) - Mr President, I was not planning to get up straightaway but no one else did. Between the time this bill was debated downstairs and now it is here, I have read through the bill and all the information that has been provided alongside it, including the draft statement of expectations and the letter from the minister. I appreciate that we have just been circulated a document that talks about the differences between what this bill seeks to deliver and the bill it effectively replaces, the Homes Act. Mr President, I am going to read through the notes I made before the briefings and, depending on the time - it will not take that long. I will then go to some of the comments and matters that were raised in the briefing and then hopefully refer to some of the matters in that document we have been provided with, although I have not had a lot of time to read it. Other members may wish to refer to that more fully in their contributions.

Access to safe, secure and accessible housing is a basic human right and is essential. I think we all agree on that and I do not think anyone would argue any differently. Without this, people's health suffers; their access to and outcomes from education reduce; their opportunities for employment reduce. The reality for many is increasing social isolation; poorer health and a double whammy that they are more likely to live in poverty and they would be more subject to our justice system; and the list goes on. Without housing you are behind the eight ball at the very beginning. If you take a big picture view here, without access to safe, secure, accessible housing the costs of the health system rise; the cost to our social services rise; and sadly, the likelihood is that costs to our justice system increase - all because a person does not have access to a safe, secure and accessible house or home to live in.

Like other members, I find it heartbreaking to be unable to assist so many of our constituents to find safe, secure and affordable housing. It is confusing, and it seems like it is a never-ending story of rejection for many of the people who come to our offices. I accept they have usually been everywhere else before they get to us, and often with no end in sight when they are unable to get on what they believe to be the public housing waiting list. Even if they do, they wait, and wait. It is heartbreaking. You feel completely powerless at times. We know

this is not a problem unique to Tasmania. It is not a problem unique to the north-west coast. It is a problem around the world effectively, but certainly around all of Tasmania and mainland Australia.

We give our constituents the best advice we can to maximise their chance of accessing a home in the area they wish to live, which is often related to proximity to family and friends. The question is often asked about where they are in the queue, and it is impossible to answer. It was not until more recently that I became aware of the nature of the queue. The queue is not one queue - it is many queues, depending on where the person is located and which towns they are seeking to find housing in. Some people are very clear that they do not want to move too far from where they have been living, or they have been in private rental and being forced out because of a property being sold. That happened to one constituent of mine, and I will call her an older lady, she is in her eighties, but she does not appear like that at all. She is an older, single woman who now twice has had a rented property sold out from under her and now she has nowhere. I went on to our real estate pages. I talked to real estate agents. I tried to find any mechanism to support her. Older, single women are one of the biggest growing groups of people at risk of homelessness; and there was nothing that she could afford to look at to buy, even with potentially some family support, and nothing to rent.

It is terribly disheartening to have no answers and appearing to have no capacity to assist, certainly in the short term. It was a situation that required urgent attention. The lease was up on the place she was renting within about six weeks. It is quite frightening having nowhere to go. She was looking where she could stay in hotels, which is not ideal either and certainly more expensive than being in a rental property.

The question about where you are on the queue is partly because the queue is not one queue, particularly when you have indicated willingness to consider a home in a number of towns, in which case the queue is several queues. However, I also understand people who do not want to spread their options too wide, because they rely on the support of family or friends and their connections in that community where they have been. To leave that is actually detrimental to their health and wellbeing. I absolutely get that too.

Mr President, in my time in this place, we have seen many changes related to the provision of public housing. The member for McIntyre referred to that in the briefing. I was trying to remember the name of one of the other iterations we have had, but I still cannot remember it. It will not come to me.

**Ms Rattray** - TAH?

**Ms FORREST** - Thank you.

**Ms Rattray** - Tasmanian Affordable Housing Limited.

**Ms FORREST** - That was the one. I have been racking my brain for ages trying to remember it. There you go, and there have been a number of iterations. I have sat on a committee, probably back in 2007, 2008, that looked at affordable housing. A lot of the things that committee found at the time are just as relevant now as they were then. However, they are more urgent than even how it was then, particularly with mixed housing, the diversity of housing in any one area so that we do not have a concentration of just public housing or private ownership either.

