



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 5 May 2022

REVISED EDITION

Contents

QUESTIONS.....	1
LEAKS WITHIN GOVERNMENT	1
MACQUARIE POINT DEVELOPMENT CORPORATION - STAFF MEDIA TRAINING ARRANGEMENTS	2
IMPORTANCE OF PEACEFUL PROTEST	3
SOCIAL HOUSING SECTOR	4
HEALTH COMMITMENTS - UPDATE.....	5
FLOATING STADIUM - COSTS	7
MACQUARIE POINT DEVELOPMENT - CONCERNS	9
AGRICULTURE PRODUCTION - UPDATE.....	10
LGBTIQ+ PEOPLE - PROVIDING A SAFE TASMANIA.....	12
COST OF LIVING - WAGES GROWTH	13
ASHLEY YOUTH DETENTION CENTRE - UPDATE.....	14
TASMANIAN BUSINESS CONFIDENCE.....	16
BURNIE COURT - PROPOSED LOCATION.....	18
NATIONAL AGREEMENT ON CLOSING THE GAP - DELIVERING ON COMMITMENTS.....	19
NORTHERN PRISON - CONFIDENCE IN MINISTER FOR CORRECTIONS AND REHABILITATION.....	21
LAND TAX RATING AMENDMENT BILL 2022 (NO. 6).....	21
BILL AGREED TO BY THE LEGISLATIVE COUNCIL WITHOUT REQUEST.....	21
FOREST PRACTICES AMENDMENT (VALIDATION) BILL 2022 (NO. 13).....	21
BILL AGREED TO BY THE LEGISLATIVE COUNCIL WITHOUT AMENDMENT.....	21
SITTING DATES	22
YOUTH JUSTICE AMENDMENT (SEARCHES IN CUSTODY) BILL 2022 (NO. 9).....	30
SECOND READING	30
INAUGURAL SPEECH.....	44
MEMBER FOR BASS - MR SIMON WOOD MP.....	44
RECOGNITION OF VISITOR.....	47
YOUTH JUSTICE AMENDMENT (SEARCHES IN CUSTODY) BILL 2022 (NO. 9).....	47
SECOND READING	47
YOUTH JUSTICE AMENDMENT (SEARCHES IN CUSTODY) BILL 2022 (NO. 9).....	51
IN COMMITTEE	51
APPROPRIATION (SUPPLEMENTARY APPROPRIATION FOR 2021-22) BILL 2022 (NO. 14)	57
SECOND READING	57
SITTING TIMES.....	74
POLICE OFFENCES AMENDMENT (WORKPLACE PROTECTION) BILL 2022 (NO. 15)	82
SECOND READING	82
ADJOURNMENT.....	108
JACKJUMPERS - GRAND FINAL SERIES	108
ABORTION LAW IN THE UNITED STATES.....	109
MACQUARIE POINT DEVELOPMENT CORPORATION - STAFF MEDIA TRAINING ARRANGEMENTS - FURTHER INFORMATION.....	109
TASMANIAN BOAT BUILDERS PFG GROUP - SENTINAL 1100	110
KING ISLAND - SHIPPING SERVICES	111

HARNESS AND GREYHOUND TRAINING FACILITIES - NORTH-WEST COAST	113
GAVIN PEARCE, FEDERAL MEMBER FOR BRADDON - TRIBUTE	114

Thursday 5 May 2022

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

QUESTIONS

Leaks within Government

Ms WHITE question to the PREMIER, Mr ROCKLIFF

[10.01 a.m.]

The Labor Party has received another series of extraordinary leaks directly from your Government. The latest leak claims that in the days after Peter Gutwein resigned, you met with your now deputy and that in this meeting Michael Ferguson informed you that he had the numbers to become the next premier. Do you deny that this occurred and what does the fact that your colleagues are leaking damaging information say about your weak leadership?

Members interjecting.

Mr SPEAKER - Order.

ANSWER

Mr Speaker, I thank the member for her question. My advice to the member is to look in her own backyard before commenting on others within this House. What I am proud of is a very capable team: me, my deputy, all my ministers and all members of our Liberal Government. As I said yesterday, this is the strongest government and most capable government since 2014.

Ms White - Do not have much regard for Peter Gutwein then.

Mr SPEAKER - Ms White, order.

Mr ROCKLIFF - The lived experience, parliamentary experience, ministerial experience, and a refreshed and enthusiastic team ready, willing and able to confront the challenges. There are considerable challenges that we face: the global environment, the war in Europe, and the uncertainty as a result of disruption created by the pandemic. There are a lot of decisions that we will make; considered, measured decisions that have the best interests of Tasmanians -

Ms White - That is right. He cannot deny it, he knows it is true. Chaos.

Mr SPEAKER - Order, Ms White, your interjections should cease, please.

Mr ROCKLIFF - At the heart of that decision-making will be the best interests of Tasmanians.

I am not interested in your politics and your discussions. There has been plenty of commentary over the course of the last 12 months when it comes to Labor Party discussions, both at a parliamentary level and organisational level. That is your business. Our business is getting on with the job, focusing on the things that matter to Tasmanians. Frankly, the rumours and innuendo you bring to this place is beneath you. I believe you are a better person than that, Ms White but, unfortunately, you are not demonstrating that to the Tasmanian people.

What the Tasmanian people are interested in, is focusing on and maintaining the momentum for a strong economy and keeping those employment numbers up. This is a government that has worked very hard to ensure that -

Ms White - How is business confidence?

Mr ROCKLIFF - I can get onto the CommSec, if you like, in response to your interjection. There have been 27 000 jobs created since 2014. Clearly, this is an economic, job-focused Government that also recognises that the rewards for a strong economy are investing in key services that Tasmanians quite rightly deserve: being cared for at the right place, at the right time when they present for care at a hospital -

Members interjecting.

Mr SPEAKER - Member for Bass, order.

Mr ROCKLIFF - ensuring that the Government is diligently, actively supporting an increased supply of housing and also ensuring that fundamental right, as I have said many times, Tasmanians have to be safe and have a roof over their head. Education as well. They are our priorities when it comes to service delivery. Our priority, I say very clearly, is not the muckraking that we hear from the other side.

Members interjecting.

Mr SPEAKER - Member for Franklin, order.

Mr ROCKLIFF - We have a very capable, strong, united, refreshed and energetic team and I am proud of each and every one of them.

Macquarie Point Development Corporation - Staff Media Training Arrangements

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.07 a.m.]

Can you confirm that the CEO of the so-called Macquarie Point Development Corporation instructed the chief operating officer to conduct media training with the public relations company Font PR, with which the CEO has a close personal association? Can you further confirm the cost of this training was hidden in the Department of State Growth's budget?

ANSWER

Mr Speaker, I thank the member for her question. I am willing to follow up matters and get back to the member on a number of those matters. As I clearly said yesterday, when it comes to the workplace grievance dispute, I am aware of concerns in the workplace and I am advised the chair of the board, the widely-experienced and respected, Brian Scullin, is managing the situation with the assistance and guidance of the Department of State Growth.

It is important that these concerns are addressed and resolved through proper process - and proper process is important to me - which is occurring, as I understand it. I will not be commenting further on the matter and I will leave it to Mr Scullin to manage, as is appropriate. On other matters that you raise, I will endeavour to get back to the member with an answer.

Importance of Peaceful Protest

Ms O'CONNOR question to PREMIER, Mr ROCKLIFF

[10.08 a.m.]

Do you agree that peaceful protest over the decades has helped to make Tasmania the wild, and in most parts, unspoiled place it is today? It has helped to strengthen our brand and deliver tangible economic benefits from agricultural exports to tourism. Peaceful protests have also helped to deliver real reform in securing the rights of women, workers and the LGBTIQ community. All the great gains of the Tasmania we know and love have come from the passion of our people, uniting to make things better, protesting where we must.

Today, you take us back when you promised to take us forward. Do you really want to be the Premier that allows dissent to be crushed and the peaceful protest that has been core to our identity and our brand to be prohibited? Do you really want to be the Premier who chooses to take Tasmania back to a darkness that belongs to our past?

ANSWER

Mr Speaker, I thank the member, Ms O'Connor for her question. It was a good question because you used the words 'peaceful protest'. That is important because I would never - and I imagine any government of any colour - would want to inhibit one's right to peacefully protest.

There has been lawful protest throughout this week, with no trespassing; just people ensuring they have their say, which is vitally important. I acknowledge that over many decades, change happens when people speak up and their voice is heard. I include examples that you have used, Ms O'Connor. Peaceful protests are essential. I recall when I was the Minister for Education, young people wanted to express their view on climate change. There was discussion in the community about whether our students should remain at school. However, as Minister for Education, it was important to me that we listened to the voices of young people. There were climate change rallies on parliament lawns and elsewhere across Tasmania. That is a good thing: peaceful protests, lawfully expressing their view in large numbers, to which governments listen.

You are referring to the situation with the Government bill about workplace matters. What I am concerned about, and I think back to some protests where people chained themselves

to equipment, it is dangerous. They are risking their lives, and the lives of people who work at the workplaces, and it is preventing people from going about their right to work. That is what this is about: ensuring the safety of people who can lawfully protest. You know this, Ms O'Connor. You know it.

I want people to express their view, and for Government to listen to people's voices - like the voice of young people on climate change. What I do not want to see is people risking their lives and the lives of people who work in those workplaces, and preventing lawful workplace activity from happening. That is the intent of the legislation Mr Barnett has tabled this week.

It should be no secret that we are committed to such legislation. As I recall, it was promised in the 2014, 2018, and 2021 elections. We believe we have a mandate to ensure people can lawfully go about their right to work. There have been various iterations over the years. We believe we have the balance right with this legislation. We look forward to debating it in the House.

Social Housing Sector

Mr O'BYRNE question to PREMIER, Mr ROCKLIFF

[10.14 a.m.]

Earlier this year, the former premier, Mr Gutwein, announced his highly ideological plan to dissolve the Department of Communities and shift the management and control of social housing out of Government to an arm's-length statutory body. Tasmania's social housing sector is in a dire state. Over 4400 applications are languishing on the housing register, many of whom are living in unstable environments. Priority applicants are waiting an average of 74.9 weeks before they can access housing, which is nearly three times longer than it was when your Government assumed office in 2014. Handing over social housing to arm's-length statutory body is an abrogation of your Government's responsibilities. Furthermore, many people in the sector have raised concerns that the departmental time and effort required to proceed with this major restructure will shift focus away from addressing the housing crisis at the worst possible time.

Premier, you have an opportunity to take responsibility. Will you reverse, or at least defer, this policy and commit to keeping the management and control of social housing within the Government you lead?

ANSWER

Mr Speaker, I thank the member for his question and interest in this matter. We took a very strong plan about the affordable housing challenge to the last election. We are now taking the next step by announcing a 10-year, \$1.5 billion housing package to build on our existing reforms.

To answer your question, will I be reversing the decision? No, I will not do so. The new statutory authority will be charged with the increasing housing supply, delivering more affordable homes and units, and ensuring we leave no stone unturned to deliver the stock of houses and the services required to cater for growing demand. The process of drafting legislation to set up the new authority is underway, and will be brought before the House for

consideration ready for the authority to begin operating on 1 October 2022. At the same time, we are delivering on a range of measures when it comes to housing.

While I disagree with some of what the member said in the context of his question, I certainly agree with him that this is a challenge. It is not only a challenge in Tasmania. It is a challenge across the nation. Strong market conditions have driven up house prices, and that has made buying a house and renting far more challenging than it once was. I mentioned the Government's \$1.5 billion over 10 years to build or acquire 10 000 new social and affordable houses by 2032. This is an additional 6500 homes on top of our current target of 3500 homes by 2027, announced some time ago.

Since the start of the Affordable Housing Strategy, we have already provided 1340 more homes; over 1200 social house dwellings; 133 supported accommodation places; assisted 513 low income families into home ownership; 401 affordable land lots for low income buyers; and helped 403 families into private rentals. We know more needs to be done, and we will leave no stone unturned. The solution, of course, is more houses that Tasmanians can afford.

I must also say that we are on track. The ABS figures which the Deputy Premier provided yesterday, if my memory serves me correctly and they may also have been mentioned by our Housing minister, Mr Barnett, were 999 homes completed in the December 2021 quarter. That is the highest number in almost 30 years, up 31 per cent in the quarter, and the highest growth in the country. Although the situation is challenging, and there is a huge need, we are making significant progress. My view is that the establishment of the Housing Authority will continue that progress, Mr O'Byrne.

Mr O'Byrne - This is the same language since 2018, and it is just getting worse.

Mr SPEAKER - Order.

Mr ROCKLIFF - I am pointing to strong results, and they are good numbers and good progress. They are good, in terms of the highest growth in the country - up 32 per cent in the quarter. You will never find me not admitting that there are problems. There are problems, of course there are; that is why I am standing here today, and it is why you have asked the question. Thanks for asking the question that Tasmanians actually care about. There is more to do. We have a strong plan, backed by strong investment.

Health Commitments - Update

Mr WOOD question to PREMIER, Mr ROCKLIFF

[10.20 a.m.]

Can you please update the House on how the Tasmanian Liberal Government is continuing to deliver on its health commitments?

Recognition of Visitors

Mr SPEAKER - Premier, as you are coming to your feet, I draw the attention of members to the presence in gallery of year 7 students from OneSchool Global. Welcome.

Members - Hear, hear.

ANSWER

Mr Speaker, I welcome our students.

I thank Mr Wood for his first utterances in parliament. We look forward to your first speech today at 2.30 p.m. We are proud of you, as we know your family is also. I thank you for the question.

Before I begin, I acknowledge that today is International Midwives Day and want to reflect on the 2022 theme, 100 Years of Progress. I am sure all members will join with me in recognising the important contribution of our Tasmanian midwives and the excellent care they offer to women and their families.

Health is consistently a top priority for Tasmanians. That is why, when I became Premier, I retained the Health portfolio. Our Government is delivering on our health commitments, including our 10-year \$1 billion investment to build next-generation health infrastructure right across our state, ensuring we can deliver better care and help our efforts to recruit new nurses, doctors and allied health staff.

The most recent Health Dashboard demonstrates the increasing demand on our health services, with high emergency department presentations, some 15 336, and ambulance dispatches, some 10 994 during March. That is why we are investing strongly in health, delivering more funding than any previous government, and I am pleased to say we are beginning to see some encouraging results.

The March dashboard confirms the elective surgery wait list has reduced by some 2200 people, a reduction of almost 19 per cent in the last 12 months. These are encouraging figures but there is still more to do. That is why our \$196.4 million statewide elective surgery four-year plan, clinician-led and patient-focused, will deliver around 30 000 extra elective surgeries and endoscopies over four years.

The oral health waiting list for adult general care has reduced by 596 people in the last months and this reflects our commitment of some \$5 million investment providing an additional 20 000 appointments.

We are also investing heavily into our ambulance service with a commitment from last year's election to employ 48 paramedics, 44 of which are already on the road. However, we are going further and the 2022-23 State Budget will fund another 11 paramedics between Sorell and Huonville and these positions are on top of the ones committed to at the last election.

To improve the efficiency of ambulance drop-off, we are increasing capacity with our emergency departments and implementing innovations to improve patient access and flow, including streamlining admission and discharge processes, which Mrs Alexander spoke about yesterday on the matter of public importance. In the spirit of innovation, we are also introducing new services as we implement the recommendations of the Child and Adolescent Mental Health Services Review report. As part of this, we are introducing a multisystemic therapy, or MST, to support children whose severe antisocial behaviour is likely to result in

disengagement from school and puts them at risk of entry into the youth justice system, which the Minister for Corrections and Rehabilitation will welcome, as will the Minister for Education, who continues the objectives of this Government to reduce any barrier for any student, irrespective of their circumstances or background when it comes to engaging in learning.

I am pleased to update the House on the steps we are taking to support the delivery of the Calvary co-located hospital and the recent signing of the project development agreement and a contract for the sale of land adjacent to the Launceston General Hospital. Importantly, the co-located private hospital will deliver a range of benefits to the northern Tasmanian community, including public patients by assisting to attract and retain health professionals and support delivery of a complementary mix of services between Calvary and the LGH. That adds additional critical mass in terms of attracting much-needed clinicians and health professionals from around Australia and the world. There will also be improved bed utilisation and patient transfers via an airbridge that will connect the two hospitals.

Our Government is focused on delivering what matters most to the Tasmanian community, as we continue to focus on Tasmanians accessing the right health care in the right place at the right time.

Floating Stadium - Costs

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.26 a.m.]

When you came to power in 2014, the Tasmanian budget was not only free of debt, but there was actually \$200 million of savings in the bank. Today the Tasmanian budget is way down, with a record level of debt and is growing by \$2 million every day. Treasury has predicted that without corrective action we will have \$30 billion of debt by 2035. Interest rates are going up, which means that more taxpayer money is wasted on interest repayments. Given this, is it really responsible to be spending \$750 million on a floating stadium in Hobart? Can you detail the work that has gone into arriving at the \$750 million price tag and can you explain where the money is coming from?

ANSWER

Mr Speaker, I thank the member for her question. If you want to look at debt levels, look across Bass Strait at the Victorian budget handed down and the comparison to that.

The second thing I would like you to think about, at the very least, is your own alternative budget that we look forward to, but you have not delivered one since 2014. The last alternative budget that was quoted in this House was by the Deputy Leader of the Opposition, and it was our alternative budget, I recall a month or two ago, quoting from the then 2013 Liberal opposition alternative budget. I thought to myself then, when I was watching the Deputy Leader, this could be the year that we actually get an alternative budget from those opposite.

Members interjecting.

Mr SPEAKER - Order.

Ms DOW - Point of order, Mr Speaker. The Premier has failed to answer the question. The question to the Premier was can he explain where the money for the \$750 million floating stadium will come from.

Mr SPEAKER - I take it that the point of order is on relevance. The Premier has only been speaking for two minutes. He is allowed an appropriate amount of time, and will link, I am sure, his comments to the question. The Premier has the call and members should listen to the Premier in silence.

Mr ROCKLIFF - On debt, Tasmania's net debt levels for the general government sector were the lowest of any Australian jurisdiction in the 2020-21 period on both a total and per capita basis. Tasmania's net debt levels are forecast to remain the lowest on both a total and per capita basis over the forward Estimates as well to 2024-25. Government borrowing costs are manageable. While further cash rate increases by the RBA are anticipated, government borrowing costs will remain manageable over the forward Estimates. What would those opposite have done differently over the course of the last two years? This Government has spent hard-earned Tasmanian taxpayer funds and for a very good reason. Not only did we keep people safe but we also, as best as practicably possible, kept businesses afloat through some of those challenging times. So, those opposite when they front the media and wave their hands about need to also ask the question, what would they have done differently?

With respect to the stadium, it is important to infrastructure plan for the future. We are investing some \$1 billion across health infrastructure, planning for the future. Mr Jaensch is investing many hundreds of millions of dollars in new education infrastructure as well. Mr Barnett: \$1.5 billion of investment over the next 10 years, investing in public housing. It is important that governments plan for the future, to be ambitious and set the longer-term goals that underpin our aims but also demonstrate to the rest of the country that we are on a pathway to where young Tasmanian people can aspire to be the best right here in their own state.

You talk about floating stadiums, or whatever you want to label it as, but it is more than that. It is about urban transformation. It is about renewal. Delivering a world-class, multipurpose venue that maximises local economic and social benefits. Southern Stadiums supports the aspirations for Tasmania, securing its own AFL team which would be based in Hobart and will also be able to host rectangular sporting codes that will support ongoing discussions regarding an A League football team, and builds on the momentum of the NBL -

Mr SPEAKER - If you could wind-up, Premier.

Mr ROCKLIFF - and the success of the NBL, which I know Mr Street is very acutely aware of as we all are. We can match it on the national stage.

We have aspiration but we are also delivering with key investments as well. We will be doing our due diligence and business case feasibility study to ensure that we are well informed on what is a large infrastructure project but also an enabling project as well, not just about AFL, but a multipurpose venue, an enabler for public transport -

Ms WHITE - Point of order, Mr Speaker, standing order 45 on relevance. The question was, how did the Government come up with the \$750 million figure and where will the money come from?

Mr SPEAKER - You have mentioned relevance but it is not an opportunity to re-ask the question. The Premier is answering it. I do need to ask the Premier to quickly wind-up.

Mr ROCKLIFF - I appreciate the question. I have answered the question and the Tasmanian community will be well and truly informed.

Macquarie Point Development - Concerns

Ms JOHNSTON question to MINISTER for STATE DEVELOPMENT, CONSTRUCTION and HOUSING, Mr BARNETT

[10.34 a.m.]

Yesterday in this place I highlighted the litany of problems that have bedevilled the Macquarie Point development. I asked the Premier to commit to a full and transparent inquiry into the deficiencies at the site. He failed to acknowledge any problems at Mac Point and, in fact, claimed it was powering ahead. Extraordinary.

Minister, are you aware that in 2019 the department was formally alerted to accusations of bullying, manipulation and emotional abuse by management towards staff? Are you aware of claims that procurement practices of the corporation are manipulated to favour some providers and circumvent Treasurer's Instructions? Are you aware of allegations that staff have been pressured to use their personal relationships to unduly influence outcomes that favour the corporation? Enough is enough. The veil of secrecy must be lifted from the Macquarie Point Development Corporation.

