



LEGISLATIVE COUNCIL

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 22

TUESDAY, 15 NOVEMBER 2022

- 1 **COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon.
- 2 **ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past and present. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 **PRAYERS.**— The President read Prayers.
- 4 **NON-CONFORMING PETITION.**— Ms *Webb*, by leave, Tabled a non-conforming Petition from 4381 citizens of Tasmania calling on the Government to raise the age of criminal responsibility to at least 14 years of age.
- 5 **LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.**— *Ordered*, That Mrs *Hiscutt* have leave to Table an answer to Question No. 6 and have the answer incorporated into the Hansard record.
- 6 **TASMANIAN LAW REFORM INSTITUTE.**— Ms *Webb* asked the Honourable the Leader of the Government— With regard to the ongoing uncertainty of the future of the Tasmanian Law Reform Institute (TLRI), and in light of the following considerations:
 - (a) The establishing Agreement between the Founding Partners of the University of Tasmania, the Tasmanian Government and the Law Society of Tasmania is due for renewal in November this year;
 - (b) the Legislative Council’s affirmative vote on Tuesday, 27 September this year in support of a motion calling for the Government to prioritise delivering in full, and in good faith, the recommendations of the Review of the TLRI Final Report; and commit to ensuring Tasmania’s acclaimed premier law reform agency is sufficiently resourced to place it on a ‘secure and sustainable footing into the future’ as recommended by the 2022 TLRI Review Final Report; and
 - (c) my correspondence dated 28 July this year to the Attorney-General on this matter, which remains outstanding to date —

can the Government provide the requested information for the following outstanding matters:

- (1) The Government’s formal response to the findings and 20 recommendations made in the South Australian Law Reform Institute (SALRI) Final Report of the Review of the Tasmanian Law Reform Institute, which was publicly released on 20 July this year;
- (2) (a) whether the Founding Partners Agreement will be renewed in November this year; and

- (b) if so, can the Government provide a copy of the new Agreement once finalised and signed;
- (3) details of any new governance and structural reforms made to the TLRI, and how they are intended to secure a contemporary and sustainable TLRI into the future;
- (4) the Government's ongoing funding commitment to the TLRI, noting the TLRI Review's recommendation number 19 that the annual baseline or recurrent funding from the Government be increased to at least \$200 000 per annum, to support the Institute's work programme;
- (5) the process and the role of the Government in securing a permanent Director of the TLRI; and
- (6) the expected tenure of current Acting Director, Associate Professor Jeremy Prichard, and what role the Government had in that appointment.

The Leader answered, The Tasmania Law Reform Institute (TLRI) was established on 23 July 2001 by Agreement between the Tasmanian Government, the University of Tasmania (UTAS) and the Law Society of Tasmania (LST). That Agreement has been consistently renewed and supported by the Tasmanian Government, and all of the three Founding Partners since that time.

The TLRI is currently led by Associate Professor Jeremy Prichard as Acting Director. UTAS is responsible for appointing all Directors of the TLRI, including Directors appointed in an acting capacity.

The current foundation Agreement for the TLRI will expire on 23 November 2022. The Tasmanian Government, alongside UTAS and the LST, remain committed to ensuring that the TLRI can continue its important work and that it is appropriately resourced to do so.

On 20 July 2022, the South Australian Law Reform Institute released its Final Report from a review of the TLRI. That Report contains 20 recommendations, 19 of which recommend changes to terms of the Agreement underpinning the TLRI. The Tasmanian Government is working with the Founding Partners to ensure that the work of the TLRI continues and that the terms of a revised Agreement, preserve an independent and contemporary law reform body.

7 SPECIAL INTEREST MATTERS.— The President advised the Chamber of six Members who had indicated their desire to speak and of the order in which they were to speak —

- (1) Mr *Gaffney* – International Men's Day;
- (2) Ms *Rattray* – Scottsdale High School Centenary;
- (3) Mr *Duigan* – George Town Excellence Awards;
- (4) Ms *Palmer* – Clown Doctors;
- (5) Mrs *Hiscutt* – Muralfest; and
- (6) Ms *Forrest* – CWP Stepping Up Program.

At the conclusion of Special Interest Matters the Council proceeded to Orders of the Day.

8 MEN'S SHEDS.— A Motion was made (Ms *Howlett*) and the Question was proposed, That the Legislative Council:

- (1) Notes the important role that Men's sheds play in the overall wellbeing of many Tasmanians.
- (2) Notes the contributions that Men's sheds make to the community.
- (3) Acknowledges the role that volunteers play within Men's sheds.
- (4) Thanks the Tasmanian Men's Shed Association for the work they do promoting and supporting Men's sheds across the State.

A Debate arose thereupon.

9 SITTING SUSPENDED.— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

10 QUESTION TIME.— The President called for Questions without Notice. There was one Question asked.

11 MEN'S SHEDS.— The Council resumed the Debate on the Question, That the Legislative Council:

- (1) Notes the important role that Men's sheds play in the overall wellbeing of many Tasmanians.
- (2) Notes the contributions that Men's sheds make to the community.
- (3) Acknowledges the role that volunteers play within Men's sheds.
- (4) Thanks the Tasmanian Men's Shed Association for the work they do promoting and supporting Men's sheds across the State.

And the Question being put,

It was resolved in the Affirmative.

12 REPORT OF THE LEGISLATIVE COUNCIL GOVERNMENT ADMINISTRATION COMMITTEE 'A' INQUIRY INTO RURAL HEALTH SERVICES IN TASMANIA.— A Motion was made (*Ms Forrest*) and the Question was proposed, That the Report of the Legislative Council Government Administration Committee 'A' Inquiry into Rural Health Services in Tasmania be considered and noted.

A Debate arose thereupon.

13 SITTING SUSPENDED.— It being 4.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 4.30 o'clock p.m.

14 REPORT OF THE LEGISLATIVE COUNCIL GOVERNMENT ADMINISTRATION COMMITTEE 'A' INQUIRY INTO RURAL HEALTH SERVICES IN TASMANIA.— The Council resumed the debate on the Question, That the Report of the Legislative Council Government Administration Committee 'A' Inquiry into Rural Health Services in Tasmania be considered and noted.

And the Question being put,

It was resolved in the affirmative.

15 REPORT OF THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ROAD SAFETY IN TASMANIA.— A Motion was made (*Ms Armitage*) and the Question was proposed, That the Report of the Legislative Council Select Committee on Road Safety in Tasmania be considered and noted.

A Debate arose thereupon.

Ordered, That the Debate be adjourned. (*Mr Willie*)

16 BILL NO. 42.— The Animal Welfare Amendment Bill 2022 was read the Third time and passed.

17 BILL NO. 42.— A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, 'A Bill for an Act to amend the *Animal Welfare Act 1993*'.

Legislative Council, 15 November 2022

C.M. FARRELL, *President*

18 ADJOURNMENT.— *Resolved*, That the Council at its rising adjourn until 11.00 o'clock a.m. on Wednesday, 16 November 2022. (Mrs *Hiscutt*)

A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council do now adjourn.

A Debate arose thereupon.

Ordered, That Mr *Gaffney*, have leave to Table documents relating to the conviction of Susan Neill-Fraser.

And the Question being put,

It was resolved in the Affirmative.

The Council adjourned at 6.38 o'clock p.m.

D.T. PEARCE, *Clerk of the Council*.