None of the iterations we have seen have been able meet the enormity of the task, and I do not suggest for a second this one will either. Sadly, I hear representations in my office every week about matters related to access to housing, homelessness or challenges with maintenance for those who actually have access to public housing.

I have written to the minister about a constituent of mine who has a number of challenging communication varying abilities. I will call it that. He is in a public housing property. He had a faulty heat pump, costing him an enormous amount of money to run it. The maintenance people came and identified the problem with the heat pump and said they would replace it, repair it, whatever. In the meantime, they gave him a bar heater. If anyone does not know how inefficient a bar heater is, for an older gentleman living on his own and how the metre spins when you turn on them on, you will know that was hardly a solution. This man now has an extraordinary power bill.

**Mr Willie** - It has gone up 12 per cent too.

**Ms FORREST** - Yes, but this is without that. It is just beyond his capacity to pay. We talked to Aurora to see if there is anything we can do to assist this man, but a bill is a bill. He certainly used the power. However, he used the power because he was given an inefficient heating device. His heat pump was much more energy-efficient when it is working properly. The bill was the bill because it was creating an overuse of the energy. This poor man did not even know this was happening for a while, until you get the first bill. For people like that there really are issues. It is just a maintenance issue, and an issue that has severe consequences for an individual like this. The same as mould in people's properties. Over the years I have dealt with many problems with mould in people's properties. Sometimes, they can address things themselves by perhaps not turning their dryer on and closing the doors, things like that. Some people do all the right things and they regularly clean and use bleach and everything to try to clean the walls.

Those sorts of things are important. That was one of the things we picked up in that select committee about 15 years ago. There was a huge maintenance backlog at that point, too. That has been somewhat cleared, but I still hear these stories. It was particularly difficult during COVID-19, when tradies could not go in and I had a number of my constituents at that time finding it very difficult to manage.

I do not expect a new dedicated housing authority to be able to fix all these problems. However, I need to be as confident as I can be if I am to support yet another iteration, that it will actually make a positive difference.

The Homes Tasmania Bill is intended to deliver a dedicated housing authority as a statutory authority, responsible for delivering improved housing services and increasing the supply of social and affordable houses in Tasmania. I note the broader role that the authority will play in ensuring the wellbeing of those in need of housing and homelessness services, as well as in building livable communities. These are all important aspects of it and the intention is absolutely spot-on. The wellbeing of those living in our social housing is vital. However, if they are not properly cared for within those homes, that does not work. I did reiterate that situation with an elderly gentleman of mine who had the problems with his power bill.

According to the Leader, this legislation creates a role for Homes Tasmania in broader housing considerations beyond what the current department has historically held. I can see

some merit in that. I can see the merit in taking the bigger picture view, having a body to oversee the whole picture, not just parts of it. That to me is the potential benefit of such a body. Also the capacity, as we heard in the briefing, to leverage against the assets, to actually take on a responsible level of debt. Debt is not bad; debt is okay provided you can service it. If you use that debt to build up the assets that provide homes for people, then that is a positive thing. We should not be scared of debt per se. I will probably come back to that when I get to the notes I made during the briefing.

This broader approach or consideration means that Homes Tasmania should be able to consider our community housing needs and how our vulnerable people are supported within this. That is a key thing too. It is absolutely - it is not pointless but it is ineffective to just place a person in housing, social housing or supported housing or whatever it is, and then not to provide the appropriate services to support them to live in that house and to stay in that house.

As I understand it, it also means that it could play a key role in worker accommodation and how that fits within our broader housing need, particularly in rural areas or areas of high demand. That question I had answered about housing being built on King Island - none. There is a bit of a housing crisis over there. Anyway, I will pass that answer on and I am sure that there will be representation, particularly with regard to workers over there, access to housing for workers, health workers, teachers, police.

**Mrs Hiscutt** - Mineworkers.

**Ms FORREST** - Mineworkers when the scheelite mine gets going and that is progressing. Then you have the tourism sector that is growing too, with their golf. I know the member for Elwick is very excited about the golf over there. I would not take him on.

**Mr Willie** - You would not let me play there.

**Ms FORREST** - It is a pretty challenging course, up at Wickham.

It seems unfathomable to me that it has taken so long to realise, in many respects, this important strategic, holistic manner in which we care for people in housing is just as important as providing the house. I am sure it has been done in some ways but it is important there is an overarching approach to this that considers the whole person and all their needs.