Will you release the completed report into the latest bullying allegations, prepared on behalf of the Department of State Growth? Will you commit to a full, open and transparent inquiry into all the clear failings at Macquarie Point?

ANSWER

Mr Speaker, I thank the member for her question and her interest in this matter and note that it is two parts. The Premier responded quite positively yesterday with respect to our master plan for Macquarie Point. I have a copy of the master plan here and it has been available for some time. If anybody wants a copy it is publicly available and it is on the website.

We are talking a very major project. It is a once in a lifetime opportunity. I have been advised it is one of the last remaining vacant urban infill locations in any of Australia's capital cities. This is an opportunity we have to grasp with both hands and we are doing so.

I acknowledge that there is a lot more work to do. We have 9.3 hectares, a huge parcel of land. It needs complex remediation and rehabilitation. It is a former industrial site and to prepare that development there is removing of contaminated soils. It does not look exciting in that regard but there is more to do. With regard to the remediation that was underway and planning for long-term development, it has progressed. We are assured that the site did not sit empty and could be used by the public and we are encouraged by the temporary uses of the MONA Dark Park, the Dark Mofo, the community garden, the cycleway, and car parking, knowing these would change when future developments occurred.

I have mentioned the importance of the master plan. It is a long-term vision and we are talking about a potential \$1 billion investment into the future in the years ahead. We have the escarpment development, undertaken by Milieu Pty Ltd. The Premier mentioned this yesterday, a \$100 million project and I am advised that a development application will be lodged with the Hobart City Council later this year.

We have the \$5 million goods shed, sewer realignment across the site with a tender currently in the market for that work. There is a lot of work that has been done. There is commencement on the move of the wastewater treatment plant with TasWater and planning for the northern transit corridor is underway with stakeholders from the Department of State Growth, Tasports and the community. There will be more engagement with stakeholders and the community.

I will address the workplace grievance matter that has been referred to by the member. I acknowledge that and acknowledge the question. I also acknowledge that the Premier's response yesterday was spot-on. We in this place cannot go into operational matters with respect to matters like that involving individual people. That would not be proper. I can advise this place that I have met with the chair, Brian Scullin. The Premier referred to Brian yesterday and his very broad experience in this space, and he is managing the situation with the Department of State Growth. I cannot go into the details because in fact some of those details, I am simply not aware.

I can say there is a process and that process is important for appropriate outcomes for dealing with this matter in an appropriate and professional way. That is important to acknowledge.

With respect to other parts of the question, I am absolutely happy as the Premier has indicated earlier in the parliament today, to take those on notice and to respond as soon as possible. Some of those other queries and questions that you have raised are important. I will certainly take that on and see what we can do to assist. I also note that a lot of them are operational matters, which the Government cannot get involved with. However, I am more than happy to look into them and follow up.

Agriculture Production - Update

**Mr ELLIS question to MINISTER for PRIMARY INDUSTRIES and WATER,
Ms PALMER**

[10.40 a.m.]

Can you please update the House on agricultural production in the 2021-22 spring-summer season, including any progress towards the Agrivision 2050 target?

ANSWER

Mr Speaker, I thank the member for his question and for his interest in this very important matter. I am very excited and inspired by my new role as Minister for Primary Industries and Water, as well as Minister for Women, and Minister for Disability Services; portfolios I am very passionate about. I am committed to doing all I can to deliver on the Government's vision for Tasmania.

Tasmania has many opportunities and natural advantages. We are building on these to support our farmers and our rural communities. The latest Agribusiness Insights Report for 2021-22 highlights positive outcomes being achieved across our agricultural sectors, and provides the latest information on key indicators, emerging opportunities, threats and trends.

Seasonal conditions through spring and summer led to exceptional production volumes for several commodities, particularly in red meat, berries, peas and beans and fuel crops such as canola. The dairy industry is having another fantastic year. Strong growth in milk production is allowing the industry to take full advantage of the state's expanded processing capacity. The quality of wine grapes this year is expected to be excellent, and I will closely be monitoring the progress of this year's vintage, especially as the member for Rosevears.

Confidence among Tasmanian farmers remains high, and the report also highlights that prices across most of the agricultural sectors continue to remain at record or near-record highs. Encouragingly, these are expected to continue.

It was also another excellent year for exporters with the value of land-based agri-food products being the second highest after a record-breaking year in 2019-20. That is a great result, and I acknowledge and thank our Tasmanian farmers, producers, businesses and organisations who have worked hard to deliver these wonderful outcomes.

I recently met with some of Tasmania's most passionate industry leaders at the Tasmanian Agricultural Productivity Group (TAPG) Expo at Hagley. I am looking forward to recognising some of our high-achieving rural women leaders, when I host the AgriFutures Rural Women's Awards today here in Parliament House. We will have the opportunity to celebrate some of the innovative and inspirational women in agriculture. The Government is delivering a comprehensive plan for Tasmanian agriculture, with almost \$50 million in additional funding being invested as part of our accelerating agriculture policy. This is in addition to the Government's commitment of \$15 million to develop a nation-leading Tasmanian agricultural precinct in Launceston; \$7 million to upgrade Tasmania's dairy and cropping research farms; and \$2 million to expand the strategic industry partnership program to support key agricultural sectors.

We are also continuing our delivery of high-surety estuary irrigation water. I am extremely proud to be part of the Tasmanian Government team, in conjunction with our federal counterparts and landowners, that have invested record levels of funding in irrigation infrastructure around our state.

We are also investing millions to protect Tasmania's river health, and we are working closely with the Australian Government to secure more than \$1.5 billion in funding to deliver the next six major irrigation schemes across the state. The report reflects the excellent work our producers are doing with the ongoing support of the Tasmanian Government.

Our collective commitment to agriculture will keep us on track to reach our \$10 billion target by 2050. We will continue to support and deliver for all Tasmanians.

Members - Hear, hear.

LGBTIQ+ People - Providing a Safe Tasmania

Ms O'CONNOR question to PREMIER, Mr ROCKLIFF

[10.45am]

As you know, yesterday the results of the Government-commissioned UTAS LGBTIQ+ survey were released. One of the series of serious issues raised in the report were examples of LGBTIQ+ Tasmanians being confronted with bigotry, sexual assault and transphobic attitudes in health care professionals. Do you accept that bigoted and transphobic rhetoric from politicians like Senator Claire Chandler and Senator Eric Abetz can contribute to, and legitimise, transphobic sentiments in the community, including among health care professionals?

The Greens know, Premier, that you do stand with LGBTIQ+ people, but do you acknowledge there is a transphobic culture amongst some members of your party including senior and influential members? What are you doing, as Premier, to combat this culture and deliver a safer Tasmania for all LGBTIQ+ people?

ANSWER

Mr Speaker, I thank the Leader of the Greens for the question.

To answer the last part of your question first - I lead by example. Last night I was very pleased to be in the room with the Leader of the Opposition, members of the Greens, and many people including Ms O'Byrne, Mr O'Byrne, Ms Archer and Mr Street. We were commemorating, if that is the right word, 25 years since the decriminalisation of homosexuality and the passage of those laws through this parliament. It was an insightful discussion and there were some wonderful speakers, including Mr Rodney Croome, who I have long admired for his very strong advocacy over decades. How tough his experiences must have been as a young person, with bigotry, vitriol and the hurtful comments.

My commentary in my discussion yesterday was about how far we had come as a State. We are one of the states leading the world, when it comes to supporting inclusive practice and the LGBTIQ+ community. However, I was mindful of comments from Lynn Jarvis from Working it Out; Ange who provided the survey from the university; and from Rodney himself, that we still have some way to go with respect to these matters.

It is important to me to support mental health and wellbeing and a best practice approach, by building a contemporary, integrated model of mental health care when it comes to supporting our LGBTIQ+ community.

Ms O'Connor - Have you ever picked up the phone to Senator Chandler?

Mr ROCKLIFF - My views on that matter are well known and have been publicly reported. We believe that every Tasmanian, no matter what their background or circumstance, should be treated fairly, with respect, and have equal opportunity to engage in Tasmanian life.

It was very good to join advocates, friends, and families from the LGBTIQ+ community last night. We know that Tasmania's record with regard to the treatment of LGBTIQ+ community was shameful, and we acknowledge that for some, the journey has been very

personally difficult and challenging. I recall the 30-year anniversary in 2019 of the hurtful discussion in my electorate at Ulverstone in 1989.

While we have come a long way with some of the best laws in the country, we acknowledge that many people still face discrimination. We have just released the largest survey of its kind in the state which gives us all insights into lives of Tasmania's LGBTIQ+ community which outlines several concerns and actions. These include transgender rights and inclusion; support for rural LGBTIQ+ communities; ageing; the erosion of legislative protections; and the impacts of conversion practices. These indicate emerging issues of concern that will require multifaceted social and economic policy and legislative changes and resourcing to address them. We took note of that very clearly yesterday.

The broad policy priority areas for LGBTIQ+ inclusion identified in the report are schools, education, healthcare, mental health, workplaces, policing and safety. While I have said there is much to celebrate, clearly the survey demonstrates there are still barriers encountered by the community, particularly in rural and regional parts of the state. The survey provides us guidance on how the Government can continue to ensure the community has equal access to programs and services across government. That work will be led at a ministerial level by minister Street.

We will utilise this important data, develop our new whole-of-government framework and action plan this year, and work alongside a whole-of-government working group to address these service gaps. We remain committed in partnership with the community by listening to the voices of lived experience. We will all continue to learn, engage, and act.

Cost of Living - Wages Growth

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.51 a.m.]

Prices are currently rising twice as fast as wages. In fact, prices have now risen more than wages since you were elected in 2014. This means workers are going backwards as their living costs rise faster than their income. Will you and your new Treasurer rule out a real pay cut for nurses, teachers, paramedics and all other public sector workers who have given our state so much over the past few years, as they negotiate new arrangements and agreements?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for her question. The first question was about debt and complaining about that. As governments we all have choices. We will be making those choices as a fine balance as the budget process is under very difficult circumstances. We look forward to you as an opposition demonstrating what choices you make when you present your alternative budget on the following Tuesday after our Treasurer. The Deputy Premier and Treasurer, Michael Ferguson, will be detailing his Budget on Thursday 26 May.

The wage price index data for December 2021 shows that Tasmanian wages grew 3 per cent over the year, the fastest wage growth in the country, I am advised, and the highest rate since March quarter 2013, underpinned by private sector wages growing 3.2 per cent over

the year, the fastest in the country, and public sector wages by 2.6 per cent over the year, also the fastest in the country.

Fifteen wage agreements are due for negotiation in 2022, as well as the Police Award. This includes the PSUWA agreement, which covers all employees under the Tasmanian State Service Award and Health and Human Services Award. Our Government is committed to delivering fair, reasonable, affordable wage increases for State Service employees and to negotiating with union representatives in good faith. That is what I will guarantee.

In the 2021 negotiation round, five agreements and variations to the Police Award were finalised and the majority have been registered. In-principle agreement has been reached for legal practitioners. I want to make that very clear to the Leader of the Opposition. This is a government that not only understands, supports and values the work of our public service and indeed all employees across Tasmania but, when it comes to wage agreements and negotiations, we will be negotiating in good faith.

Ashley Youth Detention Centre - Update

Mr TUCKER question to MINISTER for CORRECTIONS and REHABILITATION, Ms ARCHER

[10.55 a.m.]

Can you update the House as to the outcome of the Ashley Youth Detention Centre site community consultation and the next steps for the northern correctional facility?

ANSWER

Mr Speaker, I thank the member for Lyons for his question and his continued interest in this important project, as I am sure all members for Lyons have been interested.

As members well know, a key part of our Corrections and Rehabilitation infrastructure plan is our commitment to build a northern correctional facility. We are designing a modern correctional facility that will not only provide secure accommodation and facilities for the offender population it houses, but one with a strong focus on rehabilitation.

The new facility will predominantly accommodate sentenced offenders who are progressing through their sentences and starting to prepare for reintegration into the community, as well as a northern remand centre for people who have been detained in custody pending their court appearances. As I have previously stated, our Government will invest \$50 million into the development of a new maximum security unit within the existing Risdon Prison Complex in southern Tasmania to help alleviate current bed pressures for maximum rated serious offenders.

As many in the community have stated, the closure of Ashley Youth Detention Centre presented the Government with an opportunity to consider the development of this important infrastructure project at that location. My department conducted preliminary investigations of the Ashley Youth Detention Centre site which indicated the site appears to be well suited as a location for a modern fit-for-purpose correctional facility in northern Tasmania, with a

custodial facility, a permitted use within the current zoning for the site under the Tasmanian Planning Scheme for the Meander Valley.

Following this, my department, through the project team, engaged the local Meander Valley community on the future use of the Ashley site before making any decision through an extensive community consultation process. The primary purpose of this consultation was to provide an opportunity for the Meander Valley and wider Tasmanian community to express their views on the potential use of the Ashley site for the northern correctional facility and to provide an overview of those views to the Government to help inform a decision on the future use of the site.

My department worked hard to engage with as many members of the Meander Valley community as possible during their consultation processes. This included a bulk mailout to over 6000 delivery points through Australia Post, direct contact with near neighbours of the site, namely those owning property within a two-kilometre radius from the site, nine print media advertisements in local newspapers, direct marketing -

Ms Butler - I would check on that. I do not think the adjoining landowners have been consulted.

Mr SPEAKER - Order.

Ms ARCHER - No matter what we do you will complain, Ms Butler. There was direct marketing from the department with 140 emails forwarded to subscribers and materials advertising the community consultation were provided. Where would you put the site, Ms Butler?

Opposition members interjecting.

Mr SPEAKER - Order.

Ms ARCHER - Mr Speaker, Ms Butler constantly interjects; I note that on the record. The community, however, was very pleased to be consulted with the direct marketing from the department with 140 emails forwarded to subscribers -

Ms Butler - There are nine of them.

Mr SPEAKER - Order, Ms Butler. If you interject again I will ask you to leave.

Ms ARCHER - as well as materials advertising the community consultation provided to local businesses and government offices.

The community consultation included shopfront drop-in sessions held at several different locations over a five-week period which commenced in early February this year and included day, evening and weekend sessions to maximise the opportunity for members of the local community to attend a session to have their say. A total of 143 people attended these drop-in sessions across Deloraine, Westbury and Elizabeth Town. In addition to these face-to-face meetings, a total of 125 written submissions were received. These included feedback forms provided at the drop-in sessions, e-submissions and postal submissions.

Overall, feedback provided at the drop-in sessions and through the written submissions reflect a diverse range of views. Support for the site can be considered to come from a broad spectrum of positions, from unqualified support through to support only for a particular model or if issues can be satisfactorily resolved. It is also clear that those opposing the use of the site or locating the northern correctional facility in the Meander Valley more generally, are unlikely to ever change their views.

The consultation process has provided a comprehensive overview of community attitudes within the Meander Valley to the possible use of the Ashley site for the northern correctional facility. It has reiterated the broad concerns that have been raised previously in relation to having a correctional facility in the wider area whilst also highlighting the Ashley site itself.

Mr SPEAKER - If you could wind-up please, Attorney-General.

Ms ARCHER - I am getting there, thank you, Mr Speaker. It is also clear that for a proposal of this nature, there is an encouraging level of community support for the Ashley site to be considered as the possible site for the facility.

The community, whilst forthcoming with their support, identified some issues that could be addressed through the design and the construction of the facility. I am now able to advise that as a result, we will now move to the next steps and commence due diligence investigations at the Ashley site.

I confirm that this means that the Ashley site is now the only site we are considering for the northern correctional facility and we will halt -

Ms O'Connor - You are welcome. We will send you the invoice.

Mr SPEAKER - Order.

Ms ARCHER - Thank you, Ms O'Connor. We will halt the work being conducted at the crown land site at Birralee Road. As part of the further site due diligence, we will continue talking to local landholders and engage with the local community.

In summing up, I thank the residents of the Meander Valley community for their valuable feedback and their participation in this extensive consultation process. A report on the consultation process will be made publicly available on the Department of Justice website. I am pleased to be progressing this important project and continuing to ensure that the Tasmanian Prison Service has modern fit-for-purpose secure facilities that allow for a strong focus on rehabilitation.

Tasmanian Business Confidence

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.02 a.m.]

Business confidence has crashed since the former premier, Mr Gutwein, resigned. The latest NAB business survey shows that Tasmania has the lowest business confidence in the country, nearly 10 points below the national average. The ANZ-Roy Morgan survey released

earlier this week showed confidence has fallen further since. Why are Tasmanian businesses so much less confident than businesses across the rest of the country? Is it a vote of no confidence in your economic leadership?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for her question. I have with me the latest retail trade figures in relation to nominal value of retail trade in Tasmania, which was estimated to be nearly \$666 million in seasonally adjusted terms in March 2022, up 0.7 per cent compared with the previous month and up 3.2 per cent from the level recorded one year earlier.

The member was obviously not paying attention to Ms Palmer's answer to a question about activity within the agricultural sector either. When it comes to business confidence, can I look at our record? Employment is at the second highest level on record and 27 100 jobs have been created since March 2014. Unemployment rate is at historic lows at 4.5 per cent. State final demand is 5.8 per cent higher over the year to the December 2021 quarter and the second highest growth in the nation.

Treasury has revised upwards its estimate for state final demand growth of 3.75 per cent to 5.25 per cent this year. Business investment has grown 13 per cent over the year to December 2021 quarter. Private new capital expenditure grew 30.7 per cent over the year, the highest growth rate of the state. In 2020-21 our economy grew by 3.8 per cent and this was the second fastest growth rate in the country and our fastest economic growth in 13 years.

Yesterday, I was launching our export awards. Record exports, \$4.55 billion, 12 months to February 2022 and if I remember the figures off the top of my head because I do not have them here, some 64 per cent increase since 2014 and I think around a 20 per cent increase in recent years when it comes to our exports increasing. It all points to confidence and activity.

Dwelling approvals, 12.2 per cent in February to 285, 3740 dwelling approvals in the 12 months to February 2022 and remaining at very high levels.

CommSec's State of the States report for March 2022, ranks Tasmania the best-performing economy in the nation for an incredible ninth quarter in a row. I know you do not like to hear it. Unfortunately, you should be supporting Tasmania, encouraging Tasmania, being positive but you keep talking the place down -

Members interjecting.

Mr SPEAKER - Order, the Premier should be the only one speaking.

Mr ROCKLIFF - Deloitte's business outlook for March observed that Tasmania outperformed the rest of Australia and most of the world, incidentally, through COVID-19 and has navigated the early months of opening up well.

Members interjecting.

Mr SPEAKER - Order, the Premier has the call.

Members interjecting.

Mr SPEAKER - Order, member for Bass.

Mr ROCKLIFF - We have wages growth one of the fastest in the country, both public and private, and I mention that.

Our economy has grown at the second-fastest rate in the country over the year to the December 2020-21 quarter. You do not mention that. You are always talking the place down. Why are you doing that?

We have been through such difficult and disruptive times where we have managed our way through, supporting and investing in maintaining business activity, supporting people's employment, growth jobs - 27 100 since 2014. People do not like to hear the negativity. They do not like to hear it. They have been through some really tough times and the last thing they want to hear from you is doom and gloom.

Members interjecting.

Mr SPEAKER - Order. We just need to calm down. When you ask a question it is disrespectful, in my view, to talk and interject and badger the minister, the Premier, whomever is on their feet. Please allow the Premier to quickly wind-up because we have used up a fair bit of time this morning on long answers, so allow the Premier to wind-up. The place needs to calm down.

Mr ROCKLIFF - I will finish with this. When you were in government, our business confidence was the worst in the nation and two out of every three businesses felt the government's policies - your government's policies - actually worked against them.

Burnie Court - Proposed Location

Ms DOW question to PREMIER, Mr ROCKLIFF

[11.09 a.m.]

Your Minister for Justice, has completely mishandled the Burnie Court issue from day one. She stubbornly refused to listen to the community for years before being forced into an embarrassing backflip earlier this year. Members of the Burnie community are extremely concerned that the Minister for Justice is setting up the expressions of interest process to fail in the hope of eventually returning to her original site on Mooreville Road. Her refusal to rule out that site completely has only heightened those concerns. Will you today rule out ever using the Mooreville Road site, or is the community right to suspect it is still on the table?

ANSWER

Mr Speaker, I thank the member for that question. Our Government is committed to working closely with the Burnie community to ensure that local court facilities meet the needs of a modern justice system while ensuring also that the Burnie central business district remains activated and a vibrant driver for the community and the local economy.

An expressions of interest process to identify new sites for the Burnie court complex in the Burnie business district is underway, with a briefing held on 13 April 2022 for interested parties that have registered an interest so far.

We local members, Mr Jaensch, Mr Ellis and I, have listened closely to the Burnie community and there is firm agreement from all stakeholders that the current facilities are no longer fit for purpose and must be replaced and that the CBD is also in need of revitalisation.

An expressions of interest process has been conducted by Treasury in close consultation with the Department of Justice and the Burnie City Council and will identify if any CBD sites that may be available for purchase and redevelopment on acceptable terms and time frames are potentially suitable for a new court complex, including future growth options, and are consistent with the strategic objectives of revitalising the CBD.