I would have thought we would have done this long before, in many respects, after we learnt - I believe we have learnt - from the disaster of the social housing ghettos that were built in the outer suburbs, that were not near services or near transport, and we placed some of our most vulnerable families and individuals there. We have them in all our electorates and we are still dealing with the legacy of that. That is the last thing anyone wants to see.

In my mind, that approach, whilst deemed appropriate at the time, was almost an approach of out of sight, out of mind. Put all those people over there and we can just think, they all have their houses, they are fine. Those were some of the people who needed many more services than those who lived in the towns or in centres where there were many more services and access to education and health care and all of that.

As I said, I know that one of the largest groups of those facing homelessness is older single women. I note in the draft ministerial statement of expectations that this authority is to

ensure its programs and projects align with the Women's Strategy, to improve women's economic security, safety, health and wellbeing, and to deliberately manage and address bias that may inadvertently reinforce disadvantage in programs and services. This is an admirable inclusion, and I will be very interested to understand how this will be assessed, measured and reported on.

This comes back to the data reporting; how we assess the outcomes if this is to be supported. I will make some more points about this that your advisers may wish to feed back in your reply, Leader. However, these are the things - it is okay to have the words there, and the words are admirable, they really are - because we know there are biases in all our systems, particularly against women in a lot of these areas. Women escaping family violence, older women who are single and have not had the benefit of superannuation build up to any degree who are much more vulnerable. How is it going to be assessed, measured and reported on? That is just one aspect of it.

Noting further that in the draft ministerial statement of expectations, the board is required to provide data and reports concerning the activity undertaken by Homes Tasmania in the provision of housing and homelessness services. I reiterate, how will this data be reported on publicly, and how often? We know there is going to be an annual report that will be tabled. I note in the bill the detail regarding what is to be included in the annual report. It is quite comprehensive and that is good.

However, we are yet to see - and I know you cannot probably do this until the statutory body is established, but what will the performance measures be that will be reported on? Are we going to see outcomes-focused measures? Not just the number of people put in a house, because the number of people put in a house is only one tiny measure. It is about, how many people have been able to maintain that tenancy? How many people have actually returned to education? How many people's health has improved? These are the things that safe, secure and accessible affordable housing will provide and that we actually need to measure if we are to know whether it is working or not. It is not just building the houses and putting people in them.

We are all aware that people may find themselves in need of housing support at a range of entry points. The homeless person is not a stock-standard, stereotypical vision we tend to think of - a person in the street with a sign saying they are homeless. It is much broader and much more complex than that. You have young people couch surfing; we have mothers and children living in cars, and fathers as well at times; families living in tents out at the showgrounds here, and in other parts of our state. That is the homeless. It is not just the person in the street with a sign that says they are. Some have a change in life circumstances that see them homeless, maybe illness or injury, disability. They may have become unemployed or unable to gain employment, forcing them out of the private rental market.

We also know how house prices have risen in recent years, making it very difficult for many young people, and particularly those starting off as a couple and their family, to access the property market. When you are a young couple who are married or in a relationship that is starting a family, most of them do not want to live with their parents. Probably their parents do not really want them to live with them either. It is always nice when they move on to their own independence. It is so difficult for young couples at the moment, or people whose circumstances change. Many of the people seeking housing support also require other supports. As I said, you cannot just put a person or a family in a house and think the job is done.

I have spoken many times in this place about what is referred to as the Housing First model in Finland. I am not, and have not in the past, suggested that we can just adopt that model in Australia, drop it in here and it will all be fine. They pay much higher taxes and there is a whole different arrangement for it, but the principle absolutely can and should be adopted. The principle supporting that is that early intervention is the key. The priority is giving someone access to housing - appropriate, safe, secure housing - and then wrapping services around them on an individualised approach. By doing that, you maintain the tenancy and you can avoid re-traumatisation of a person by putting an end to the cycle of homelessness.