The EOI process closes next week, Wednesday 18 May. Following this, our Government will be in a position to make a final decision on the preferred site. It is important that all possible options are explored through this process, which is why I fully encourage those who are interested, especially property owners of potential CBD sites, to engage in this process.

The former university campus at Mooreville Road was identified as a suitable Crown Land site for a new court complex following a significant process to review and consider various sites. We are firmly committed to working with the local community. We know that the Burnie community have a very strong interest in this issue and we thank them for their feedback and engagement to date and engagement will continue.

National Agreement on Closing the Gap - Delivering on Commitments

Mrs ALEXANDER question to MINISTER for ABORIGINAL AFFAIRS, Mr JAENSCH

[11.13 a.m.]

Can you update the House on how the Tasmanian Government is delivering on our commitments under the National Agreement on Closing the Gap?

ANSWER

Mr Speaker, I thank my colleague, Mrs Alexander, for her question and her interest in Aboriginal Affairs. Our Government is committed to better life outcomes for Tasmanian Aboriginal people and for them to have greater control of the services they rely on and decisions that affect their lives.

The new National Agreement on Closing the Gap, developed in partnership between the state, territory and federal governments and Aboriginal and Torres Strait Islander people, commits to a new way for our Government and Aboriginal community-controlled organisations to work together to improve the lives of Aboriginal people in Tasmania.

Previous attempts at closing the gap have not worked, despite significant funding and the concerted efforts of governments and service providers. The new approach developed with Aboriginal people aims to capture the insights and understanding needed to ensure those

services meet client needs through full involvement of Aboriginal people in decision-making and delivery of those services. It recognises that Aboriginal people are best placed to determine and deliver services to meet the needs of their community members in culturally appropriate and effective ways.

In line with our commitments under the national agreement, the Tasmanian implementation plan for Closing the Gap, developed in collaboration with Tasmanian Aboriginal people, was tabled at a meeting of the joint council on Closing the Gap last year. A key element of Tasmania's plan is to invest in Aboriginal community-controlled organisations to build their capacity, including skills and organisational capacities, to co-design and deliver services for Aboriginal people by Aboriginal people.

Today I am pleased to advise the House that the Tasmanian Government is now accepting proposals for the Closing the Gap capacity-building funding program, with a total funding pool of \$5.3 million available. The core focus of this fund is to build the capacity of Aboriginal organisations to deliver or partner in the delivery of services in their communities that specifically address Closing the Gap targets in key areas such as health, wellbeing, education and housing. The fund is designed to be flexible and proposals will be prioritised based on demonstrated community need and national and state targets and priorities under Closing the Gap.

Where an Aboriginal organisation identifies an unmet need in their community that aligns with one or more of the Closing the Gap targets, this fund can support them to deliver a new service or improve a service already being delivered by other providers in a way that results in a positive for Tasmanian Aboriginal people. An Aboriginal community-controlled organisation may submit more than one proposal aligned to current or new services and programs, or a proposal that responds to multiple targets in the same area. A proposal may also include partnerships between an Aboriginal community-controlled organisation and a government or non-government service provider, but the primary recipient of the funding will always be the Aboriginal community-controlled organisation.

The Tasmanian Government, through the Office of Aboriginal Affairs, is currently working with Aboriginal community-controlled organisations to co-design projects to be funded from the capacity-building fund that will achieve better Closing the Gap outcomes for our state and I look forward to seeing those initiatives take place.

I thank our Coalition of Peaks partner the Tasmanian Aboriginal Centre and all the Aboriginal community organisations who provided input to the development of Tasmania's Closing the Gap implementation plan and this fund, and all who are ready to take the next steps together.

The Closing the Gap capacity-building funding program will be open from today until 30 June 2023 and proposals are able to be submitted at any time over this period.

This Tasmanian Government is clear on its commitments under the National Agreement on Closing the Gap and will continue to work with all Aboriginal community organisations and service providers who want to work with us to improve the lives of Tasmanian Aboriginal people.

Northern Prison - Confidence in Minister for Corrections and Rehabilitation

Ms BUTLER question to PREMIER, Mr ROCKLIFF

[11.18 a.m.]

After three years and hundreds of thousands of taxpayer dollars down the drain, not to mention the chaos caused to the people of Westbury and surrounds, do you consider the Minister for Corrections and Rehabilitation capable to oversee the third site for the northern prison?

ANSWER

Mr Speaker, yes, absolutely. I have full confidence in our Attorney-General and Minister for Corrections and Rehabilitation.

Rehabilitation is a particular passion of mine, which is why Ms Archer now has that extra portfolio responsibility. The question for the Labor Party is whether they support the minister's announcement today. I support every single member of our team. We work together on the challenges to make Tasmania a better place. If we are lucky enough to have another member join us after Saturday's election on 7 May, Aldo Antolli will join a very capable team that supports, values and encourages each other.

I remind those opposite why we are having an election on 7 May, which was not due until May 2026. What you have done effectively, because of your toxic workplace culture, is forced the people of Huon back to the polls. I do not need to remind you of your former member, Bastian Seidel, a person I greatly respect, who made a great contribution, and shadow minister for health and many other matters in the two years he was a member of parliament.

I look on your own side, but we have a very capable team here. I have full confidence in Ms Archer and every single member of our team.

Time expired.

LAND TAX RATING AMENDMENT BILL 2022 (No. 6)

Bill agreed to by the Legislative Council without request.

FOREST PRACTICES AMENDMENT (VALIDATION) BILL 2022 (No. 13)

Bill agreed to by the Legislative Council without amendment.

MOTION

Order of Business

[11.23 a.m.]

Mr STREET (Franklin - Leader of the House) (by leave) - Mr Speaker, I move -

That -

- (a) the question before the House at 1 p.m. stay stand adjourned until a later hour, and
- (b) so much of Standing Orders be suspended as would prevent the honourable member for Bass, Mr Wood, from making a statement to the House at 2.30 p.m. this day for a period not exceeding 30 minutes.

Motion agreed to.

SITTING DATES

[11.23 a.m.]

Mr STREET (Franklin - Leader of the House) (by leave) - Mr Speaker, I move -

That the House, at its rising, adjourn until Tuesday 24 May at 10 a.m.

I will just add for the information of the Chamber that I have spoken to Mr Winter, Mr O'Byrne, Ms Johnston, and Ms O'Connor about the Government's intentions for the rest of the day's sitting. As I did on Tuesday, I will keep an eye on the time and there might be a move to lift the adjournment in the middle of the afternoon to a now substantial commencement of the Workplace Protection Bill. As I said last night in a message to those four members who I mentioned, I will also liaise with them during the afternoon as we go.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

COVID-19 Reset

[11.25 a.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I move -

That the House takes note of the following matter: COVID-19 reset.

Mr Speaker, we are at a critical juncture in Australia and around the world. The COVID-19 pandemic is not over. We in Australia are facing a situation with waning vaccine effectiveness and we are coming into winter. We have a number of new variants raging around the planet and in Australia, and we seem to have absolutely dropped the ball on the management of the pandemic. To all intents and purposes, it would look to an alien looking down on Australia and Tasmania that we have learnt nothing from the pain and suffering that started in 2020. We are confronted today with a situation where governments have pushed COVID-19 utterly to the sidelines, wishing that we could move on as though we lived in some fantasy life of our own makings.

The virus does not respect political boundaries. It does not respect ideology. It does not respect elections and all of the noise, hyperbole and denial of science that goes along with Australian elections. Today I want to acknowledge the 56 Tasmanians who have died from COVID-19 since the start of the pandemic. Of those, 43 have died in the last four months, since January. Across the whole period in Tasmania we had 13 people over two years who died, while in the last four months we have had 43 people die. Their families and friends are grieving. We are all affected by the impact of people dying from COVID-19 one way or another. In Australia we had 96 Australians die from COVID-19 in the last two days alone. We had 43 416 new cases in Australia yesterday and 1078 in Tasmania. Nearly 140 000 Tasmanians have been infected with COVID-19, almost all of them since the borders were reopened.

COVID-19 is now the leading cause of death in Australia. It is the biggest reason that Australians are dying today and yet there is absolutely radio silence about this in the media and there is a complete absence of interest for politicians to continue to look at the difficulty and reality of managing a global pandemic. We are living in a world where two years ago every single person who died from COVID-19 was honoured by members in this place and respected for the gravity of that death and the impact it had on our communities, yet today we have had 43 people who have died since Christmas and there is barely a scant mention unless people such as the Premier and Minister for Health are confronted with questions at a press conference and asked about it.

It is not a topic of conversation. We do not want to talk about it because, according to Liberal Scott Morrison, our Prime Minister, the COVID-19 pandemic is over, except if he wants to invoke it because of cost-of-living issues, in which case all of a sudden he says, 'Let's not forget the COVID-19 pandemic is not over'. On the one hand it is, 'It's finished, move on, just let it rip, it will be fine, we've all got to get it someday', but it is also there as a convenient spectre that can be blamed for any cost-of-living issues or any problems with the economy. It does peoples' heads in. It is very damaging to people's mental health to have governments who change their mind, who change the message, who one day talk about the seriousness of something and the next day they just do not care about the exact same set of issues. Things that were talked about as reasonable and important public health protections are now referred to by this Liberal Government here, and by the Liberals and the Labor Party in every other state, as restrictions.

Wearing a mask is not a restriction. Wearing a mask is a sensible protection. In Australia three new Omicron subvariants were detected this week, reported in the *Guardian* yesterday. In addition to the existing BA.1 and BA.2 subvariants, the Kirby Institute has detected a new BA.2.12.1, a new BA.4 and a new BA.5 subvariant in Australia. We have had suppression strategies phased out and we do not know yet whether they are able to circumvent or evade the antibody responses, but it seems very likely that they can do that. That is the expectation. That means reinfections will happen, vaccines will be less effective, we are coming in to winter and we have to reset.

This Government has to reset and put money into the Budget and it has to reset fundamentally by accepting long COVID-19 risks and by supporting people to normalise the culture of wearing masks, normalise the culture of filtration and ventilation and putting the things in place to protect people as the winter comes.

Time expired.

[11.32 a.m.]

Mr ROCKLIFF (Braddon - Minister for Health) - Mr Speaker, I thank Dr Woodruff for bringing on this matter of public importance for discussion today. I know Dr Woodruff has considerable interest in this matter and has made considerable public comments around the pandemic.

I take a bit of exception to her saying we no longer acknowledge people's passing. With COVID-19 every death is felt deeply by us all and acknowledged every day that happens, and of course we send our condolences and thoughts to the family, loved ones and friends of the people who pass away and our thoughts will always be with those people and their families. Right throughout the pandemic we have, as our number-one priority, done our best to keep Tasmanians safe, and we have done so in lockstep with Public Health guidance and advice. Where other states have deviated, we have not; we have been very committed to following the advice of Public Health and Dr Veitch and we have implemented a range of measures to support the Tasmanian community, business and economy during the COVID-19 crisis.

It is important to note also that other states opened their borders at 80 per cent vaccinated for people 16 years and older. We waited until the higher benchmark of 90 per cent vaccinated for people over 12 years. This was to give Tasmanians that higher level of protection needed and ensure hospitalisation rates were lower, and that has been borne out in terms of our relatively low hospitalisation rates in comparison to other areas of the country.

In the weeks leading up to our borders reopening we saw the emergence of Omicron. Public Health measures such as the vaccination and booster program, safeguards in high-risk settings, the use of masks and continued social distancing has helped us avoid our health system being overloaded, although at times of course that has been challenging. Since opening our borders on 15 December we have experienced one of the lowest hospitalisation rates in the country, but vaccination remains our key safeguard.

As we stand today, though, around 98 per cent of Tasmanians aged 12 years and older are fully vaccinated, and over 50 per cent of those aged five to 11 are fully vaccinated, while around 70 per cent of those aged over 16 are boosted.

As we have stepped our way through COVID-19 cautiously, in a measured way, responsibly, we have transitioned to living with COVID-19 as a result.

The opening of our borders was the culmination of months of planning and preparation and was informed by expert modelling. Significant planning was undertaken by the health system in the lead-up to the borders opening including the rollout of a very strong vaccination program and our health system preparedness: increasing in bed capacity within the health system; securing surge capacity in COVID-19 ward beds and ICU surge beds; securing sufficient quantities of anti-viral medications for the treatment of COVID-19 and other supportive medications for the patients with COVID-19 requiring care in hospital as well as, significantly increasing our ventilator capacity and PPE supplies.

Our hospital preparedness has been supported by employing an additional 1200 FTE staff, between July 2020 and March 2022, with further recruitment for new beds underway.

Yes, our hospitals have experienced pressure but due to our strong planning and effective escalation management, health services have continued to function effectively during the COVID-19 pandemic and Tasmania has not experienced the same system pressures and disruptions as we have seen interstate.

What has also been successful is our hospital avoidance program, COVID@home, which has shown great innovation, providing virtual care to COVID-19 positive patients and therefore minimising the demand for hospital services. Where hospital care is required, COVID@home includes a direct admission pathway to prevent patients from attending the ED unnecessarily.

Our Return to School Plan has seen children across the state able to return to face-to-face learning while managing COVID-19 at schools. That has been challenging.

Right now we are in a transitional phase, where we are stepping down safeguards, a step at a time, as we safely adjust to living with COVID-19 in a highly-vaccinated society. We removed masks, except in vulnerable settings in March, and last week we reduced restrictions on close contacts in line with the national position in other states, Public Health advice and the current epidemiological position in Tasmania, with a downward trend in cases confirming we have passed the peak of our recent COVID-19 wave.

I know it has been challenging and these changes will be confronting and concerning for some, but they are another important step in our ongoing transition to live with COVID-19 and I want to reassure Tasmanians, and assure Tasmanians indeed, that we will be doing this safely, and sensibly, and in line with Public Health advice.

We are committed to helping our community through delivering COVID-19 care packages, ensuring essential workers in Community Care have access to a Rapid Antigen Test (RAT) and PPE and direct assistance for businesses who are doing it tough because of the COVID-19 pandemic. On the quantity and supply of RAT kits, the last figures I heard, it is probably a little less now, but there were some 2.5 million RATs, and that was probably a figure a couple of weeks ago.

Since the start of the COVID-19 pandemic, our small businesses have received more than \$160 million in COVID-specific support programs and we have provided business support funding through the COVID-19 Business Impact Support Program as well. The fact is, we have been a steady hand through the COVID-19 pandemic. We have valued absolutely the guidance, support and advice of Public Health.

Time expired.

[11.39 am]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I am pleased to stand today before the House and speak on this matter of public importance, being the COVID-19 reset coming from Dr Woodruff today.

It is fair to say that prior to the borders opening, this Government did handle COVID-19 very well, under the leadership of Peter Gutwein but, when the borders opened on 15 December 2021 under the leadership of this Government, we saw their plan completely dismantled. The Premier is right when he says that there was a plan but it was related to the Delta strain rather than Omicron, so therefore, Tasmanians found themselves in a very different

situation. If you look back at that period of time and the chaos that occurred across our community, people not being able to access Rapid Antigen Tests, and the huge queues for PCR testing across the state, the contact tracing was diminished over a number of days, when that was one of those key pillars of keeping Tasmanians safe.

There was a significant change over a very short period of time and we have always maintained that there should be a very strong public education campaign when it comes to COVID-19 across the community, and we will continue to advocate strongly for that. We believe that the Government has not provided that over time. As we see more significant change across our communities with changes to isolation rules and more directives being issued to the community about what they do and where and when, there does need to be that ongoing public education campaign to provide assurance and comfort to people that they are doing the right thing and will be well looked after when they or their family member gets COVID-19.

I again put on the record my condolences and thoughts to those 56 Tasmanians and their families and loved ones who have lost their life to COVID-19. We continue to express our condolences and thoughts to those Tasmanian families on every occasion, because that is the right thing to do as community leaders, understanding the significant impact that COVID-19 has had across our community. It has led to deaths amongst our fellow Tasmanians.

We have been advocating for a couple of months now for a plan. We know that COVID-19 likes the cold and that we will see an increase in COVID-19 cases across the community when winter is upon us. We do know from Public Health that this year is going to be particularly bad for the flu season across Tasmania. I would like to hear from the Premier about his plan for how he intends to encourage more Tasmanians to receive their booster. We do have good overall rates of vaccination, but when it comes to the booster shots across the state, that has stalled. We know that it is very important that people receive those third doses, and fourth doses of the vaccine for those vulnerable Tasmanians who are at added risk of contracting COVID-19 across our community.

The five to 11 age group vaccination rate - the paediatric vaccination rate - is not high enough across the state. I know my colleague from the other place, Josh Willie, has advocated very strongly for a plan for schools going into winter, and the Government has really only advised the turning up of heaters across school environments across the state. There is not a clear plan.

For a significant period of time, the Australian Education Union has been calling for a better plan from this Government to manage COVID-19 across our school communities. We know from what has happened since 15 December that there has been significant pressure put on our schools, our hospitals, with large numbers of staff having to furlough or student absences. We really do need to see a plan from this Government for staffing for our hospitals and our schools across the state. They said they had 1700 teachers at hand that they could call on; it would be interesting to see if they actually do have 1700. There are reports of severe shortages of relief teachers across the state to fill those gaps when people are unwell and unable to be in their workplace setting.

When it comes to our hospitals, I know that our nurses, aged care workers and health professionals have been calling now for a long period of time for better support from this Government when it comes to resourcing with more staff across our healthcare setting. Also, they have been calling for recognition and financial remuneration in recognition of their hard

work and the sacrifices they have made working with COVID-19 patients across Tasmania during this period of time over the last two years. This has been a significant drain on them when they already had a significant drain on their resources and their time and the pressure that they are working under.

I spoke in this place yesterday about the pressure on our ambulance service and our paramedics, and there is no doubt that their workload would have increased with COVID-19 across our communities as well. We really do need to be mindful of the increased pressure on all of these workers across all of these settings. In the upcoming state budget, we would like to see greater support for each of those public sector workers and that extends across our prison system and other public sector settings as well, which we know have been severely impacted by COVID-19 outbreaks over the last few months in Tasmania.

The other thing that I want to mention is each day we receive a report on the number of cases in hospital, and the Government has been very quick to acknowledge only those patients who were admitted with COVID-19 to hospital. It is important to acknowledge that there are people who have been admitted with other underlying health conditions that also had COVID-19. That is an important point because it is compromising their health status as well.

In the last few months I had the great opportunity to have some site tours through our major hospitals across Tasmania. I want to commend the staff for the way they are managing COVID-19 on their wards and clinical settings. Much work has gone into planning and managing that, making sure they have the right facilities in place to manage those cases, keeping the isolated from other parts of the hospital. I acknowledge the Government has also put considerable work into planning for that, but the staff are doing a great job managing that on the ground as we see increasing case numbers across our hospital settings.

In conclusion, Mr Speaker, we think the Government needs to do more to outline its plan for what is actually going to happen across Tasmania. How do they intend to manage increasing COVID-19 cases across winter? We want to see vaccination rates increased, we want to see attention on that from the Government, and we also want to see a clearer plan to manage COVID-19 across our school settings. I thank the Greens for bringing this forward, and that concludes my contribution.

Time expired.

[11.46 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, it is good to hear Labor make some comment on rising COVID-19 infections in the state. We have now had three sitting weeks so far this year and not one question from the Labor Opposition on this Government's mismanagement of a potentially fatal debilitating virus. Shame on you. You come in here in question time and sling mud around all politics all the time, while there are people getting sick and dying in our community.

We have entered the age of COVID-19 denialism. If you want any evidence of that, just have a look around, have a look around this building. People are coming in here unmasked. Stakeholders, bureaucrats are coming into this building, into our workplace, unmasked. I went to an event a couple of weeks ago at Henry Jones with about 70 people in the room. I was the only one there, apart from the wait staff, who was wearing a mask. Regrettably, three people

who were supposed to attend that event, two speakers and one camera operator, could not be there because they contracted COVID-19.

We have entered a period where governments are doing precisely nothing to prevent infection. Every day in Tasmania there are more than 1000 reported COVID-19 cases. As we know from Dr Veitch himself, that is a massive undercount. People are testing positive on Rapid Antigen Tests and, because the Government has dropped the ball on messaging, many are not reporting the infection.

Right around the country, governments are just letting it rip, taking no preventative measures to stave off mass COVID-19 infection in our community. Australia now sits at the top of the world in terms of per capita COVID-19 infection and this for a virus we barely understand. Fifty-six Tasmanians died preventable deaths as the result of this infection; 43 since the border restrictions were lifted on 15 December. There were 56 reported deaths in Australia yesterday. On average, 50 Australians a day are dying from COVID-19. Nearly one in four Tasmanians have been infected. Every one of us knows someone who has contracted COVID-19. Two of my four children, despite their best efforts, and their mother's neurosis have contracted COVID-19.

It is very distressing to see how little care governments apparently have for people who contract COVID-19, people who die, and people who suffer long COVID-19. Even people who are triple vaccinated are becoming extremely sick as the result of COVID-19 infection. They are reporting to me, weeks and months after they recover the acute phase, they do not feel good. They do not feel right. They have a brain fog. They cannot get rid of a persistent cough, they still suffer aches, pains and insomnia.

There is silence from the Government on how to prevent infection. This means that vulnerable people are living in fear and to the best extent they can they are staying at home. The message being sent to people living with a disability, for example, is that they are not to get in the way of society, the economy and of living with COVID-19. All this talk as a community over the last couple decades about how important it is to have an inclusive community, recognise the abilities of people with disability, make sure we harness those abilities and enable people with disability to fully participate in our society - no more.

When people with disability see so many Tasmanians wandering around without a mask, it is deeply distressing to them. The message here is 'we do not care enough about you to wear a mask, prevent ourselves from getting infected, or infecting you'. The message is: 'we do not care enough about the risk of long COVID-19' - long COVID-19, which governments barely acknowledge, but which we know is a mass disabling event. When Mr Ellis has a crack at me for using the term 'eugenics', he is ignoring the fact that this is a term being used by disability stakeholders and advocacy organisations. The effect of 'let it rip' is eugenicist. It targets the most vulnerable, the immunocompromised and the elderly.

We are getting no messaging out of Tasmania Public Health about how to prevent infection. Even the Victorian Government issues daily alerts across all its social media platforms on how to prevent infection. Even the Victorian Health Department encourages the wearing of masks. It is difficult to understand why so little is being done in this state to prevent infection and save lives.

Time expired.

[11.53 a.m.]

Mr ELLIS (Braddon) - Mr Speaker, we have just witnessed the usual unhinged rhetoric we get from the Greens on this very important issue, now uttered here in this place on *Hansard*. The irony is the Leader of the Greens complains about people not wearing masks, including very young children below primary school age, but stands up here at the lectern in this enclosed space without a mask herself. There is absolutely no reason why she cannot keep it on. There is no problem with being understood. Every single word is recorded for *Hansard*, forever. Yet she comes in here and takes it off.

The so-called Leader of the Greens, Ms O'Connor, has demonstrated a complete lack of leadership over the last few months, with relentless fearmongering and unnecessary, frankly extremist, commentary that has been going day in, day out since the borders reopened on 15 December last year. We lived through an important period of transition, but Ms O'Connor has whipped up as much fear and anxiety as possible with media statements and incessant tweeting. Clickbait Cassy, the member for misery, should be apologising for spending the last four or five months needlessly terrifying the Tasmanian public with her relentless negativity. The people of Tasmania deserve better.

The Government has been open and upfront with Tasmanians, as we transition to living with COVID-19. Ms O'Connor needs to stop scaring people and playing politics with the pandemic. There are only two leaders left in the world who believe that zero COVID-19 is possible: Xi Jinping in China and Cassy O'Connor here in Tasmania. There is simply no other option for the people crying from their balconies in Shanghai and Beijing in this relentless pursuit of a policy that is not fit anymore for 2022. Nor is it fit for the Omicron variant, which is far less deadly but far more transmissible than the original COVID-19 variant which this Government has done a stellar job maintaining control.

We can look at the top 10 worst, disgraceful, fearmongering tweets from Cassy O'Connor: 'a heavily mutated, seriously virulent, new strain of COVID on the move'; 'a life disabling and ending pathogen that eats our brains, hearts and organs and clots our blood'. This is the sort of stuff that has no place in our public discussion.

COVID-19 is a challenge and it remains a challenge, but trying to scare people with a disease that we have a plan to manage is simply relentless fearmongering. Another one, 'This it seems is the plan, to infect us all and allow the vulnerable to become collateral damage. It's sociopathic eugenics politics'.

Does anyone seriously believe this person - that this Government, former premier, Peter Gutwein, who kept Tasmania safe, and took the unprecedented step of closing our borders; our Health minister, now Premier, Jeremy Rockliff, who has been at the bedsides of people who have been sick with COVID-19; that somehow our plan all along was to infect people with COVID-19? It is simply ridiculous.

The fact is that we are not dealing with the original COVID-19 that came from China, which sadly ended the lives of 13 people with 223 cases in the north-west in 2020. We are now living in a world where the death rate from COVID-19 is much lower than that and is much closer to the flu. Like similar respiratory diseases, we need to manage this in a measured way that takes into account the sustainability of our health system and caring for people, without frightening them unnecessarily. 'Why is Peter Gutwein continuing to allow plane loads

full of COVID in and infect under-protected Tasmanians? Meanwhile, plane loads of infections keep coming in, Omicron tubes'.

This is unhinged stuff. In years hence, Ms O'Connor will hopefully reflect on some of the bizarre statements that she made. She just described herself as neurotic. Perhaps that is accurate. She just described this Government as eugenicist. We can flatly reject those accusations. As I have said in this place before, those of us who have families who came here to Australia to escape eugenicist regimes elsewhere know the difference.

The Greens have not only publicly come out against independent public health advice - Dr Woodruff did that this morning - they have also questioned the integrity of these experts and worse than that, recklessly spread fear and misinformation in the community. It is not us who have changed in our approach to listening to public health advice, Dr Woodruff, it is you. The public health advice, which is public - our Public Health team stand up there next to the Premier, next to the Minister for Health at every COVID-19 press event and openly provide to the media, to the Tasmanian people, the public health advice which we rely on as a Government. They are straightforward with the people who ask those questions day in, day out, just as they are straightforward with us. We listen to them because they have done a fantastic job.

I do not know where else in the world I would have lived during the COVID-19 pandemic than Tasmania. The people who got us through 2020 and 2021 are the people who still advise us in 2022. You, Dr Woodruff, are the people who no longer listen to public health advice because it does not suit your rank fearmongering at a time when Tasmanians need to be moving forward. They need to be getting on with their lives, while still taking appropriate precautions and getting vaccinated; doing the right thing by wearing masks where needed; and continuing to maintain those baseline public health measures as advised by Public Health. To spread fear amongst little children, to spread fear amongst our community is simply not on, at a time when we need to be pulling together once more.

The members across there and the Greens have failed to do this. This Matter of Public Importance is, unfortunately, a sad reflection on where the Greens have got themselves to.

Time expired.

Matter noted.

YOUTH JUSTICE AMENDMENT (SEARCHES IN CUSTODY) BILL 2022 (No. 9)

Second Reading

Continued from 4 May 2022 (page 45).

[12.00 p.m.]

Mr SPEAKER - Ms O'Connor was on her feet and she has 25 minutes remaining.

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I did only have a short time to outline the Greens' support for this legislation yesterday. We regard this bill as a very

solid bill and it should be supported by the entire House. It applies a rights-based framework to how we deal with young people who enter the juvenile justice system - young people who have, too often, been brutalised and dehumanised as a result of what were routine strip searches. I will also ask the question that was asked by the Opposition about the number of strip searches that have been undertaken in various different settings in this past year, the year before that and the year before that.

We were also pleased to hear the Attorney-General this morning in question time, make it clear that the Ashley site is the only site that is in contention for the new northern rehabilitation centre.

Ms Archer - I think they cheered.

Ms O'CONNOR - Who would know where Labor stands on anything on any given day?

We recognise that the key elements of this bill provide that a person who may conduct a search, is limited to authorised search officers and it applies gender requirements to search officers. I can flag, Attorney-General, that we have a proposed amendment that seeks to define intersex or a person who is born with a variation of sex characteristics, applying the ABS definition and a definition put forward by the Human Rights Commission, because there is no definition that currently exists, as we understand it, in Tasmanian law.

We trust that this new legislative framework will be accompanied by intensive education and training of police officers, people who work in correctional facilities, remand centres and youth justice facilities, so that young people who are transgender or gender diverse, have their identity respected and protected, should they enter the juvenile justice system.

We recognise that this bill applies an overarching risk-based legislative framework which restricts searches and the conduct of searches, including that a search is only to be conducted when necessary and relevant for search purposes; the type and manner of the search to be proportionate to the circumstances; and the least intrusive type of search necessary. On that point, we are pleased that the Government is going to institute body scanning processes in juvenile justice settings.

We note that there will be additional authorisation required to conduct an unclothed search, as there should be, because for young people, that can be a deeply dehumanising experience. We would argue that only in exceptional cases, should a search be undertaken on an unclothed young person; we note that. At Ashley Youth Detention Centre not enough care has been taken around searches and as we understand it, modesty gowns which were to be available to young people for those kinds of searches were in scarce supply at Ashley. It is a concern that certainly in the past we believe some strip-searches of young people who came into the Ashley Youth Detention Centre were designed almost more than anything else to belittle, marginalise, control or seek to control young people who came through the doors of that hell chamber.

We note that the legislation requires that there be search registers that include specific information that will be available for inspection to assist appropriate auditing and accountability. We also note that the authorised inspectors for this framework are the Ombudsman and a custodial inspector, but we are certain the Commissioner for Children and Young People will take a close interest in those search registers. On those search registers,

should the use of force be considered necessary, it is a requirement for the searching officer to detail the rationale for applying force. Perhaps the minister could outline to the House her understanding of what reasonable force might be in circumstances where a correctional officer or police officer feels they have to use some measure of force in order to undertake a search of a young person.

We also received a briefing from the department and we are very thankful for that. One of the issues that was raised relates to the part of the bill that allows some of these processes which are being instituted to be circumvented or short-cut, particularly or potentially in small rural or regional police stations, for example. It may not be possible for a young person who has been detained by a male police officer, for example, if that young person is a female. What is that legislation's response to that situation? We regard it as absolutely unacceptable that a young female detainee would be searched in any way by a single male police officer in a rural and regional police station setting.

We know that this legislation comes from a place of seeking to respect the dignity of young people and reduce the trauma they can experience, first of all coming into the juvenile justice system but also when they are subject to a search, and that this legislation will embed practices that are the least intrusive in terms of searching young people. I have some questions for the minister relating to the use of force and what is 'excluded force'. Perhaps she can flesh that out a little bit.

Ms Archer - Sorry, what was that?

Ms O'CONNOR - In proposed new section 25J - this is where there is a requirement to report the use of force - what does it mean in proposed new subsection (3)(b)? Proposed new subsection (2) says:

A person conducting a search of a youth must provide under subsection (1) the report in relation to the search as soon as practicable after the search is conducted but in any case within 7 days after the search is conducted.

Proposed new subsection (3) says:

For the purposes of this section, *reportable force*, in relation to a youth, is -

- (a) force used in the course of a search of the youth; and
- (b) force used, before the search is conducted, to enable the search to be conducted -

but does not include excluded force in relation to the youth.

Could the minister please flesh that out a little bit?

We also note that in reflecting the rights-based framework that is embedded in this bill, there is much closer attention being paid to the need to talk to the young person in question about the processes and their rights, as well as make it very clear that should they feel aggrieved

about the way they have been treated they have the right to make a complaint. This is very important. We have to protect the rights of young people and we are talking about people who are the subject of or have endured trauma all their lives. If, when they come into contact with the state, that contact is respectful of their rights and does everything it can not to retraumatise or dehumanise that child. That is so important.

I also have a question relating to proposed new section 25D(1)(b), which says:

if the youth is transsexual, transgender or intersex -

- (i) a person of gender that the youth requests; or
- (ii) if a person of the gender requested is not immediately available, a person who is, at the further request of the youth, male or female.

Can the minister please clarify that and perhaps lay out how this law responds to people born with a variation of sex characteristics? Can the minister also confirm that the LGBTIQ+ reference group has contributed to this particular section of the legislation? As we know from a survey that was released last night, even at an official level, amongst health professionals certainly, there is potential transphobia, bigotry and certainly misunderstanding.

In that same proposed new section 25D, subsection (3) says:

A search of a youth that involves the removal of any clothing being worn by the youth or the touching of the youth -

- (a) is to be conducted by a search officer who is a person of the required gender in relation to the youth; and
- (b) is, if the search is an unclothed search and is conducted in the presence of persons other than the youth and the search officer - to be conducted in the presence only of other persons who are persons of the required gender in relation to the youth.

However, subsection (4) says:

Subsection (3) does not apply in relation to a youth if the person in charge of the custodial facility in which the search is conducted believes on reasonable grounds that it is not reasonable or practicable for that subsection to apply in relation to the youth because of the urgency with which the search is required in order to address the risk of harm or trauma to the youth or another person.

How does that work in rural and regional settings? If there is going to be that override of the previous provisions in this proposed new subsection, what processes are in place to check whether those reasons are justified in relation to that young person?

Proposed new section 25H talks about information to be given to the youth before the search is conducted and includes informing the youth that a search is to be conducted; if it is to be an unclothed search, inform the youth that an unclothed search of the youth is to be conducted; and inform the youth that they may, before the search of the youth occurs, surrender an article that is on the person of the youth. This is a very important provision in the legislation because it gives that young person an opportunity not to have to endure that search. It also, in this section, gives the youth an opportunity before the search of the youth occurs to surrender in circumstances that afford reasonable privacy to the youth an article that is on the person of the youth. This just tells us how far we have come, that we are putting young people at the centre of this process. We are respecting their rights and their dignity.

In this information provision section, what is the capacity of the young person to ask about the gender of the search officer, or is that covered in the previous clause?

What role does the Attorney-General foresee the Commissioner for Children and Young People playing in relation to oversight? I acknowledge the excellent work of the Youth Custodial Inspector in recent years. They have helped this parliament and Tasmanians understand how far we have come, to an extent, but also how far we need to go to make sure that we have a youth justice system that is not brutalising young people and putting them on a certain path to Risdon Prison. It was a report from the custodial inspector some three years ago, as I recall, that revealed - certainly at Ashley Youth Detention Centre - some arguably dangerous, and definitely undesirable, practices on the part of staff at that facility. It exposed that there was very unchecked and free movement of staff members and other adults through that facility. It revealed that contraband drugs were quite regularly finding their way into the facility. That work the custodial inspector has done, I believe, has been very helpful to assist us to fix some of these problems for the young people who we all care about and we all want to see set on a different trajectory in their life.

Have the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) principles been applied in this legislation and could the Attorney-General update the House on where we are with the OPCAT agreement and the commitment from Government around the prevention of torture?

How does the complaint mechanism work for young people? If you are a young person who comes into Ashley before it is - rightly - closed, or comes into a police office or one of the two new therapeutic facilities that will be established, how does that complaint mechanism work on a step-by-step basis? If a young person feels aggrieved by the way they have been treated or searched, what is the first step in the complaint mechanism? Where does the complaint go? Who or which agency responds to that complaint, and how is the response to the complaint provided back to the young person who made it?

Attorney-General, we seek to go into Committee on this legislation because we want to move our amendment relating to the definition of 'a person born with variations in sex characteristics' and our proposed amendment would insert the definition:

person born with variations in sex characteristics means a person with innate genetic, hormonal or physical sex characteristics that do not conform to medical norms for female or male bodies, including but not limited to variations to genitals, hormones, chromosomes or reproductive organs.

I will divert at this point to remind the House that still today in Tasmania, and in many other parts of the country, babies born with a variation in sex characteristics are routinely subject to mutilation, effectively, and surgery, that has been the default response of doctors to intersex children and parents who are made to feel that their child must physically be one or the other. I have met intersex people and the feeling of grief that many have, because they did not have a choice, is very real. It is lifelong and it is debilitating. We know there was reference to the need to better protect people born with a variation of sex characteristics in the Tasmanian Law Reform Institute Report on the gender reforms that this parliament passed in 2018-19.

I am keen to know, because this will fall, in part, within the Attorney-General's area of responsibility, when will the state move to protect the rights of babies born with a variation of sex characteristics? As a state and as a community, we cannot condone the routine mutilation of babies who do not conform or who doctors regard as not conforming.

Slowly but surely, we are making the juvenile justice system a safer place for young people. Slowly but surely, we are putting in place policies like that outlined in the discussion paper on *Reforming Tasmania's Justice System Practices and Legislation* that better respect and protect the rights of young people who come into contact with the youth justice system. However, all of us in this place know that the best thing we can do is keep young people out of the youth justice system in the first place. We need good early intervention and prevention programs. We need to have supports that wrap around families in disadvantage, distress, and dysfunction. I know that is part of the reforms that the Government is undertaking, but it has to be a priority. If we are serious about breaking the cycle and giving every young Tasmanian a chance for a good life, then we have to recognise the fact that many of these kids were born behind a massive eight ball and there is a requirement for gentle but effective state support and intervention.

I do not use the word 'intervention' in a heavy-handed way. It just means the state needs to respond to the fact that we can stop these kids from ending up in Ashley and ultimately Risdon. An important part of that response is making sure that when young people are leaving our families where there is dysfunction or disadvantage or addiction that they have a home to go to, for example. Those housing needs are critical as well. We have all heard stories of young people being booted out the gate at Ashley into homelessness, and for those young people there is a high risk that they go back into the environment that caused the problem in the first place. We can do so much better by these kids.

I remember when I was Minister for Housing and talking to some of the young people at Thyne House after we opened it and seeing what an incredible difference it made to their lives of these adolescents. They were 16-, 17-, 18-years-old, and it made a difference to their lives and their hopes for the future, to know they had secure roof over their head and that there were services there to help them achieve their goals. The data that came out of Thyne House, for example, showed that once you provide that accommodation and supports you have young people reconnecting with family in a healthy connecting way with education and training, being able to have employment and feeling healthier, so there are many benefits in investing at the front end.

While we have to have a good youth justice system, it is far better that we keep kids out of Ashley and places like that and commit to making every young Tasmanian who is born has the best opportunity for a good life, because that is what they deserve.

[12.25 p.m.]

Mr JAENSCH (Braddon - Minister for Education, Children and Youth) - Mr Speaker, I thank my colleague, the Attorney-General, for bringing this amendment bill before the House and all the work that has gone into it. The Tasmanian Government is committed to reducing the use of intrusive personal searches for young people in our custodial facilities wherever possible. Where personal searches are necessary, we are committed to upholding the rights, wellbeing and dignity of young people without compromising the safety of staff and others in those facilities.

Our commitment responds to recommendations made in May 2019 by the Commissioner for Children and Young People in her memorandum of advice in relation to searches of children and young people. While these important legislative amendments are still in process here through the parliament, I note and put on the record that the policies and procedures that are now in place at the Ashley Youth Detention Centre already reflect the intent of these amendments. I am advised that they have been in place since about December 2019, within months of the commissioner's memorandum of May 2019. I thank the commissioner for her ongoing advocacy for young people and the special role she plays in advocating for young people in custody.

The Youth Justice Amendment (Searches in Custody) Bill 2022 will introduce amendments that strengthen the protections for young people in custody by ensuring personal searches are conducted in line with human rights standards, principles and contemporary best practice. They will also ensure consistency in the application of personal searches of young people across all facilities where young people are held in custody in Tasmania. I take this opportunity to thank the departments of Justice, Communities and Police for working together so constructively to produce a consistent approach to personal searches of young people. I also thank my colleague, the Attorney-General, for leading this important work and bringing forward these amendments for consideration and debate. I acknowledge the Commissioner for Children and Young People, Ms Leanne McLean, for her independent perspective and her continuing advocacy for reform in this important area.

The amendments introduce an overarching risk-based decision-making framework that promotes a principle of least intrusiveness necessary to affect the purpose of any search. This applies to both the type of search undertaken and the manner in which the search is conducted. The amendments introduce a search type hierarchy ranging from searches involving no touching, including use of a scanning device, to searches involving the removal of the least amount of clothing necessary. Importantly, the least intrusive search type necessary to affect the search purpose must be preferenced when conducting a search. The manner of searching must, to the extent possible, maintain the young person's dignity and self-respect and minimise any trauma, distress or harm that might be caused by the search. This includes requirements regarding timeliness, the gender of search officers and the location of the search. The amendments also provide that all searches must be appropriately authorised, conducted by approved search officers and recorded in search registers established under these amendments.

As I have indicated, in line with centre policies and procedures, Ashley Youth Detention Centre staff already ensure that young people are treated with respect and dignity, and the requirement for searches is limited to only those that are absolutely necessary, with the least intrusive search type and method preferenced wherever possible. All personal searches at the Ashley Youth Detention Centre comply with the UN Convention on the Rights of the Child

and the Australian Children's Commissioners and Guardians model charter of rights for children and young people detained in youth justice facilities.

Personal searches remain an important part of maintaining the safety and security of any facility where young people are held in custody. Our new approach to searching will continue to ensure that dangerous items do not enter or are obtained by young people in our facilities. This is a point that has been raised by young people themselves who have reported through their advocates the need to ensure that any change to search requirements continues to maintain their safety while in custody.

In 2021, personal searches at Ashley Youth Detention Centre discovered a range of items including a glove gun, lighters, wire, cordage, pens, zip ties, pieces of wood and toothbrushes sharpened into weapons. Personal searches remain very important. However, our new approach will ensure we strike the right balance between upholding the rights and dignity of young people while also maintaining the safety and security of all young people in custody and the staff who work in those facilities.

In addition to a new approach to personal searches, we are also deploying technology that will further reduce the need for intrusive personal searches of young people. In March 2021, the Premier announced the Government would be investing \$1.3 million into body-scanning technology in our prisons and the Ashley Youth Detention Centre. This new technology will be able to detect objects on or inside a person's body and clothing without the need to physically remove items of clothing or make any physical contact.

In addition to this, the Department of Communities has purchased two walk-through metal detectors and one baggage x-ray machine for the Ashley Youth Detention Centre. These are currently being installed and will be operational in coming weeks. Over recent years, we have invested in the Ashley Youth Detention Centre to redevelop the infrastructure and to pivot to a more therapeutic model of care.