That is why they call it Housing First. The key to it is that you get the house first, you assess their need and you wrap the services around them. We need to do so much more of that. I want to hear from the Leader a bit more about how Homes Tasmania, the statutory authority, will achieve this. How are they going to do it? If they can do it, through the statutory authority, why isn't it happening now? Or is it happening now, and we are just duplicating a process? I am trying to understand how this will improve that, because to me, one of the most important parts of housing is ensuring that people have the support and services they need. It will help them access education, hopefully make them more able to access the employment market, improve their health and wellbeing and hopefully reduce their risk of interaction with the justice system.

Whilst this model can be costly at the front end - and I do not deny that for a second - it will be much more cost-effective in a financial sense overall and will have an enormous human and social benefit. It is almost hard to put a figure on, but we know that there is enormous benefit. It is vital this authority we have established has a very clear focus on the wellbeing of their tenants and those who utilise the services.

According to the Leader's second reading, Homes Tasmania will be responsible for delivering the Tasmanian Government's record capital investment of \$1.5 billion to build 10 000 homes by 2032. That is a big ask. I accept that is a big ask, particularly in light of the issues with access to building materials and even white goods. Hopefully, that will ease over coming months and years but we know that it has been a massive challenge with COVID-19 and then the unfortunate events in parts of Europe and Ukraine. That does not have a direct impact particularly on the building market, but it all flows through.

I ask the Leader if this is not achieved, can we expect the board to be removed and the CEO sacked if they cannot deliver on that? Or is the minister accountable, if Homes Tasmania cannot deliver on the commitment? The commitment is there, it is pretty clear, and has been talked about it for a while. Whose head will roll if they do not achieve it? If we do a review at two-and-a-half years, five years, or seven-and-a-half years - at what point do we say you are not achieving and off with a head? I do not know. Maybe it is the CEO -

**Mr Willie** - In 10 years time it could be any minister.

**Ms FORREST** - It could be, yes. Is it the minister that goes or is it the CEO of the authority?

**Ms Rattray** - In the past, it has been the authority.

**Ms FORREST** - That is right. Yes. The minister should ultimately be accountable and the Leader says in her second reading speech that the minister is ultimately accountable.

**Ms Rattray** - We will get that clarified.

**Ms FORREST** - Yes, whose head will roll? Okay. I ask this genuinely, though. It is not a tongue-in-cheek question at all. If this is merely window dressing, to put the responsibility of delivering much-needed homes to Tasmanians into the hands of a statutory authority, then that is just not a solid enough reason to do it.

The Government's arrangements with the built-in accountability measures are also crucial. We need to ensure the board sets the tone and culture that focuses on people, not money, and certainly not profit. I raised this point in the briefing, that I always get a bit concerned when people focus entirely on housing affordability because what are they talking about? They are talking about money. They are talking about how much can this person afford to pay before they are in rental stress. It is not about the person; it is about how much can they afford to pay. We need to be cautious that we do not focus on affordability as the key thing. It is about the access to a home and the services they need to maintain it. Sure it needs to be affordable, it needs to be safe, secure and appropriate, and accessible if they have particular accessibility needs. This is not to say the authority should not make any money and borrow money, as I have mentioned; but if they do, it should be reinvested to benefit Tasmanians needing social housing and homelessness services and the other social supports that go around that. We did hear more of that from the providers who briefed us this morning and I will come to that in a minute.

According to the letter sent last week by the minister to all members, the authority will have the commercial capacity to borrow against a \$3.5 billion asset base to deliver housing and homelessness services. While it should not need to be said, I would hope this would, and could, only be used for the stated purposes. This is where the scrutiny becomes important - that we can hold the authority to account for how the money is spent; how the leverage on that \$3.5 billion asset base is used. One assumes it, but we need to ensure a rigorous governance framework with transparent accountability measures at the forefront to ensure that is actually the case.

The Leader stated that we must continue to work closely with our community service providers and sector partners in ensuring a cohesive and integrated approach to homelessness and housing services across Tasmania. This means working across all our communities, in the cities and also in the regions, and understanding and meeting their unique and different needs. I ask how this will be delivered in the regions. How will the authority work with some of the smaller housing organisations or providers in the regions where they may only have a small number of homes as part of a range of social services? I am thinking about some of the tiny service providers in my electorate that provide service to a very local community. They have some housing, mostly emergency housing, and things like that, in their portfolio of services. How will it interact with those organisations?

I assume they are not to be competitive, but rather to be complementary, because a lot of these organisations struggle for funds, and do an amazing job. For example, Wyndarra at Smithton in particular, in this sort of circumstance, does an amazing job delivering services to that community. They are finding it difficult to get the funding support they need to deliver the services that their community needs.

Homes Tasmania will perform and exercise the functions and powers currently assigned to the Director of Housing, we are informed, under the Homes Act, with the relevant new

functions and powers added under the structure of Homes Tasmania. The functions and powers conferred under this bill provide the foundation for Homes Tasmania to effectively plan for and manage the housing and homelessness system, as well as to acquire, develop, or redevelop, and manage homes in line with the purposes set out. I note clause 3 of the bill contains the purposes of the statutory body.

I agree that this strategic focus on building communities, so that our housing developments are planned and coordinated with the communities, could also interact with the authority as they have been the ones responsible for delivering housing and other services. They are the ones we heard from. I want the Leader to provide a bit more detail on how the interaction occurs, between the service providers as well as the housing providers that will interact. I was a bit confused when I first read through this to see, was the Homes Tasmania authority seeking to take over the assets of others, like CatholicCare and Housing Choices? No, as I understand it now but I am trying to understand the interaction between this statutory authority and those other service providers. I understand from the briefing today that they expect the service providers like Centacare Evolve Housing and Housing Choices and others that are in this space, to be able to access funds to assist their building of properties, as they also leverage against their own balance sheets and their own asset base.

**Mr Willie** - They are already doing it.

**Ms FORREST** - They are already doing it, yes. There are some interesting models out there that are not part of this. I have spoken previously in this place about Spencer Park in Wynyard. They do it entirely on their own without any government support. They leverage against their own units; they started with just a few small two-bedroom units for older people. They are all for older people. They are always looking out for little parcels of land that they could acquire. I am assisting them with trying to get through a process at the moment on a little parcel that would be ideal. They do an amazing job, meeting a particular sector of need in the Wynyard community.

**Ms Rattray** - Seaview Village has the same sort of model at Bridport, where they just build, and once they have that one done, they look to the next.

**Ms FORREST** - Yes. People have long-term tenancies in it, basically until they die. Myrtle Park is another one up in Yolla. These are little places that are doing a great job in their own local communities.

Picking up on some of the points that were raised, I was interested to hear from the housing service providers, and other service providers, who we do listen to because we rely on their knowledge of the sectors that they represent. It did seem a little bit difficult for them to come out unequivocally in raging support for the process. It was more like we need to do something, this seems to address a lot of the challenges we have had. It is not an overwhelming endorsement, but it certainly was not saying, do not do it.

I will listen to the rest of the debate to see what others have to say but I can see some benefit in having that more holistic approach to looking at the whole picture. The planning, the land use, where services are located, the capacity to leverage off the balance sheet and also potentially, to access other federal funding. That was a bit unclear as to how that still happens without statutory authority. It appears there may be some potential buckets of federal money

that rely on it being a statutory authority, rather than a government department to access the funds.

**Ms Rattray** - That could change.

**Ms FORREST** - It could change, yes. That was a bit unclear. Anglicare and others spoke about the importance of having creative solutions to housing. We need to think about that. We should talk broadly to the communities we live in to find out what the people in those communities think could be done. Often it is those who live in the communities that see opportunities we might not. They are certainly not going to take it up the chain even to a statutory authority, should it exist.

The master planning of where to build homes, where the workforce is, where the access to materials is and that sort of thing. A holistic approach to that is sort of partly building to the five-year plan. I appreciate the fact that the five-year plan is a bit of a set and forget, then you review it at the end of the period. This statutory authority will have a rolling three-year corporate plan. I am not sure how often the ministerial statement of expectations is reviewed, but it should be. That was my question from earlier, about how that is reported against in the annual report. I also know, depending on where the portfolio of housing sits, one of our committees can call them in and do a good review of how things are going, how many houses are being delivered. We do not necessarily have to wait for the annual report. We do not have to wait for what I understand will probably be another one of the authorities we see in GBE week, which means we will now probably have three calls for everybody, which is hardly effective and appropriate scrutiny. If this was to be established, a lot of work will fall to the government administration committees relevant to that area, to call them in either on release of their annual report or at other times, if there was a need considered, and actually ask them for an update. That should be one of the things high on the list of priorities for our committees, along with review of things like TasTAFE.