The new facilities at Ashley, under the redevelopment, have included softening of the entrance into the centre with a new gatehouse, visitors' reception and secure entrance point with improved visitor and family spaces; provision of step-down semi-independent living units, which will encourage the development of key life skills for the residents as they transition out of the centre; improvement of accommodation areas, including de-escalation and self-regulation sensory spaces and acoustics; new professional visits, court video conference and counselling areas; new creative arts and music room facilities; and new recreation yards off the main accommodation units which will also act as key de-escalation space for residents when they are required.

Together with the physical infrastructure, the work to ensure that practices and procedures are therapeutic and trauma informed has included a new learning and development framework to ensure all staff are trained to deliver a therapeutic model of care at Ashley Youth Detention Centre; therapeutic practice framework describing the practice and principles of how services are delivered at Ashley Youth Detention Centre; and a review of all policies, procedures et cetera to ensure that they are contemporary and fit for purpose.

In recent years we have also established more robust safeguards, and protections for young people in Ashley, including new CCTV technology which has increased accountability and safety for both young people and staff. There is also a new personal searches policy, as

I have mentioned, to ensure all personnel searches at the centre comply with the UN Convention on the Rights of the Child, which this bill will now enshrine in law across our facilities where young people are held in custody, and the centre now has strong independent oversight mechanisms in place. Importantly, the custodial inspector, who was appointed in 2017 by our Government, provides independent statutory oversight for the Ashley Youth Detention Centre, including completing independent inspections and reports relating to Ashley. The Commissioner for Children and Young People also conducts monthly visits and provides direct advocacy for young people in Ashley. Young people can contact the commissioner directly with concerns they have in relation to their care at Ashley and the commissioner can advocate with centre management or the department on their behalf.

The centre also reports all critical incidents and follow-up actions to both the custodial inspector and the commissioner, and each month provides Ashley Youth Detention Centre incident isolation and search registers. Importantly, the Commissioner for Children and Young People has recently enhanced her independent advocacy for young people detained at Ashley with a dedicated position established to provide this service.

I acknowledge the staff of the Ashley Youth Detention Centre, and the efforts that many staff members at the centre and within the Department of Communities have made towards a new Ashley, which has a therapeutic approach and meets the needs of young people whilst also keeping the community safe. This is important, necessary, difficult work, and I commend them for their efforts. I have seen the results of these efforts firsthand and I commend them for the work they have done so far. The Custodial Inspector has also reflected positively on the changes they have brought about at Ashley. In his most recent annual report, he stated:

With respect to recommendations for youth custodial services, progress has been consistent, with improvements made across a range of services. The department has been positive and proactive in addressing any concerns raised ...

I thank them for that report card.

Further evidence of a system that is improving is seen in the recent data from the Australian Institute of Health and Welfare report, *Youth Justice in Australia 2020-21*. The report shows that Tasmania had the equal lowest rate of all jurisdictions of young people in detention-based supervision at 1.5 per 10 000 young people on an average day. The report also revealed that between 2019-20 and 2020-21 the number of young people in detention on an average day fell by 40 per cent, from 15.7 to 9.4. Pleasingly, the report also shows the number of young people under all forms of youth justice supervision continues to fall, with 115 young people under supervision on an average day in 2020-21. Of those under supervision, 92 per cent were supervised within the community and only 8 per cent were in detention.

Fewer Tasmanian young people are engaging in serious crime warranting detention, which is a sentencing option of last resort under our youth justice laws. This is positive for young people and for our community as a whole, and is in line with efforts under our Child and Youth Wellbeing Strategy and associated reforms.

We know that there is more work to do. In September last year, the former premier announced our intention to close the Ashley Youth Detention Centre and establish new custodial youth justice facilities that provide a therapeutic and best practice response to young

people, purpose-built facilities meeting contemporary expectations. On 1 March, the former premier announced that the 2022-23 budget will include an allocation of \$40 million to ensure work can commence as soon as design work is completed and suitable sites are confirmed. This is not just about custodial youth justice; this is about resetting our whole approach to the youth justice system and young people at risk.

In December, the Government released our detailed transition plan and a blueprint discussion paper for consultation that will inform our comprehensive reform of the youth justice system. Actions under the transition plan are well underway, with the youth justice reform team already delivering key activities in line with project timelines. Following the release of the blueprint discussion paper, a comprehensive consultation process has now been undertaken with a broad range of stakeholders. These include young people themselves currently involved with the youth justice system and their advocates. We have also engaged closely with the Commissioner for Children and Young People, and the Custodial Inspector, who have particular statutory roles and functions related to custodial youth justice. These consultations will inform the development of the blueprint that will set the strategic directions for the system over the next 10 years. We are on track to deliver the blueprint by the middle of this year.

In relation to the consideration of sites for new facilities, a review of potential sites is now underway, which will identify a range of possible options for consideration and an expressions of interest process will also be undertaken.

The selection of the final options for public consultation will be informed by a comprehensive, functional brief being developed by the Noetic Group. The brief will be informed by a Tasmania stakeholder workshop that occurred in April and contemporary research and best practice approaches from other jurisdictions.

Ms O'Connor raised a couple of questions also regarding Many Colours 1 Direction and our progress in establishing alternatives to that program. Following advice and recommendations from the expert panel last year, our Government made a commitment to improving our support for Tasmanian children and young people with highly complex needs, and to transition away from the use of the Many Colours 1 Direction program in the Northern Territory. As part of that transition, the service agreement between the Department of Communities and Many Colours 1 Direction concluded some months ago, and there are no young people remaining in that program.

Work is underway with the Department of Communities to develop and procure new out-of-home care programs and services. We expect to have new programs on the ground by the end of this year. A cross-sectoral oversight group has also been established to assist with implementation of the recommendations. The cross-sector group includes membership from the non-government sector, including TasCOSS, Families and Children Tasmania, the Australian Childhood Foundation and Aboriginal community organisations. It also includes representatives from the departments of Communities, Education and Health.

Members may recall that the advice from the expert panel was not simply about standing up a Many Colours 1 Direction-like program in Tasmania, but looking at the settings across our system that respond to children and young people with complex needs and addressing these needs on a range of fronts, including through early intervention. Our implementation plan,

which is endorsed by the cross-sectoral oversight group, gives further details of our plans and timelines and can be found on the Department of Communities website.

As I have covered, the Government has a range of reform processes currently underway which are enhancing our responses to young people, particularly those with complex needs and those who are at risk. In relation to youth justice, we want to deliver contemporary, purpose-built facilities as an integral component of a whole system of reform. This is not just about buildings but the services and culture inside them, and the systems and support for young people before they enter and after they leave. We want to support children and families. We want to engage young people at risk early and direct them away from the youth justice system and restore young people who do come into conflict with the law as valued and productive members of our community.

We want every component of this system to be purpose-built and integrated, taking a whole-system approach. Certainly, when it comes to the Ashley Youth Detention Centre, it is not our intention to replace Ashley with a like facility. We want to make sure that it is reflective of our aims and our approach right across a reformed youth justice system.

The amendments we are talking about today in relation to personal youth searches are another important component of that response. That will ensure a humane and consistent approach to searches across all custodial facilities and our entire youth justice system.

Again, I commend my colleague, the Attorney-General, for her leadership of this process and I commend these amendments to the House.

[12.45 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Speaker, I thank all members for their thoughtful contributions on this bill which not only provides further improvements to searches of youth in custodial facilities, it also confirms what we have done in the system in terms of eradicating personal searches as routine and now, as we have been discussing throughout the contributions, processes and procedures to be followed, information to be provided, and the like.

I wish to address the questions that have been put by various members throughout the debate, starting with the member for Bass, Ms O'Byrne. I note that a few of the questions may have been duplicated, particularly in relation to the number of searches that have occurred since last reported. Ms O'Connor asked the same question. I will get to that question towards the end of addressing questions from Ms O'Byrne.

Ms O'Byrne, asked about the commissioner's view on the bill. I can advise the House that in the commissioner's May 2019 Memorandum of Advice on 'Searches of children and young people in custody, in custodial facilities in Tasmania', she provided eight recommendations with regard to personal searches of children and young people in Tasmania. The Tasmanian Government accepted those eight recommendations.

The commissioner's March 2022 media release, titled Strip Searching - The First Step on The Long Road to Reform - I might just stop there - we never refer to it as strip searching anymore; it is personal searches or unclothed searches. I believe the word 'strip' is quite a negative one. Although personal searches are not routine, we have also been discussing that in some circumstances they may be necessary. I want to say at the outset that I never refer to it

as strip search, and I encourage the media or anyone else to start using less negative terminology. In any event, in that media release, the commissioner stated:

I welcome the introduction by the Attorney-General Elise Archer, of legislation to end the routine practice of strip-searching children and young people in custody.

It responds to all eight recommendations I made to Government in 2019.

I can also confirm to the House, the commissioner's feedback to the Department of Justice was also very positive about the collaborative approach to the bill.

I thank the Commissioner for Children and Young People for her significant input. I met with the commissioner on a number of occasions and assured her that her views would be taken into account. Indeed, when I met with her on subsequent occasions she confirmed that engagement had occurred and was occurring and so I thank the department for their close communication and consultation with the commissioner. Her input and her support have been invaluable to this bill and the detailed prescribing of the various requirements of the process that now must be gone through.

Ms O'Byrne also asked why use of force as a last resort was not used in this bill despite the commissioner's preference for this to happen.

Recommendation 5 of the Commissioner's Memorandum of Advice proposed the use of force should be limited to circumstances of last resort, and if force is required there should be clear lines of authorisation. Unlike other recommendations it did not explicitly propose that this be achieved through legislative reforms. The commissioner noted she would prefer the use of force provision refer to use of force being the last resort. However, this was considered difficult to implement, given force is technically any force applied to a youth without their consent, including, for example, touching the youth during a pat down or frisk search. It was therefore discussed with the commissioner that the bill should provide that while force is authorised under the bill, it -

[m]ust not be used unless it is the only means in the circumstances by which the search can reasonably be conducted.

The bill further provides the use of force is subject to other requirements in the bill, such as minimising distress to the youth and using the least amount of force that is reasonable and necessary. The commissioner's office has advised this approach is considered acceptable.

Ms O'Byrne also asked: how will youth know how to express their transgender status? Will there be training for officers? Youths will need to disclose their specific gender if it is different from the one assigned at birth, if the youth is transsexual, transgender, or intersex, unless that information is already apparent or known to the search officer or through other means of reasonable enquiry made by the officer. Prior to the search, when it is identified the youth is transsexual, transgender, or intersex, the youth will be asked for their gender preference.

Section 25L of the bill titled 'Provision of information' provides that the person in charge of a custodial facility must ensure that there is made available for viewing by a youth who is

in custody in the custodial facility, leaflets, posters or other documents that set out the obligations. This will promote young people's awareness of the gender requirements.

In respect to how this has been currently actively addressed, I can confirm that in relation to Ashley Youth Detention Centre I have been advised that detainees are asked questions regarding gender throughout the admissions process and their gender may also be shared by Community Youth Justice prior to admission where the client is known. The search should be by the same gender as identified by the young person. Transgender training is planned for staff later this calendar year.

Tasmania Police has advised that the general approach is to treat all gender, transgender and intersex people with respect. Tasmania Police has developed the network to manage their approach to sexuality, gender diversity and intersex issues. Specific to youths, each district has an early youth intervention action unit. Members of that unit have recently undergone training in partnership with the Department of Education on gender diversity. They continue to work closely with the Department of Education, including student support teams and school counsellors.

The early youth intervention action unit officers are an internal resource for all members as a LGBTIQ+ liaison officers who are appointed across the state to assist with navigating gender issues and improving the understanding and appreciation around gender diversity.

The Tasmania Prison Services formed a diversity and inclusion working group consisting of a membership of over 30 staff across the TPS, where a number of actions have commenced. The TPS is engaging Working It Out Inc to implement training of about LGBTIQ+ communities similar to that received by Tasmania Police. A trauma-informed practice training package is being developed, which is specific to the operational environment of the TPS. This is being created in collaboration with senior psychologists and the Phoenix Centre. The TPS is also working on its policy and frameworks to support trauma-informed care. The Department of Justice LGBTIQ+ Reference Group is working with the TPS to revise its gender diverse and transgender prisoner policy in consultation with the community.

Ms O'Byrne also asked how search officers will be trained regarding the requirements of the bill. Training will support and improve the existing cultural shift in practice for search officers that is already occurring. The requirements in the bill are mandatory. As is the case for other mandatory statutory requirements for police officers and public servants, there will be consequences for contravention. There are complaint mechanisms for the conduct of searches to be investigated and appropriate action taken. Misconduct by police officers and state servants can be dealt with in the usual way.

Agency training will support officers in complying with the new requirements. The agencies have worked collaboratively to progress these amendments and are updating supporting material in documents, such as their practice directions or standing orders and still will aid the training of search officers. All facilities have active training programs that have been updated.

Significant work has been done across agencies in compiling this bill and getting to this common point in relation to personal searches. It is vitally important that all of these things are consistent.

Tasmania Police has an existing training focus on gender-related issues, including gender identity training and components of the recruit school training, focused on gender diversity. At the Tasmania Prison Service, a working group is being formed including senior staff from the Tasmania Prison Service and Department of Justice in order to prepare for and implement this important legislative change. The working group is reviewing current practices and procedures relating to youth searches and work is underway to prepare for the proposed legislative changes, including decision-making and risk-assessment tools, authorisation mechanisms and documentation standards.

Ms O'Byrne asked why the details regarding search registers are not addressed in the bill but instead in the regulations. I note the bill requires the degree of intrusiveness of every search and any reportable force in the register. The bill also provides for any prescribed requirements for the register at section 25K(1)(a). Information likely to be prescribed for search registers includes but is not limited to the name of the youth who is subject to the search, the date and time of the search, the reason for the search and whether items are confiscated, the nature of the search performed and the name or position of authorised officers who conducted the search and any other matters.

Comparable legislation in Victoria, the Northern Territory and Queensland all prescribe details of their search registers in their regulations, not in their primary legislation. Regulations will be subject to parliamentary scrutiny in this place and the other place in the usual way, through the subordinate legislation committee, which is a joint House committee.

Ms O'Byrne asked how advice is to be given to youths. There are a number of sections in the bill that clarify how information is to be given to youths regarding searches. Section 25H provides that information is to be given to a youth before a search is conducted. The section provides that the search officer must inform the youth that a search is to be conducted. If the search is to be an unclothed search, inform the youth that an unclothed search of the youth is to be conducted and inform the youth that the youth may, before the search of youth occurs, surrender an article that is on the person of the youth and give the youth an opportunity before the search of the youth occurs to surrender in circumstances that afford reasonable privacy to the youth, an article that is on the person of the youth. The intention of this provision is to ensure that the youth is given appropriate notice about the search and provide an opportunity for the youth to undertake actions that may lead to a less intrusive search to be undertaken or for the search to no longer be necessary.

The commissioner identified that the informing youths about search procedures is a priority as per Recommendation 7, including making information publicly available. Consequently, section 25L provides for the provision of information to youths, including in person to their advocates and via websites.

The required information is specified as information about the circumstances and manner in which searches are authorised, information about rights to complain and any instructions relating to searches. The intention of these provisions is to provide a positive obligation on the person in charge of a custodial facility to provide information so that a youth in custody is aware of obligations and rights relating to searches as well as a person representing a youth and the general public.

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

INAUGURAL SPEECH

Member for Bass - Mr Simon Wood MP

[2.31 p.m.]

Mr WOOD (Bass) - Mr Speaker, being able to stand in this House as the newest member for Bass is an enormous privilege and one that carries with it a great responsibility. I thank the voters of Bass for their support over many years, both in my candidacy in local government and for this House.

At the outset, I acknowledge that I have been elected on a recount of votes cast for my distinguished predecessor, Mr Peter Gutwein. Therefore, I take this opportunity to thank Peter for his representation as a member for Bass for the last 20 years and most particularly, for the strong leadership he has shown as our Premier. The global pandemic created a health emergency which presented strong and immediate challenges to governments across the world. That Tasmania has navigated these last two years so successfully is a testament to the goodwill of the people of the state but also to the man who was at the helm. Each day, he was faced with difficult decisions, with no past practice to draw on, ably supported by our state public service and health professionals. I am confident that any objective assessment will mark Peter Gutwein's premiership very, very highly indeed.

The Parliament of Tasmania is made up of three parts: this House, the Legislative Council and the Crown. I take this opportunity in Her Majesty's Platinum Jubilee year to acknowledge the exceptional service Queen Elizabeth II has given as our Queen of Australia for more than 70 years. I also acknowledge the Sovereign's representative in this state, Her Excellency, the Governor, who has made such a distinguished start to her time in office.

I am also delighted to be joining my colleagues in the Parliamentary Liberal Party. It gives me a great sense of pride and enthusiasm to be involved in a political party with so many committed and dedicated people at an organisational level and also now being able to contribute to the parliamentary team.

I am fortunate to enter this House as a government member and as part of the team led by our new Premier. He is new in that office but a man with long parliamentary service and significant ministerial experience. I am particularly pleased to join the team with, as the Premier said when he became leader, 'good government and compassion at its heart'.

I am also pleased that one of my Bass colleagues, Mr Michael Ferguson, has become our Treasurer. I believe the combination of our parliamentary party leadership, supported so ably by Cabinet and other members, will continue to provide strong and prudent management of Tasmania.

There is an old saying that those who stand for parliament are volunteers but our families are conscripts. That is true. One of the guiding lights for me in the journey to this house has been the unstinting support of my wife, Zoe, and the love of our two children, Lucy and Alexander, who are here today. Thank you, guys.

Members - Hear, hear.

Mr WOOD - During my campaigns for the Launceston City Council or the House of Assembly, when the day might not have gone as well as I would have liked or had it been particularly tiring, I would return home to an oasis of love and support. Sometimes it was a very noisy oasis, incredibly noisy oasis, but we all know it is our family and our extended family who ground us.

I have lived in Bass for most of my life. The electorate offers natural beauty in abundance and remains, I would submit, the business and commercial heart of this state, the great state of Tasmania.

From the bottom of my heart, I wish to thank my parents, Robert and Jill Wood, who are here today. Like many Tasmanians they enjoy following politics, not so much party politics, but they enjoy following politics. They instilled in me from an early age the value of working hard, taking nothing for granted and treating others as you would wish to be treated yourself. Good and timeless values.

They in turn received their moral code from their own parents. As a child, I was fortunate to spend a great deal of time with my grandparents from both sides. My maternal grandparents built a house in Gorge Road, Trevallyn and they lived there happily for over 50 years, content and happy to contribute to their local neighbourhood. My grandfather was orphaned at the age of 12 and started work at the age of 14 at the Inveresk Railyards in Launceston where, through a lot of hard work and dedication, he ended up enjoying the role of foreman. My grandfather loved the sense of achievement in working hard to craft the various types of rolling stock required for this important service for Tasmanians. He was particularly proud to be involved in the completion of the last vice-regal carriages and, upon his retirement, he was awarded the Imperial Service Medal by the Governor of the day at Government House. It was an occasion which his family and my grandfather were incredibly honoured and humbled by.

I have tried to balance my working and family life with involvement in various community groups and organisations. It was when I was elected an alderman to the great City of Launceston that I fully realised how volunteering and selfless service really is the glue that holds our communities together. This service is often unheralded, unfortunately, and I hope in my time here, we can all do more to highlight the volunteers quietly working behind the scenes right across the state.

I worked in our family business in the heart of Launceston, usually up to six days a week. It was a business that brought me into daily contact with tradesmen and women as well as many Tasmanians from all walks of life. It was the enjoyment I personally gained from this interaction that inspired me into representative politics.

After leaving the family business, I was fortunate to work in parliamentary offices of the former federal member for Bass, Andrew Nikolic, for Senators for Tasmania David Bushby and Jonno Duniam and, more recently, Senator Wendy Askew, whom I thank for being here today. Each of them showed me different aspects of the craft of being an effective member of parliament, where the most important work is sitting down with constituents and stakeholders, listening to their concerns and ideas and supporting better policies and outcomes for all Tasmanians.

I mentioned that my work brought me into daily contact with tradesmen and women. One of the drivers that led me to stand for council and then state parliament has been to better

value the contribution our trade sector makes and try to stem the drain of young people feeling compelled to leave Tasmania in search of a perceived better opportunity on the mainland. We need to do more in this area. It is natural that young people want to spread their wings and explore the world, but if we nurture an environment of good jobs and conditions, our next generation will be encouraged to stay, or indeed return.

It is a big incentive that Tasmania offers perhaps the best environment in Australia to raise a family. We have low crime rates and an abundance of sporting and other opportunities. The initiative of the current Government, led by our new Premier when Education minister to have more young Tasmanians enrol in years 11 and 12, has been exceptionally important in raising participation rates and helping young people stay in their communities while improving their employability and job prospects.

It would be remiss of me not to say something about one of the major challenges facing our state, and that is maintaining and supporting a robust health system. Bass, as many of you would be aware, is home to a major teaching hospital with a long and distinguished history of supporting the health of northern Tasmanians, the Launceston General Hospital. Attached to it is the Clifford Craig Medical Research Foundation which quietly funds a wide variety of research into better healthcare, some of which has achieved international renown. Bass also has a network of private hospitals and fantastic health facilities. I am pleased to be part of the Liberal team which is investing record funding into health, boosting resources and improving infrastructure and services right across the state.

I want to particularly mention aged care. During the pandemic there has been some criticism of management of some aged care facilities. You will never find me joining in that. I have been fortunate to meet many working in the aged sector - carers, cooks, physios, occupational therapists, maintenance people, gardeners and many others. I do not have to tell you all that they are inspiring and dedicated Tasmanians who give tremendous service to care for our frail aged. We should and do salute them.

Members - Hear, hear.

Mr WOOD - In my first speech to this House I would like to acknowledge many who have helped me along my journey to becoming an MP. Many have assisted me, but time permits me only to name some. First, my campaign team, in particular my campaign manager, Jorden Gunton, who is here today. They did marvellous work and without them, I simply would not be here today. I appreciate the support I have received along the way from the immediate past state president of the Liberal Party, Mr Geoff Page, and his successor Mr Rod Scurrah. I want to particularly pay tribute to my friend, the former state director of the Tasmanian Liberals Sam McQuestin, and his wife, Mel Kerrison, also Ms Dorothy Dehays, who we have affectionately nicknamed the Field Marshall. They have provided me with support, loyalty and good advice over so many years.

I would also like to mention a long-time family friend who, on the beaches of the beautiful Low Head on the mouth of the Tamar River I would often speak with former member for Bass - and I still do, most weeks - Mr Tim Barrenger. We would talk about what you needed to be to be a good local member, and I thank Tim for taking the time. Others who have provided particularly sage advice have been the former members for Cornwall and Launceston in Robin McKendrick and Don Wing, Launceston Mayor Albert Van Zetten, former member

for Lyons Rene Hidding, and former speaker of this House Dr Frank Madill and his delightful wife, Linda.

Mr Speaker, a first speech is heard with polite courtesy by this House. I know that that might not always last but I hope to always show my colleagues, regardless of their political allegiances, the respect that each has earned by being elected to this House. I commit now to working hard for the people of Bass, to make constructive contributions to debate and on committees to which I am appointed, and in so doing, do something to advance the very best of Australia, the great state of Tasmania. I thank the House.

Members - Hear, hear.

RECOGNITION OF VISITOR

Mr SPEAKER - Honourable members, before I call orders of the day, on behalf of the House I acknowledge the presence of Senator Wendy Askew.

Members - Hear, hear.

YOUTH JUSTICE AMENDMENT (SEARCHES IN CUSTODY) BILL 2022 (No. 9)

Second Reading

Resumed from above (page 43).

[2.48 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Speaker, before the luncheon suspension I was about to advise the House of the current statistics. I was mentioning the commissioner's May 2019 memorandum of advice that 218 minors in custody of the Tasmania Prison Service were subject to an unclothed search in 2018. The Department of Justice has developed a risk assessment process prior to the search of a youth - I will just wait, Mr Speaker, while people take it outside. This is important.

Mr SPEAKER - Yes. Members of the House should acknowledge that we still have work to do. It has quietened down now. We appreciate the fact that a new member has just concluded his speech.

Ms ARCHER - Thank you, Mr Speaker, it allowed me to have a drink. The Department of Justice has developed a risk-assessment process prior to the search of a youth held in a reception prison to inform correctional officers of the level of risk and the appropriate level of search required to mitigate that assessed risk. As a consequence of that change, numbers have reduced as unclothed searches of youth watch-house detainees are no longer routinely conducted, which all members will agree, is a very pleasing result.

Over the past six months for the period 1 July 2021 to 28 February 2022, for youth watch house detainees supervised by the Tasmania Prison Service, of the 157 admissions,

44 were subject to a personal search that involved the removal of clothing and this represented 28 per cent of all admissions.

In respect to the other agencies with custodial facilities, for Ashley Youth Detention Centre, detainees for the period February 2021 to February 2022, there were 41 personal searches that involved the removal of clothing. This represented 29 per cent of searches.

Tasmania Police do not routinely conduct searches involving the removal of clothing of youth in custody in police watch houses. It is only in exceptional circumstances that unclothed searches are conducted by police, which again I think members would agree, is a very pleasing statistic. This will vastly decrease with the introduction of body scanning which is due to be at the end of this year.

As I have advised the House on previous occasions throughout my contributions, there is quite a process to body scanning because it is X-rayed images and whatnot. Certain permits are required through Public Health and those sorts of things. We are going through those processes; the order has been put in and we are hopefully on track for the end of the year. That is going to make a significant difference because it will really reduce the need for physical personal searches when the body scanning technology is introduced to the facilities that I mentioned earlier in the debate - I will pause, Mr Speaker. This is something the member is going to introduce an amendment on, so please indulge me as I do not want to have to repeat myself.

Mr SPEAKER - I understand that, Attorney-General, and I understand that the paperwork is important. The Attorney-General is reflecting on part of an amendment.

Ms ARCHER - I was starting to address your questions, Ms O'Connor, but I became conscious that you were busy doing something, so I paused and cleaned my glasses while you did that.

Ms O'Connor - Thank you.

Ms ARCHER - Ms O'Connor's first question is relevant to something that she is going to introduce by way of an amendment in Committee and some of these things might help.

First, will the department apply the standard definition of intersex? The answer to that is yes. The department is working towards the ABS standards released in 2020 regarding how to record gender, including variations of sex characteristics. The department has developed a draft framework standard for sex gender variations of sex characteristics and sexual orientation to standardise for collection and dissemination of data related sex gender variations of sex characteristics and sexual orientation across the department. This framework has been developed in consultation with the department's LGBTIQ+ Reference Group and work continues on its implementation.

Another question was, my understanding as Attorney-General of what a reasonable level of force would be in this legislation or referred to in this legislation. Ms O'Connor, there is no specific explanation of what reasonable and necessary force is, as it is a subjective test. Courts have consistently expressed that the words have their plain meaning. The question is: would a reasonable person think the forces both reasonable and necessary in the particular circumstance the force was used. It is an objective test, but subjective to the particular circumstances.

Reasonableness is objective but there is a subjective component because it requires the person to make that assessment.

As the test is dependent on the circumstances, specific guidance is challenging. However, as an example, if a youth requires a pat-down and was compliant, the only force that would be reasonable would be the pat-down. However, if a pat-down was required and the youth was resisting - and that sometimes occurs strenuously in various circumstances - it may be appropriate that a custodial officer hold the youth to enable the search, depending on the level of resistance. I am sure you will appreciate in different circumstances, it does require that element of a subjective component, which is why when searches are carried out we are required to register, which records the action taken and there can be an assessment of whether the force used was excessive.

Ms O'Connor also asked what the legislation's response was to searches in rural and regional settings where required gender options are limited. It is a very good question. The bill recognises that in some locations, particularly remote locations, resources available to conduct a search in a custodial facility are or may be limited. Searches may be necessary for the collection of evidence, as well as contraband identification. Searches may also be necessary to protect the youth from hurting themselves or others - others being staff at a facility and to prevent escape if transfer is required. Such searches should not be unreasonably delayed in those circumstances. The bill therefore places responsibility on the decision-maker to ensure that where reasonable and practical all searches are conducted by a person of the appropriate gender.

The bill mandates gender requirements that may only be overridden by the person in charge of the custodial facility, and only where the search is urgent to address the risk of harm or trauma to the youth or another person. The gender provisions in this bill relate to all custodial facilities in Tasmania including police watch-houses. They provide a legal expectation that the gender of the youth will be respected and considered when decisions are made about conducting a search.

Ms O'Connor asked if I can explain what is meant by excluded force. The bill has been drafted so 'reportable uses of force' are to be recorded within the search register. This recognises force can technically include everything from incidental touching upwards, and therefore not all force will need to be recorded in a search register.

Excluded force in relation to a youth means any physical conduct that is not for the purpose of restraining the youth to enable the search to occur and that is incidental to the conduct of the search; for example, touching the youth during a pat-down. Excluded force also refers to any force including the application and use of handcuffs or physical restraint used to ensure the youth remains in custody or moves to, or remains in, an area where the search is to be undertaken. I note that no use of force is considered excluded force if the touching or force used has caused, or may cause, an injury to the youth regardless of the circumstances.

Ms O'Connor asked me to explain with reference to requirements as to the gender of the search officer. Section 25D(1)(b) states:

if the youth is transsexual, transgender, or intersex -

Which is the required gender means:

- (i) a person of the gender that the youth requests, or
- (ii) if a person of the gender requested is not immediately available, a person who is, at further request of the youth, male or female.

Prior to the search being undertaken, where it is identified the youth is transsexual, transgender, or intersex, the youth will be asked for their gender preference. This can include a search officer who identifies as transsexual, transgender, or intersex. If a search officer that meets this request is not available, the youth will be asked whether they would prefer a male or female search officer to undertake the search.

Ms O'Connor also asked how incidents of the gender requirements being overwritten will be checked. Section 25K(1) provides that the register of searches is to include relevant information to searches. Relevant information may include information regarding situations whereby the gender requirements have been overridden for any reason. The secretary, director or Commissioner of Police must ensure that the register is maintained and made available to the custodial inspector, the Ombudsman, a person approved by the person in charge of the custodial facility or a prescribed person or body at any time for auditing and review, so there is a fairly robust system in place for auditing and review.

Ms O'Connor also asked about the role of the Commissioner for Children and Young People in promoting oversight to searches of youth in custodial settings. The commissioner continues her statutory functions such as advocating for young people and a role in policy development and assisting the state to ensure compliance with international obligations. The interagency group and individual facilities will continue to collaborate with the commissioner on search practices and responding to any issues that may arise. Ms O'Connor and all members will appreciate, the commissioner is very active in this space and will certainly monitor this in terms of her visits with young people. I know she regularly meets with young people in facilities and I am sure if issues arise we will be notified through our departments or direct to relevant ministers, as is her current practice. She is very active in this space. I am sure minister Jaensch will agree that he and I meet with the Commissioner for Children and Young People quite regularly.

Ms O'Connor also asked whether this bill complies with OPCAT and I will provide an update on the implementation of OPCAT. Members will recall that OPCAT provides for a two-part system for inspecting places of detention, including allowing periodic visits by the United Nations Subcommittee on the Prevention of Torture and establishing a national preventative mechanism framework to conduct regular visits to places of detention and monitor the treatment of persons in detention in Tasmania.

The OPCAT Implementation Bill 2021 commenced on 20 January this year, giving effect to Tasmania's obligations under the protocol. The Ombudsman and Custodial Inspector, Mr Richard Connock, who is well known to members, has been appointed as Tasmanian National Preventative Mechanism (NPM). It is unusual that a person has that title. It is a bizarre title but that is what the act prescribes. This important step, along with the passage of this legislation last year, means we are the first state or territory to pass the comprehensive OPCAT statutory framework and demonstrates our Government's strong stance on ensuring thorough oversight of places of detention in Tasmania. I recall that New South Wales has not advanced theirs at all so we are way ahead of other states, pleasingly, and I thank my

department for doing that so swiftly and by the deadline, which was January this year after an extension of 12 months to all states and territories.

The Tasmanian NPM, if I can abbreviate it, is currently in the process of scoping and establishing a new office and will be tasked with development of standards and guidelines for the inspection of all the relevant facilities, including the extent and frequency of inspections. As mentioned previously, all search registers will be made available to the Custodial Inspector, who in this instance is also the NPM, for the purposes of any inspections. I met with Mr Connock recently and he is undergoing that process of scoping and establishing.

Ms O'Connor also asked who responds to any complaints made in relation to search process.

Ms O'Connor - By young people who make a complaint.

Ms ARCHER - Yes, by young people who make those complaints. There are existing processes for complaints, both within individual facilities and, where necessary, externally by the Ombudsman and indeed in his role as Custodial Inspector. The bill reflects these rights. If there is a concern about a particular search, the young person or family may make a complaint. Complaints are currently reviewed by senior officers and ultimately we have very senior officers accountable to this bill, being the Commissioner of Police, the secretary responsible for the Youth Justice Act and the Director of Corrective Services.

Ms O'Connor asked if the department's LGBTIQ+ community reference group was consulted on this bill. As I confirmed previously, that group routinely discusses legislative priorities the department is progressing on behalf of the Government that are relevant to the department and indeed that reference group. The bill has been discussed, although no specific feedback has been sought outside of the department's normal consultation process. The reference group is currently discussing a more formal mechanism for seeking input and feedback on bills under development in consultation with the department's Strategic Legislation and Policy team, which I like to shorten to SLP, which is the team responsible for developing all of my legislative reform, which is extensive.

I am hoping that covers the questions that were put. Ms O'Connor has indicated that she would like to go into Committee to move an amendment. Hopefully we can deal with that relatively quickly.

I take this opportunity to thank my SLP team, the department, the Director of Corrective Services, deputy secretary Kristy Bourne, and my own office and advisers in this very thorough work that was done on youth searches. Again, I commend the bill to the House.

Bill read for the second time.

YOUTH JUSTICE AMENDMENT (SEARCHES IN CUSTODY) BILL 2022 (No. 9)

In Committee

Clauses 1 to 5 agreed to.

Clause 6 -

Part 3, Division 3 inserted

Ms O'CONNOR - Mr Chairman, I move -

That clause 6, proposed new Division 3, section 25A be amended after the definition of *offence* by inserting the following definition:

person born with a variation in sex characteristics means a person with innate genetic, hormonal or physical sex characteristics that do not conform to medical norms, or female or male bodies, including but not limited to, variations to genitals, hormones, chromosomes or reproductive organs.

We have put this amendment forth in good faith because the term 'intersex' is used in the legislation, and we have an amendment to that term to make it more contemporary, which is to change 'intersex' to 'a person born with a variation of sex characteristics'.

As I mentioned in my second reading contribution and you acknowledged in your response, there is currently no working definition within Tasmanian law for 'intersex' or 'a person born with a variation of sex characteristics'. In the bill that we are debating, there are definitions for 'transgender' and 'transsexual' which have the same meanings as in the Anti-Discrimination Act of 1998. I think that our amendment is a correct definition which is supported by the Australian Bureau of Statistics definition and that put forward by the Human Rights Commission. If we are going to use a term like 'intersex' in legislation, we should provide a working definition for that.

Language constantly evolves. We sometimes talk about people who are transgender or we can talk about people who are gender diverse. Our understanding of human physiology and sexuality is constantly evolving and certainly, from my point of view, the older I get the more I understand how complicated and diverse human beings are and our laws have to respect and respond to all individuals, wherever they can. We believe the legislation is strengthened by inserting this definition.

I hope the Attorney-General sees that this is a useful amendment that presents no threat to the bill. It provides guidance to people who might be undertaking searches in juvenile youth justice facilities about some people who come before them. Ultimately, we should have a definition of intersex or people born with a variation of sex characteristics in the Anti-Discrimination Act of 1998, but we do not and I believe this legislation requires it. I commend the amendment to the House.

Ms O'BYRNE - Our initial response is to be very supportive of this. We recognise that there is a little diversity of opinion about the language. In fact, even in the TLRI Report, when they did their definitions in June 2020, they identified that there were submissions that had different views about the language. However, I think the amendment before us does all it can to encompass - I think Ms O'Connor mentioned that sort of changing understanding as we move forward. I am not sure what the Attorney-General is planning to say.

Our response would be to support this amendment but I am also conscious that the Attorney-General may wish to seek some additional information potentially because she has only just received the amendment. I would like to see it go in, but as a backstop, if the Attorney-

General could not find a way to support it today, we need a commitment that we might be able to deal with it before it goes to the upper House. The intent is excellent and Ms O'Connor has landed as closely as we can on a definition that will be workable into the future.

Ms O'Connor - We took it from the Australian Bureau of Statistics.

Ms O'BYRNE - Yes, and it really is hard because this is new territory for us. I do not get the impression we are going to get a lot of opposition from the Attorney-General. It might be that we support this and if it is a failure then the Attorney-General may be able to go forward looking at a way to achieve this before the bill makes it to the other place.

Ms ARCHER - I appreciate that this amendment has been put in good faith, as Ms O'Connor said, and she has done her best to take a definition that currently exists in the ABS standards. I am advised that the department is working towards implementing the 2020 ABS standard for sex gender variations and sex characteristics and sexual orientation variables. To this end, in consultation with its LGBTIQ+ community reference group, the department has developed a draft framework standard for sex, gender, variations of sex characteristics and sexual orientation to standardise the collection and dissemination of data relating to sex, gender, variations of sex characteristics and sexual orientation across the department and potentially more broadly across government.

The framework has been developed based on the standards created by the Australian Bureau of Statistics and in light of this work, the Government does not support legislating prescriptive descriptions or definitions as work continues to determine the best way to apply the ABS standards in consultation with the community.

We are not quite there yet. We are in that phase of working towards that. At this stage, the Government does not support the proposed amendment, but I am respectful of what Ms O'Connor is trying to achieve here. It is my advice as I stated, that the department is working towards how best to determine the way to apply the ABS standards in consultation with the community through our LGBTIQ+ reference group.

Ms O'BYRNE - Do you have a time frame for that consultation process that you are working towards? Are we looking some years in advance, or are we looking at a reasonably short period in advance because that will impact on the work we can do today?

Ms ARCHER - I do not have a time frame other than it has been approved by the community - as in the LGBTIQ+ reference group - and it is being rolled out by the department across departments. I do not have a definite time frame with that, but it is being rolled out.

Ms O'CONNOR - Attorney-General, that is not an unreasonable response. We would argue that if the Australian Bureau of Statistics has determined that this is as near complete or as complete as you can draft or craft a definition of an intersex person or a person born with variations in sex characteristics, this is ultimately the definition that your department is likely to land on. It is also a definition that is used, as I understand it, by the Human Rights and Equal Opportunities Commission at a federal level.

You have the Australian Bureau of Statistics applying this definition to a particular cohort of people in our community, and you have the Human Rights Commission applying the same definition. I do worry that when things go into department land - and that is no disrespect to

anyone who works in a department - that there is a bit of treacle about it basically and you get this slow movement unless there is a directive from the minister that it happens more quickly.

Mr Jaensch - I will quote you on that next time you accuse the Government of directing the public service what to do to work faster than its normal process.

Ms O'CONNOR - You must direct the public service. Isn't that interesting? I have always understood, as I did when I was minister, that in the end it is our job to direct the public service. The public service is there to serve the government of the day and implement its policies. It is not for the public service to direct a minister. Ultimately, a minister takes responsibility for decisions made in their portfolio so the minister must have the ultimate authority over a policy direction of any government department. I have never, ever shied away from that. I encourage any new minister to understand who the boss is and where the buck stops.

The concern we have is that at the moment this legislation, which is good legislation, has a definition of a transgender person or a transsexual person in it - as it should - because it gives guidance to people who are subject to this act once it is passed and it will pass. There is no definition and no guidance and I get a bit disappointed because the Greens put forward amendments that we know are well drafted. They are very precisely drafted because we have a very talented person in our office who knows how to draft. This is where I suspect that the department's definition will land, because this is a definition that is accepted by federal bodies.

Ms ARCHER - If I can assist, Ms O'Connor; I have taken some further instructions. My understanding is that it is not yet agreed totally amongst the community itself; hence the reluctance to agree to a definition when we need to land it within the LGBTQI+ community itself through the reference group. That is why it is being rolled out within the framework. What is really important to note with this legislation is that, at the end of the day, if someone identifies themselves as intersex then that has to be respected throughout this search process, so we are not totally reliant on a definition being determined and applied.

The youth is able to say, 'I am intersex and therefore I want someone either of intersex', which maybe unlikely unless there is an officer who identifies as intersex themselves. The youth can then, as I said in the legislation, identify whether they want a male or a female officer. There is that uncertainty amongst the community in landing that definition that you have put forward. That is why I said in light of this work the Government does not support legislating prescriptive definitions as the work is continuing to determine the best way to apply the best ABS standards in consultation with the community. We are not yet there.

Ms O'Connor - That is a very reasonable response, Attorney-General. I encourage you to get the department to crack on with it.

Ms ARCHER - Yes, I will. Heard loud and clear.

Ms O'Byrne - It also may be sometime before we see this upstairs, given the next session is a budget session. Perhaps there may be some progress made before it comes upstairs. We are bound by the nature of the sitting schedule so it will be a little while before this gets to the other House.

Ms O'CONNOR - Thank you. Now, Chair, I need your guidance here. We are only provided two chats on a clause. I have two amendments and the one clause. I think the House could decide it is okay.

CHAIR - You only have one contribution on a clause. So, if we deal with this amendment, then we will move onto the rest of the clause. Then you can move your other amendment after this one.

Amendment negatived.

Ms O'CONNOR - This is also an amendment to proposed section 25D(b). I move -

That in proposed new Division 3, section 25D(1), definition of *person of the required gender*, paragraph (b) -

Leave out 'intersex'.

Insert instead "a person born with variations in sex characteristics".

Notwithstanding the debate we have just had and your very reasonable response, this is an amendment that applies the contemporary terminology to a person who has historically been referred to as an 'intersex person'. If you speak to people within the LGBTIQ+ community, it is far more precise to say, 'a person born with variations in sex characteristics'. I believe quite strongly that this should be an uncontroversial amendment that simply improves the terminology and should be accepted by the House.