A lot of the service providers and housing providers actually said this organisation can be nimbler and more able to respond to the need. We know the need changes quite regularly and quite quickly sometimes, but it is a bit disappointing that government cannot be nimble. We saw a bit of nimbleness around the COVID-19 response, when you have a real crisis on your hands. The housing situation at the moment is quite a crisis, so I am not sure why we cannot be quite as nimble in that, acknowledging the challenge with building properties.

**Ms Rattray** - Yes, the response to the Building the Education Revolution. That was an immediate response.

**Ms FORREST** - That was the federal government's response to the GFC, yes.

**Ms Rattray** - The state government was part of that.

**Ms FORREST** - Oh yes. We did get some buildings that are not all that helpful and bits that are like white elephants in a way.

I note the concerns raised by Sophie Underwood on behalf of the Planning Matters Alliance Tasmania. She is rightly concerned the planning laws will not be overridden in the haste to build properties. That is important when you are looking at the strategic planning around where they should be built, the mix of houses that should be built and the people you

want to make housing available to. As the Leader said in her second reading speech, that is something that will feed into the planning reform and review that is going on, but it is an important point. We should not just be building houses anywhere for the sake of needing houses. You have to consider where the need is, where the services are and what is appropriate.

There are people who do not like things in their own backyard, I absolutely get that, but we all need houses. We all need a safe home to live in. She also raised concerns about the developers and donation laws being quite weak in our state and, unfortunately, we still have that situation at the moment - whether that can be fixed at a later time - but that is a genuine concern of hers. I do not disagree that it is a concern.

I will leave my contribution there. I have not had a real chance to read this document that is provided. Other members will no doubt reflect on it.

**Ms Rattray** - It is very positive.

**Ms FORREST** - I am sure it is. I did not expect it to have any negative points in it, but it will give me the opportunity to think about it before we get to the Committee stage, should we get there. There may be questions that I might raise at that point but I am interested in other members' contributions on this. I am still not 100 per cent convinced this is the right approach to take just because we need to do something. We do need to do something, but let us be sure what we do will have the best and most positive impact to deal with the very real problem of access to houses and homes for so many of our Tasmanians. I will listen to the debate.

[5.31 p.m.]

**Mr WILLIE** (Elwick) - Like a lot of members, housing is a big issue in my electorate in the northern suburbs of Hobart. It is a place that is in demand for housing stock because it is close to services and close to the CBD. A week does not go by without someone walking into my office who is in desperate need and it is heartbreaking. I have seen children sleeping on couches, then having to go off to school -

**Mr Valentine** - Or in cars.

**Mr WILLIE** - Yes. We have all probably noticed the last five years how visible homelessness has become. I remember very clearly in 2017 or 2018, I went to the showgrounds, when it started to become very prominent, and I met a family there and I met some kids doing homework in the ferret shed. That is no way to engage with education, to have a stable home life. I felt heartbroken for the parents in that situation too, watching their children do that and I think we can do better.

We saw through COVID-19, when governments of different levels prioritised housing, we can house people, surprise, surprise. Other countries do it better than us and the member for Murchison talked about Finland and the Housing First policy, where you house people first and then you work on the rest of the issues that they may be facing and you provide support services. There is no reason why we cannot do that here.

I acknowledge that housing policies have improved from yesteryear, from governments of both persuasions. We are no longer building broadacre housing and where there is broadacre housing from the past, the housing providers are doing a good job of rejuvenating those areas and building play spaces and community spaces, providing support services, and getting a good

mix of tenancies. They are changing those area. I acknowledge that, but I note nowadays that the policy is to provide a mix of housing in new developments, whether that is home ownership, private rentals, social housing or supported accommodation with support services. We get a good mix and that is why this bill is a little perplexing.

We have a target from the Government to build 10 000 homes in 10 years. That is 1000 homes a year. I do not think they are anywhere near delivering that in their time in government, per year, and this is supposedly going to deliver that. The biggest change we will see is a skills-based board. New financial arrangements, where the authority can take on debt, and eligibility requirements for people being able to lease properties or take home ownership changing as well.