Ms O'BYRNE - We support that. The TLRI also dealt with this in their 2020 report, and that was to say they accepted the position that had been taken by the Intersex Human Rights Association about the terminology that we use. In their report, they sought to use the preferred term 'person with intersex variations of sex characteristics' all the way through. That does not in any way contravene the fact that the word 'intersex' is commonly used but is a more appropriate definition and a more appropriate way of dealing with this. It is the language that we are shifting towards. By the time this is in any kind of practical framework, they are the words that people will be using; they are the words that people are identifying with. The TLRI have recognised that already. I do not think this is particularly controversial.

I do like definitions to be in bills; it makes it easier for everybody. We can always seek to improve our language around those things. This amendment is probably easier to manage on the floor than the second one. I appreciate the work that the working group is doing in that space, but I think we could accept this without too much difficulty. If not, it is another one of those things that - I hate saying this - I like to tidy things up before we send things to other place.

Ms O'Connor - Yes, me too.

Ms O'BYRNE - I like to send the best legislation and I think we can do that today. It is not that I do not respect the members of the other place but I would prefer that they acted as a House of Review more than anything else. If the Attorney-General is in a position to support this amendment, it would be a good win for debate on the floor of the lower House of our parliament.

Ms ARCHER - Mr Chair, as members know, I have agreed to amendments in this House before. As I have said, I understand what Ms O'Connor is attempting to achieve here. I know it is in good faith. I wish I was in a position to advance this further but the AVS is currently moving towards either intersex or this type of definition. I am not in a position to agree to it today as it would create an inconsistency, for example, with the Anti-Discrimination Act.

I am reluctant to make amendments on the fly because it has the potential to impact on other legislation. What we like to do is submit justice miscellaneous amendments where we have the chance to review all legislation that it might impact. For example, it would be inconsistent with what is currently in the Anti-Discrimination Act, so I am obviously reluctant.

Ms O'Connor - The problem there is that the definition of intersex was removed from the Anti-Discrimination Act.

Ms ARCHER - Yes. So, I am not in position to make an amendment on the fly today. I and my department have not had a chance to properly consider the two amendments. We had no advance notice. I am very respectful of what Ms O'Connor is trying to achieve. I believe that the department in good faith is working towards being in a position to settle on a definition. As I said in my earlier contribution to the earlier amendment, we are not quite there. I can undertake to keep a watchful eye on this with a view to looking at this at this at a later date, but I am not in a position to advance it today.

Ms O'CONNOR - Attorney-General, as I understand it, another act that makes a reference to an intersex person is the Court Security Act. The Court Security Act definition of an intersex person refers to the Anti-Discrimination Act as this amendment bill also refers to the Anti-Discrimination Act definitions of a transgender or transsexual person. The definition of intersex was removed from the Anti-Discrimination Act and so we have a void in definition of this cohort of people. It is an issue that needs addressing reasonably quickly.

Ms Archer - Yes, I do not disagree with you.

Ms O'CONNOR - Yes. Maybe we start by tightening it up in the Anti-Discrimination Act, have a look at the Court Security Act, and make sure there is a definition in here because you cannot just keep not allowing the law and those who seek to interpret it to have a formal definition of what an intersex or person born with a variation of sex characteristics is.

Again, I accept that this amendment will not get up, unfortunately, because the standing orders have been a bit stitched-up.

I believe there is another problem in the bill. I will flag this with you while I am on my feet, because I do not think I can move the amendment.

In clause 6 where it talks about the register of searches, as you laid out the people who can access the register or inspect the register are the Custodial Inspector, the Ombudsman, the person approved by the person in the charge of the custodial facility or a prescribed person or body. Was consideration given to including the National Preventative Mechanism in that list of people? I know that Richard Connock is the Ombudsman and the Custodial Inspector and the National Preventative Mechanism, but surely the National Preventative Mechanism should be articulated in this legislation as another authorised person for investigating the register.

Ms ARCHER - Proposed section 25K(4)(c) actually says - I do not have it in front of me -

Ms O'Connor - 'A person approved by the person in charge of the custodial facility', or in (d) 'a prescribed person or body', which could capture the National Preventative Mechanism.

Ms ARCHER - Which 'prescribed', we could put in regulations. But in any event, the NPM is a pretty powerful mechanism. Yes, it is currently the Custodial Inspector as well, but it could already be covered by that prescribed clause I have just mentioned.

Ms O'Connor - Can I ask if it is possible after this bill passes, and before it goes upstairs, maybe just to have a look at that? We would have proposed to insert the National Preventative Mechanism into that, just in case. One day, it may not be the great all-rounder Richard Connock who is doing the three jobs. I take on board what you are saying about the powers of that National Preventative Mechanism, but in this act it should be explicit.

Ms ARCHER - What I was going to say before, and I know you used the same contribution to raise another issue, so on the first issue that you raised: it would be reasonable for my department to look at the issues you raised in relation to the definition, as well as this. As you know, I introduce at least two justice miscellaneous bills throughout the year. There is another one scheduled for October. Bearing in mind we have the budget session, it will not take that long to come around.

Members are aware that once we have budget it is then the winter break and then we are back. It is possible for my department to be looking at this and, bearing in mind what I have said about the framework and consulting with our reference group to ensure the community is comfortable as well, all of that is reasonable to be looked at in that time. I can certainly undertake to do that.

Ms O'Connor - Thank you.

Amendment negatived.

Clause 6 agreed to and bill taken through the remaining stages.

Bill read the third time.

APPROPRIATION (SUPPLEMENTARY APPROPRIATION FOR 2021-22) BILL 2022 (No. 14)

Second Reading

[3.38 p.m.]

Mr FERGUSON (Bass - Treasurer) - Mr Speaker, I move that -

The bill be now read the second time.

The Appropriation (Supplementary Appropriation for 2021-22) Bill 2022 provides funding to meet costs associated with the Government's management of COVID-19 as the

community transitions to living with the virus. The Supplementary Appropriation Bill of \$441.7 million allocates \$253.6 million or 57 per cent of the bill's total appropriation to COVID-19 related expenditure.

Over the past two years, the Department of Health and its hardworking staff have done an outstanding job keeping Tasmanians safe during these most challenging times and I thank them for their work. To continue to support their work, this bill allocates \$125 million to the Department of Health for costs associated with the management of COVID-19. In particular, this funding meets costs related to vaccinations, testing, hospital and ambulance resourcing, contact tracing, quarantine and the purchase of equipment, including personal protective equipment.

The bill also provides \$42.8 million to the Department of Communities Tasmania to support the extension of the Tasmanian hotel quarantine program, which was a key tool in ensuring the safety of Tasmanians as we managed the impact of COVID-19 in our state.

We recognise that while our economy is strong and many businesses are doing well, further support was also needed to assist some businesses as we transitioned to living with COVID-19.

Since the start of the pandemic, Tasmanian businesses have received more than \$160 million in COVID-specific support. This bill allocates \$40 million for the supercharged Micro and Small Business - Border Closure Critical Support Grant program. In addition, \$3 million is allocated to provide assistance to businesses impacted by the southern Tasmania COVID-19 lockdown in October 2021 and \$2.5 million in additional funding is provided to the JobTrainer Fund for key VET courses for skills and training in areas that have been experiencing staff shortages, including in aged care, IT and childcare. This range of funding support from the Government has enabled small businesses to better manage the impact of COVID-19 on their operations and continue to successfully operate.

The bill also provides \$21.8 million to the department of Natural Resources and Environment Tasmania for COVID-19-related expenditure. This expenditure includes \$11 million for costs associated with the state's ongoing border controls; \$7 million for Parks and Wildlife Service revenue loss; \$3 million for the expansion of passenger processing infrastructure at Tasmania's airports; and \$829 000 for costs associated with the Tas Traveller management system.

Continuing to provide our students with a safe learning environment has been a priority for the Government. This bill provides \$8 million to the Department of Education to provide for a range of actions that respond to COVID-19, including improvements to ventilation and the provision of air purifiers and air conditioning repairs.

In addition to the COVID-19 specific funding allocations, funding of \$105 million has been included in the bill to increase cash balances within the Tasmanian Risk Management Fund to reflect an actuarial assessment of increasing liabilities relating to workers compensation. This funding injection will ensure the fund has a sufficient level of financial assets to meet historic liabilities in the workers compensation category of the fund. As a self-insurance scheme, this is an appropriate and prudent financial approach for managing the fund.

Further funding of \$83.1 million is included for items that would normally be seen in a supplementary appropriation bill. Funding of \$7.6 million is allocated to the Department of Police, Fire and Emergency Management, including \$6.5 million for costs associated with the Police enterprise bargaining agreement and \$1.1 million to continue funding for the Child Sexual Abuse Joint Review Team.

Further, the bill allocates \$24 million to the Department of Justice. This includes \$12 million for the redress scheme and compensation payments to victims of institutional childhood sexual abuse; \$8 million for the Tasmanian Prison Service demand pressures; \$2.5 million for the Primary Producer Safety Rebate Scheme for farmers to implement safety measures that help reduce work-related injuries and deaths in farming; and \$1.2 million for the implementation of a wellbeing support program for the Tasmanian Prison Service.

An allocation of \$2.3 million is also provided to the Environment Protection Authority as part of its structural and organisational separation from the former department of Primary Industries, Parks, Water and Environment, or DPIPWE. This funding will provide the EPA with more resources and enable increased environmental regulation and assessment activities to be undertaken by the authority.

The bill also provides capital services funding of \$35.7 million, which includes \$26.1 million in funding brought forward for projects previously allocated funding in 2022-23. This is a clear demonstration the Government is getting on with its ambitious infrastructure investment program.

The MyState Bank Arena and Glenorchy Indoor Multisports Facility projects are allocated \$21.6 million in the bill to ensure the precinct is a world-class entertainment and multisport facility for all Tasmanians.

The Department of Education is allocated \$3.15 million for additional capital services, including \$1.5 million additional expenditure to accelerate the new Kinder-12 Penguin District School project, and \$850 000 to accelerate the works at the Southern Support School.

The Department of Natural Resources and Environment Tasmania is allocated funding of \$3.25 million for Parks infrastructure. This includes \$1.2 million for the Community Recovery Fund project for the restoration and reinstatement of Parks assets and infrastructure damaged or destroyed as a result of fires in 2018; \$1 million for the improved statewide visitor infrastructure project which provides a significant investment in our iconic national parks; and \$1.05 million for the strengthening and refurbishment of the Kanunnah Bridge.

The Government's priority has always been the health and wellbeing of the Tasmanian community and it continues to be the Government's focus. This bill provides the resources required by government agencies to continue our transition of living with COVID-19 and it also provides funds for those services and projects that build on our strong position and secure Tasmania's future.

Mr Speaker, I commend the bill to the House.

[3.45 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I will start by indicating that Labor will be supporting the bill. I also thank Treasury staff who made themselves available yesterday to

brief the Opposition in relation to the bill. A supplementary appropriation bill is not a new thing and they are not unexpected. Everyone has different challenges that have faced the Government during the course of that year and different levels of supplementary funding that are required to support the Government and its operations.

The bill seeks supplementary funding for operational and capital expenditure that was not included in last year's budget. In total this is a significant amount of \$441.8 million which was not anticipated and the parliament is asked to approve that additional expenditure. Although I have not had an exhaustive look, I believe it is the largest supplementary appropriation bill in Tasmanian history. The 2019-20 supplementary appropriation bill was around \$400 million so this is about 10 per cent higher than that. We are talking about almost half a billion dollars' worth of additional expenditure that the new Treasurer is asking the parliament to permit him to spend.

The Revised Estimates Report we have seen recently, I think it was in February, showed some of this new expenditure coming through into the budget. Obviously this is a further update and we will see revised estimates of expenditure or projections of what our expenditure has been included for this entire financial year in the upcoming Budget and then the final numbers in the annual report later this year.

The Revised Estimates Report showed we are heading towards Tasmania's largest ever budget deficit this year. That will beat the record the Government set last financial year which was also a record, and that beat the previous record for the largest budget deficit in Tasmanian history which was the year before that. We are heading towards a record this year of \$600 million in deficit, beating the record from the year before on top of a record deficit the year before that. There are significant deficits that have been experienced by the budget over the last few years, none bigger than this year, we expect, when we see the next lot of numbers and then the final numbers, but it is telling of the approach to budget management we saw from the previous Treasurer.

When I was reading through the second reading speech last night, something that caught my eye was \$250 000 to Basketball Tasmania for the refurbishment of the Kingborough basketball stadium. This is an interesting appropriation, small in the scheme of \$441 million but interesting nonetheless. I am quite familiar with this funding, in fact. I was actually there 15 or 16 months ago when the original discussions commenced between the Kingborough Council, the staff at the Kingborough Sports Centre and the JackJumpers in relation how the JackJumpers would come into that space, start training with their new team and work in with the local Kingston High School to provide them with training facilities and hopefully help to improve the site.

Since I was elected to this place I obviously have not been involved, but what I understand has been a bit confusing. The story from the Government on this funding continues to change. Effectively we first found out about this funding through a right to information request. It showed that in December 2021, former minister for sport, Jane Howlett and the Government had given \$250 000 - or was planning to - to the Tasmanian JackJumpers. At that stage it was thought to be an election commitment.

Being very passionate about the Kingborough Sports Centre, I thought that was unusual, because I had not heard about it. I had not seen a request come through from the council for that money from outside of the politics during that election campaign. Given my position,

I was well aware of what the Kingborough Council was seeking. That location was not included in that wish list. It was interesting that it had not been an election commitment.

Then it was later clarified by the former treasurer, Peter Gutwein, who subsequently said that the claim that it was an election commitment had been an error. That confused things. There was no mention of this funding. Then it was an election commitment that no one had ever heard of. Then it was not an election commitment; it was a mistake, an error. We now see today that it is included in the second reading speech as a \$250 000 grant not to the JackJumpers but to a completely different organisation - Basketball Tasmania. I accept this is a small part of the expenditure in the scheme of \$444 million, but it is an important one. Transparency is important and it is important that Tasmanians understand where their money is going.

I do not know what to think. What on earth is going on with this money? Is it money for the Kingborough Sports Centre? Is it money for the Tasmanian JackJumpers? Is it money for Basketball Tasmania? Is this a cover up, Treasurer? Is this a concern from the Government about the treatment of grants in relation to the conflicts of interest of former sports minister, Jane Howlett? It is difficult to know, but I look forward to hearing from the Treasurer on that expenditure.

As I have said, this is almost half a billion dollars' worth of expenditure that the Government is asking for in additional expenditure for this financial year. It is in the context of record deficits that we have seen for three consecutive years. If you accept what is in the revised Estimates report, annual expenditure growth this year compared with the expenditure there versus the actual expenditure from last financial year, there is about 15 per cent increase in annual expenditure in one year. The year before that was about 7 per cent and the year before that was about 7 per cent.

This Government is now tracking a very significant expenditure growth every year. The significant problem I have with that is every time I open one of their new budgets, they propose to cut their spending. They do projections based on spending less than they did the year before, but it never happens. Annual expenditure growth for 2019-20, 7 per cent; 2020-2021, 7.3 per cent, 2021-2022, according to the revised estimates report would be about 15.4 per cent. These are significant annual expenditure growths except for the year 2001, which I believe was the GST year which would explain the large expenditure growth that year.

It would also set a record in terms of expenditure growth for a Tasmanian budget. That is the context in which we are asked to consider this bill. It is not just the context of this year's Budget, or next year's. It is also in the context of the long-term physical sustainability of the Tasmanian budget. It has not been a big enough focus for the Government. I do not think it was sustainable.

I am not the first to say that having a premier and treasurer who was also the minister for Tourism and held various other roles had an incredible workload. I would argue, he had a very big say in the energy portfolio - incredibly large - to the point where it appeared that the new area at RecFit was reporting solely to the Premier and Treasurer and not to the minister for Energy. He chose for himself. You can argue that he did not trust these issues to his Cabinet. We know that he did not tell his Cabinet a lot. We are as sure as we can be that he did not take the floating stadium through Cabinet, nor the Commonwealth Games bid through Cabinet. Many decisions were made by the former premier that his Cabinet did not know about. We are

also fairly sure not many of the Government members knew that he was about to resign. They did not seem to know much about what was going on.

We do, because of the great work of the Department of Treasury and Finance. We have the Tasmanian Government Fiscal Sustainability Report that was put out last year. It is an excellent read if you are interested in the facts about how the Tasmanian Budget is going.

In the same way as you want to find out about how the economy is going, you can go to the ABS or speak to an economist. If you want to know how the Tasmanian budget is going, there is only one place to go and that is the Tasmanian Department of Treasury and Finance. They do an outstanding job in trying to ensure that we have strong, sensible, decisions made on our budget. They provide outstanding advice. What they need is a treasurer who is interested, who has the time and capacity to make the decisions that are in the best interest of our state.

The Treasurer, Mr Ferguson, yesterday, I think I am quoting correctly, said he was an 'economic rationalist'. I am sure he will correct me if that is incorrect. He said he is a rationalist. We will find out fairly soon because we have a budget in a few weeks' time. We will see whether the approach he will take is different from his predecessor, Mr Gutwein, who was the highest-spending treasurer in Tasmanian history, not by a little bit but by a lot. Will his approach change?

I think Tasmanians are quite comfortable with a little debt. They are quite comfortable with deficits that make sense to them, when it is investing in the things that are really important to them: health, education, and infrastructure that we need. However, we have not seen improvements in any of these things. Despite all the spending, what have we got to show for it? What have we got to show for record debt? Record deficit? We have education results that continue to get worse. Our NAPLAN results in 2021 were worse than they were in 2008. Our Health results continue to get worse despite the fact that we are spending so much more on it. It is about management. It is about ensuring that if we are going run deficits or increase the size of the debt, Tasmanians would expect to see something for it.

At the moment, it is hard to see. I have heard arguments to say the pandemic is causing this. The debt was planned for before the pandemic. The surpluses were diminishing before the pandemic. The surplus in 2018-19 was only \$66 million, the year before the pandemic. That had fallen from \$126 million the year before, and significantly from the year before that.

The budget was starting to run into problems. and we saw things like transfers from the TT-line to try to prop up and ensure that the Treasurer always got his budget surplus so he could stand in this place and say, 'We are in surplus', and a lot of the time we saw him ensuring he could come up with the number he wanted for the operating surplus as opposed to good management.

We have also seen over the course of this Government in terms of the fiscal sustainability of the Government and broader government, including government businesses, the continued increase in the debt burden on Tasmanian businesses, particularly our energy businesses such as TasNetworks and Hydro Tasmania, which continue to be laden with debt. That is a problem for them when it comes to investing in new infrastructure and we have seen the Government have to inject capital into new projects for Hydro Tasmania, for example, and that is at least partly because of the debt burden placed on businesses like Hydro Tasmania.

The important conclusions from the Tasmanian Government Fiscal Sustainability Report 2021, which are on page 7 of the document, say:

For all the scenarios analysed, the results show projected fiscal amounts that are manageable in the short to medium term. However, the size of the corrective action required to maintain sustainability increases over the projection period.

and that goes to 2035, Mr Speaker.

We know it will not be former treasurer Gutwein who deals with this mess that he created. We are wondering if it is going to be the Treasurer, Mr Ferguson, who deals with this and starts making some decisions about ensuring we are getting better value for money when it comes to spending on health and that we are managing services better. Tasmanians want to see better health systems, they want to see a better education system, they want good quality services and good quality infrastructure, but when you look at what we have from some of this spending, it is hard to see how we have spent so much but appear to have benefited so little.

I want to raise something else in the bill that the Treasurer mentioned in his speech. That is the Tasmanian Risk Management Fund. Again, I thank Treasury for providing the briefing because I was able to ask some questions in relation to this. The second reading speech is quite light on this matter and it is important that the House understands the issue being dealt with here. The Treasurer said that in addition to the COVID-19 specific funding allocations, funding of \$105 million had been included in the bill to increase cash balances within the Tasmanian Risk Management Fund to reflect an actuarial assessment of increasing liabilities relating to workers compensation.

That is a \$105 million funding allocation shortfall we are dealing with not through a budget but an appropriation, which I suspect shows the urgency of the matter. If it was not urgent, I suspect the Treasurer would deal with it through the Tasmanian Budget, but I would like to know if the Treasurer can provide more detail on the actuarial assessment and which agencies, in particular, are being impacted or this funding allocation is being made for. I understand it is not just about actual workers compensation claims but also projected workers compensation claims. Is the actuarial assessment based on the number of Tasmanian State Service employees having grown, for example? Is the Treasurer able to table or provide that actuarial assessment so we can be aware and it can be transparent about exactly what this is?

It is concerning to read this in terms of workers compensation. We know that health workers in particular, but workers right across the public sector, have had a really tough run, particularly through COVID-19. We know that there has been incredible stress on public services, particularly our hospitals and paramedics, across the healthcare system. This \$105 million funding allocation could be a sign of the real impact; that is not just a number. My point is, this is about real people, real health professionals who are making workers compensation claims for very good reasons, whether they are psychological or physical or any other kind of workers compensation claim. It is important that the House has a better understanding of exactly what this is because \$105 million included in this bill is a lot of money and potentially indicates a significant number of workers who are being impacted.

Can the Treasurer give us an idea of how many workers this is describing, and from which agencies these workers have come? The numbers of workers and which agencies have

been impacted or are projected to be impacted would be good to understand as part of dealing with this bill, because we could be talking about not just real impacts on people right now or that could happen in the future but also a significant budget risk that will have to be planned for, not just in the Budget in a few weeks' time but through many future budgets.