Some of the other changes - I have had a quick scan of that document that has been provided. They could be policy changes now. You could have a focus on urban renewal now as a policy. You could have a focus on more research now as a policy. I find this incredibly frustrating in terms of accountability.

I am cynical too. I write a lot of housing letters each week. I notice not just with the current housing minister, but the previous one, a definite change in approach, not responding to constituents in their name, and palming off the responsibility to the Director of Housing. I feel for him, having to break the bad news with the lack of housing supply. I also did not think it was fair to leave a public servant to do that when in our Westminster system, the minister is responsible. I am very sceptical with a change such as this that this is about putting in a board, arm's length from the minister, the minister is not responding to constituents, 'That is a matter for the board, I will have to get some advice on that'. We will hear those sorts of things if we go down this path.

Rather than taking on the hard challenges, whether it is the planning system and promoting social and affordable housing through the planning system, or coming up with a skills strategy to get tradies on the tools, we are shuffling the deckchairs. There is nothing new in this bill that will deliver houses faster. Those challenges remain in the planning system, where the hold-ups are. The great need for skilled workers to build the new houses will remain. We cannot even get TAFE teachers in some trades to deliver apprenticeships. There are a lot of apprenticeships that have been suspended in electrical trades, not to mention other trades. They have great trouble hiring people at TAFE to teach at the moment.

**Ms Rattray** - The cabinet-maker course - at the moment, there is no-one to assess the work that has been undertaken in the north of the state in a timely manner. Hence they cannot sign off on their traineeship or apprenticeship.

**Mr WILLIE** - Rather than taking on those big structural problems, we are here changing the arrangements of Housing Tasmania to a statutory authority. There will be a skills-based board. Somebody told me they will meet six times a year. That may even hold things up, people who will be waiting for the board to meet to make decisions before they can act.

**Ms Forrest** - Will the CEO not be getting on with the job, though?

**Mr WILLIE** - There may be the decisions that the skills-based board has to make before the CEO can get on with the job.

**Ms Forrest** - The board sets the strategy; the CEO delivers the goods, or they should.

**Mr WILLIE** - Well, there is a question there whether the skills-based board will hold things up, whether there will be decisions that have to be made and they only meet six times a year, whether that will impact delivery.

Some of the things that came up in the briefing were interesting too. We heard from some of the housing providers that there will be a change in focus, that this new statutory authority will not just be focused on social housing, that they will be delivering land supply and affordable housing. The question I had was, does that not happen now?

We had an example from the Director of Housing in Huntingfield, where we passed an urgent bill in this place for land supply for a development down in Huntingfield. I do not believe much has happened down there since two years ago. We were told that only 15 per cent of that development would be for social and affordable housing. The rest is for private development, probably land release. This is already occurring under the current arrangements. I fail to see how this will change that.

It will certainly change in terms of the eligibility for people. We have heard they want to provide more housing for specific workers where there are shortages, try to capture the people who might not be on the social housing waitlist, but are vulnerable. Maybe help more people into home ownership. I am not sure why that could not be a policy of the Government now in the current arrangement, why there has to be this change.

My biggest concern is the accountability. I believe governments deliver services, they deliver education, they deliver health, they deliver justice, emergency services.

**Mr Valentine** - Why it is called the public service.

**Mr WILLIE** - Most Tasmanians would expect housing to be part of that. Housing for the vulnerable in particular and support services that go with that is a key function of government. If you looked around most states in Australia there would be departments that are charged with that responsibility and we are going to move away from that, where we will not have a department. Communities Tasmania is being disbanded, we will not have a department charged with that. We will have a separate housing statutory authority, arm's length from the minister, instead of a minister that is ultimately responsible.

**Mr Valentine** - An elected minister.

**Mr WILLIE** - An elected minister under our Westminster system of government who is answerable in this place and I have significant concerns on that. I did stand up for the Leader just to start my presentation, but I move -

That the debate stand adjourned.

**Debate adjourned.**

## **ADJOURNMENT**

[5.42 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) -  
Mr President, I thank the member for Elwick for doing that. Mr President, I move -

That at it rising the Council does adjourn until 11 a.m. on Thursday  
8 September 2022.

**Motion agreed to.**

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

That the Council do now adjourn.

**The Council adjourned at 5.42 p.m.**