I looked into the Tasmanian Risk Management Fund which is a whole-of-government self-insurance arrangement for funding and managing specific identified insurable liabilities of participants. The fund is administered by the Department of Treasury and Finance and claims administration is undertaken by contracted fund administration agent JLT Public Sector. This is the Government insuring itself and its workforce for workers compensation claims. It is very important that the funding is there for them and that is why we are supporting the entire bill because we certainly support the Government having enough money to ensure that workers are well looked after, but we also need to understand exactly how many workers we are talking about. Then, potentially, we can start having conversations about how we can try to limit the numbers of workers compensation claims and ensure people are safe at work, as they should be throughout the Tasmanian public sector.

Mr Speaker, the bill is much more detailed than previous bills and I thank the Treasurer for that. The second reading speech is much more detailed than previous second reading speeches and details all the expenditure items that were not budgeted for but have asked for funding. They were read through by the Treasurer in his speech. One I mentioned was the Kingborough Sports Centre and that funding but we are also talking about, for example, \$4 million for the Ashes right down to funding for schools that has been brought forward as part of capital funding arrangements.

I make the point that this is the largest supplementary appropriation bill - I did not have time to go through all of them but I believe it is the largest. Last year's budget was delivered on 26 August last year so for the Government to have spent \$441 million, or be asking for such a significant sum of money, despite the fact that last year's budget is fairly recent, at least comparatively to it usually being delivered in May, is interesting to say the least.

The Treasurer's second reading speech talks about COVID-19. We all knew - and I think it was in then treasurer Gutwein's second reading speech - that we expected there would be unexpected expenditure due to COVID-19. The example we talked about in the briefing was the Rapid Antigen Test, or RAT. Back in August last year, the only rats people had heard of were the ones that crawled around your feet. Early this year, RATs became an enormous part of our lives in terms of rapid antigen testing. They are very expensive. Sadly, the Government had to procure a lot of them. I am sure that that is part of the procurement for the Department of Health and, potentially, other agencies for this supplementary appropriation.

We knew back then about things like preparing our schools for COVID-19. I am sure we knew that we would need to prepare to live with COVID-19 in August last year. We were not going to be able to stay COVID-19 free forever. We were not going to be able to hide forever and keep the borders closed for ever. At some stage we would get to that stage where we live with COVID-19. But when we see the expenditure for example on schools, it is hard to believe that we were not planning for the sort of capital expenditure that is discussed in the bill that is being appropriated as a supplementary appropriation.

Other states and territories were doing things like ordering air purifiers and getting classrooms physically ready for schools to operate where COVID-19 was a real risk, as

opposed to where we were where COVID-19 was not in the state. Again, whilst other states and territories had COVID-19 in those states right then and there, I expected to see the expenditure for those classrooms upgrades in last year's budget, as opposed to coming out of a supplementary appropriation back then.

It speaks to the preparedness of schools when we went back to school this year. We know the audit of school classrooms and the response to that order was not complete before kids went back to school. We know that Tasmanian students this winter are going to be severely impacted. I would not like to be a student. I remember going to school without heaters in the classrooms and it was cold. I do not know whether I would like to be a Tasmanian student in June with the windows open to ventilate classrooms.

A member interjecting.

Mr WINTER - If that does happen because the windows are now operating as intended, then that is good. It would have been better to be prepared with some of the other capital upgrades that should have been done to prepare schools earlier than was done.

I will sum up by going back to the fiscal sustainability issue and the challenge for the Treasurer. This new Treasurer has an enormous challenge on his hands, a bigger challenge than most Tasmanians know. It is a situation where we see the Tasmanian Government borrowing \$2 million every day; we have seen the largest budget deficits in Tasmanian history for three years in a row, and it is climbing. This new Treasurer needs to ensure that we have services that work for Tasmanians. We need to see improvements in those critical areas like Health and Education.

We have a budget deficit that is growing and we have warning signs from the Department of Treasury and Finance that say unless corrective action is taken, this issue is going to get bigger and bigger. The last thing we need is to continue to roll with the level of deficits that the Government has been putting out over the last few years and continue to see our debt grow to an unsustainable level. This week we saw the Reserve Bank has already increased interest rates. They are still very low in the historic sense, but they are now heading up. That will increase the servicing level for the Department of Treasury and Finance and the Tasmanian budget. That is money that we would rather see being spent on services.

It is a huge challenge for this Treasurer. I am looking forward to seeing his first Budget. I wish him well with it. He has a huge challenge.

[4.15 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, the Greens will be supporting this supplementary appropriation bill but we have a mountain of questions about it. As Mr Winter has said, I thank the Treasurer for providing substantial information. That is appropriate and something that past treasurers have not been in the habit of doing for some time, which disrespected this process of parliament in overseeing these appropriations.

This is an enormous amount of money. I do not think anyone would disagree that, in the current context, \$441 700 000 is very substantial. The question for me is the extent to which of these things that have come upon the Government in the course of undertaking business could not have been foreseen and which could have been foreseen.

With regard to the latter, I note the \$125 million allocation to the Department of Health. This is ostensibly to cover costs associated with the management of COVID-19. It is a matter of record that every year the Government under-allocates money to the Department of Health and every year the Government requires a supplementary allocation usually in the order of \$100 million or thereabouts. It changes from year to year.

It indicates a Liberal government that is unwilling to do what is required in the Budget in resourcing at least what can be foreshadowed, which is the necessary obvious increases in medical supplies and in staffing costs. Unfortunately, typically medical supplies in the health sector are subject to far greater CPI increases than other goods in the economy. Medical supplies were in the 12 per cent CPI increase when other departments might have been adjusting in days gone by with CPI in the 2 to 3 per cent increases or 4 to 5 per cent increases. Far greater costs are associated with medical hardware. That is a small part of the under-allocation of resourcing every year in the Health department.

The largest part is an unwillingness from the Liberals to understand the inexorable curve; the increase of people who will be coming through the door year on year because of our ageing and sicker population than other states in Australia. We have to plan for that principally through prevention. The job of any government should be to do what we can to keep people well and only using hospitals and other health services as a last resort.

It takes me back to the good old days when minister Ferguson in the early years as minister for Health was talking about the laudable aim of Tasmania having the best health for the country by 2025. Remember those days? They were the good old days - visions for preventive health. A fantastic committee was established with some very eminent Tasmanians, specialists and people in epidemiology and a whole manner of other clinical and general practice and specialist expertise. They made a whole lot of recommendations about how that could be done. After the recommendations were made that advisory committee was quietly shelved. The report was never picked up by the minister and the Department of Health. That idea ended up wafting away from Liberal policy. It was there in 2014 and disappeared under Will Hodgman in 2018. Off it goes; that is too hard. That actually requires systemic change and a much more substantial investment in health.

So, a \$125 million supplementary appropriation in this budget represents, for example, about half of the \$220 million that was taken out of the health budget by the Liberals when they came to government in 2014. It just goes to show that penny pinching in the wrong areas is something that you, as a government, will pay the worst sort of dividends for down the line in the future.

Here we are today, nearly eight years since the Liberals have been in government, and they still do not get it. Serial underinvestment in the health budget and the resourcing that we need into ambulances, nursing staff, so that we can actually pay nurses in Tasmania to keep them here; to pay them the same wage rate that nurses on the mainland get paid, and also so that their working conditions make it bearable for people who give their lives caring for us every single day to continue to work when the current ratio of nurses and midwives to patients is unacceptable. It is dangerous. It is against the national standards that have been set, the benchmarks for quality in health care and safety for patients.

You cannot be surprised if accidents happen or patients get sicker because they have not been able to be attended to in as timely a fashion, with as much diligence and care as they

require in order to prevent secondary infections or some other health outcomes to occur post-surgery or during their time in a hospital or a health centre. That is why we need to put the investment into our health services, and I really hope that the Treasurer will not be cutting any corners in that portfolio in the upcoming budget.

I want to talk about the money that has gone into vaccinations, testing, hospitals, contact tracing, quarantine, et cetera. There are large amounts of money that have been spent on COVID-19 health funding and they had to be spent. That is just the price of dealing with a pandemic. However, the way the Government is managing the current situation in the global COVID-19 pandemic demonstrates total cognitive dissonance, and it is actually written right here in front of us in the text. What we have is a government on the one hand, which recognises the costs of the pandemic and talks about the extension - here we go, \$42.8 million to the Department of Communities to extend the Tasmanian Hotel Quarantine program. However, the next phrase says, 'which was a key tool in ensuring the safety of Tasmanians as we managed the impact of COVID-19 in our state'.

It is not past tense: we did not manage it; we are managing it. It is not finished; it is ongoing. There is a future here and it is very anxiety-provoking for Tasmanians when this Government continues to give mixed messaging about the reality of the global COVID-19 pandemic. It cannot be over because people are still getting infected, new variants are still emerging and arriving in Australia. We have had four new sub-variants or variants of COVID-19 arriving in Australia and reported just this week.

We cannot have the continual warped politics of the Liberals and the Labor Party in all states of Australia who collectively are happy to pretend that they can put the pandemic on hold and get on with a federal election campaign, make merry with politics while Australians and Tasmanians are dying from COVID-19 at far higher rates than from any other disease, illness or incident in Australia, far higher than car crashes.

We have had 140 000 people already infected in Tasmania, the largest number of them since we reopened our borders only four months ago. I want to make the point very clearly to the Treasurer that if \$125 million on COVID-19 management seems like a lot of money, some of it is avoidable. Some of that could have been avoided because communities that have public health protections in place that are effective, those communities will slow the spread of infection. Fewer people will be infected, fewer cases of long COVID-19 will occur, fewer people will end up in hospital. There will be fewer people who need to isolate, more workplaces will be able to function more effectively, and more people will be able to be out and about in the community.

There are things that we can do. If the Treasurer wants to cut the cloth on COVID-19 spending the best thing he could do would be to have a chat to the Premier - the minister for Health - and remind him that we need to up our COVID-19 protections, not remove them.

I cannot go past the language of the Treasurer who says, 'while we recognise that our economy is strong'. Really? Isn't it time to actually talk about reality? We have a desperate cost of living crisis in Australia and Tasmania is the most expensive place in the country to live. Which part of the economy? Which strength are we talking about? Are we talking about the strength in the lack of houses that are available? It is completely false to talk about our economy being strong when you have people who cannot get housing. People are struggling to do basic things. They are not driving their car because they cannot afford to fill the tank

with petrol. That means they are not participating in the community and they are not enabling their children to do a whole range of activities. They cannot do these things themselves and they cannot get their children to places either.

I know it is the federal election but we should expect second reading speeches to have integrity in the language that is used.

Then we have \$7 million dollars for Parks and Wildlife Service revenue loss. This has been provided to the Department of Natural Resources and Environment for the impact of COVID-19. I am assuming - and, Treasurer, could you please confirm if this is the case - that this occurred because of a reduction in people attending - well, exactly what is it from? Could you please provide us with some more information? I assume it was over summer, after the chaos with the borders reopening and the rapid increase in COVID-19 infections in Tasmania which kept Tasmanians at home and people stayed home in droves to avoid becoming infected. Many people have pointed out that we had an opportunity to slow down the reopening of the borders. Obviously they need to be open, we do not want to live as an isolated island, but it is about how we do these things, and we opened up to a population that had not been exposed to COVID-19 without any mask requirements at all in the first five days, so that is one of the reasons it took off as fast as it did. I would appreciate an understanding of where that revenue loss came from. Did it come from tourists buying Parks passes? It would be interesting to understand that.

With regard to COVID-19 management and the \$8 million to the Department of Education to implement a range of actions in response to COVID-19, particularly improvements to ventilation, the provision of air purifiers, air conditioning repairs, window audits and repairs, that is excellent, that money has been spent and that is fantastic. It is depressing and concerning on behalf of our children in schools that the Government did not pick this up in the last budget. We talked about this, have been talking about this, the OzSage Group was on record from early last year warning that we needed to do upgrades of these government spaces, and indoor spaces particularly and especially schools, because children are very vulnerable and are sitting in classrooms in a static air system.

I would have thought \$8 million is a small amount of money to do the job that needed to be done and I expect we will be seeing more of that in the upcoming Budget. If he has the figures I would appreciate if the Treasurer could provide any more information because I know a large amount of it had to go into window repairs and enabling windows to be open. How much of it went to the costs of air conditioning repairs and air purifiers versus the kind of mechanics of opening up spaces and changing spaces? You might not have that information there.

Mr Ferguson - No. It would be a good Estimates question, but I do not have that level of detail today.

Dr WOODRUFF - That is fine. I have to digress for a moment and make some comments about Mr Winter's contribution, because in relation to the COVID-specific funding, allocations to the Tasmanian Risk Management Fund of \$105 million to reflect the actuarial assessment of increasing liabilities relating to our workers compensation debt and ongoing requirements, this is not my portfolio area but I recognise that this is a massive issue for the state, an ongoing legacy issue, and we will be required to meet those costs, as we should. Could the Treasurer please explain why \$105 million extra had to be provided into that fund? I guess

it was workers compensation for extra time that people were having off above and beyond the standard workplace conditions as a result of COVID-19 isolations; I am assuming that is what it would be.

Mr Ferguson - I do not think so but I will investigate that.

Dr WOODRUFF - The \$105 million is substantial; it is a quarter of it. It says it is to reflect the increasing liabilities relating to workers compensation. It is concerning. I have heard it said that Mr Winter is a hard-right economic rationalist. I have never yet had the experience -

Mrs Alexander - Who said that?

Dr WOODRUFF - It has been said he is on the hard right of Labor; I have heard that said. I am not on the inside track of Labor Party gossip but I was really shocked at the internal inconsistency in Mr Winter's speech. On the one hand he attacked the Treasurer for not cutting expenditure hard enough and was absolutely outraged. That is exactly how he started, by attacking the Treasurer for not cutting it hard enough, but then he said that government spending is so much more but we cannot see it, it is about the management. On the one hand he wants the Treasurer to cut spending because of the debt burden and on the other hand he wants there to be more money spent. Which is it? It is confusing.

Tasmanians need to know that it seems Labor is prepared to play politics on the issue of debt and it is important that it is not the number underneath the line that matters. It is what it is being spent on. Maybe Mr Winter could correct the record some time, if he cares to, to make sure people understand that is where he is coming from. It seems from his earlier contribution that he is just into cutting for the sake of cutting to make sure the number below the line is as small as possible.

On behalf of Tasmanians who are struggling to get a house and struggling to get health care services, that is a very dangerous position to take from somebody who, I guess, hopes to one day be a future treasurer of Tasmania. What we need for Tasmanians is to be looking at the issues that are important. We need to have fundamentally, as Mr Winter says, more money into health and education, but we cannot look at the budget without understanding that some things like responding to a COVID-19 pandemic are expenses that have to be met. From the Greens' point of view, we would put working towards making sure every Tasmanian has a house as one of those expenses.

Mr Speaker, there was \$8 million allocated for Tasmanian Prison Service demand pressures. What can we say? That speaks for itself. The Minister for Corrections and Rehabilitation has an appalling track record behind her for completely disregarding human rights commitments that we have made internationally. She has demonstrated time and again from her actions that as far as she is concerned prisoners in Risdon Prison are there to be locked up and the key may as well be thrown away.

The rehabilitation there for people so far has been appalling, but here we have \$1.2 million to implement a wellbeing support program. Let us hope that today's announcement of ending the idea of putting a northern rehabilitative centre at the Westbury Brushy Creek Reserve has meant there has been an epiphany and the minister has decided to get into the twenty-first century and understand that therapeutic rehabilitation, which means

putting money into services so that people have the skills and abilities to leave prison and integrate with the community, is good for everybody. It is good for the offenders so that they can return to the community and have a very low chance of reoffending; it is excellent for the community because there is less crime; and the best result is for the budget because the rivers of money we put into Risdon Prison could be spent on much more important things in society.

In this supplementary appropriation, we have allocated \$2.3 million to the Environment Protection Act to structurally separate the organisation from the former DPIPW, now the Department of Natural Resources and Environment. This has to be authentic otherwise we are wasting our \$2.3 million. This could be called \$2.3 million on a PR exercise.

We sincerely hope, for the Tasmanian environment, that is not the case. We have international corporations like JBS - the biggest protein producer on the planet - coming here; the Batista brothers, who are on record for their corruption, bribery, fraud, and workplace negligence. When you have those people coming to Tasmania, you sure as hell need some pretty good regulations to make sure they do not use the tactics they have used everywhere else, including in the United States. They have been serially fined in courts, found guilty and fined for breaching the Environment Protection Act, for dumping effluent in the United States, what is what they did on King Island.

It is unbelievable that the Liberals would not be concerned about JBS coming to Tasmania. That is exactly why there has to be a separation of policy oversight, as well as this structural and organisational separation. The state of expectation which currently stands over the board of the EPA has to be removed so that there are no directions to the director of the EPA to put the productivity of business ahead of protection of the environment.

Treasurer, there is a \$322 000 forward appropriation for spending on the northern correctional facility project. The minister has finally walked back on the crazy idea of putting a correctional facility in a nature conservation area, and in Westbury, which the community never accepted. We would really like to see, at least in the language describing the northern correctional facility, the words 'therapeutic' and 'rehabilitation'. We would like to see that driving the formation of any northern facility. We do recognise the need for northern prisoners to be able to be visited by their families, for people to be nearer to their communities. That would be a great thing, but it needs to be in an environment which is fundamentally not repeating the mistakes of Risdon Prison. We do not want to build another Risdon Prison, because then we get another powder keg.

Environments create human behaviour, they set people's emotions, they set the frame for culture and for the way that people are conditioned within the buildings. That is what all the evidence from the Scandinavian countries has shown. They should know, because some of them have successfully ended having anything like the prisons we have in Australia. Instead, they have much more hotel-like situations.

I have one last question for the Treasurer, and that is the \$2.3 million allocation for GFG alliance, for TEMCO. I do not understand why we were providing support to that. GFG alliance bought the Tasmanian Electro Metallurgical Company - TEMCO - and we are pleased that the 250 workers at the smelter have continuation of their employment. We want to understand why the Government made that contribution in particular.

[4.45 p.m.]

Mr O'BYRNE (Franklin) - Mr Speaker, I rise to briefly make a few comments and at the outset I echo the comments made by the shadow treasurer, Mr Winter, and Dr Woodruff on the briefing we received from your office and the departmental officials. It was very good and detailed, and explained a number of the questions that I had. However, there are a few that I will put on the record.

In doing so, I make the point that it is not unusual at this time of the cycle for an appropriation bill to come before the House, towards the end of the financial year, to ensure that there are allocations, or reallocations or transfers, from one budget to another to manage the budget.

It is not uncommon but, hooley dooley, this is a big one; just under half a billion dollars of allocation. This is a significant bill, a significant cheque that parliament has to write for the Government, even acknowledging the unique circumstances that COVID-19 has presented us. However, just under half a billion dollars of a budget the size of \$7 billion or \$8 billion is significant and needs the scrutiny of this House, and explanations need to be provided.

The point has been made from two perspectives about the sustainability of the Tasmanian budget. We are in a unique moment in time where the community is allowing governments, and they have a greater appetite to hold debt, to ensure that essential services are provided, that the functioning of our society is appropriate and people are looked after, particularly in what is, hopefully, a once in a 100-year circumstance such as the pandemic.

The problem we have is that there were already structural weaknesses in the Tasmanian Government budget position heading into COVID-19. The shadow treasurer, Mr Winter, referred to the Fiscal Sustainability Report. I would not recommend it as night time reading, although some people might think it is a cracker of a night time read.

Ms Ogilvie - Or would you recommend it? Might be good.

Mr O'BYRNE - It is quite dry but it is instructive and informative. It is an important document and it is independent of the Treasurer's office, as much as you can be these days. It is written by the Treasury department to give the broader community an understanding of where the department feels the state budget is heading. It plays out a number of scenarios - high revenue, low revenue, high expenditure, low expenditure - and it gives a mean position; if the current behaviour is continued, this is where the Government will be in the longer term to 2035, particularly in the document that was produced in 2019.

At the end of the Fiscal Sustainability Report of October 2019, even before we hit COVID-19, alarm bells were being rung on state Government management. Mr Winter is right: this Government would predict and would allocate that they would either reduce spending or have a low increase in overall Government expenditure. They failed, and missed that mark each year, with increased spending. That, in itself, is not a problem if revenue is increasing. However, up until COVID-19, this Government was plugging the holes with GBE dividend raids. For the year prior to COVID-19, nearly \$200 million was taken from Hydro in regular and special dividends. That is unsustainable and so, the expenditure of this Government was increasing and was being plugged, not by an increased revenue per se, it was an increase in using the GBEs as an ATM. That in of itself is unsustainable.

When I was on the Public Accounts Committee and we sat down with the then treasurer, Mr Gutwein, prior to COVID-19, we raised the concern that one of the scenarios which would be low revenue, high expenditure, would put the budget position on an unsustainable position into the forwards - a significant and an unmanageable debt. Debt, if it is manageable is accepted and people have an appetite to hold debt. However, unsustainable debt creates a massive problem for the ability of a state government, particularly given the nature of our state Government in terms of the revenue basis we currently have and rely heavily on. If it is unsustainable we will not be able to provide essential services to Tasmania.

When we raised this high spending of low revenue/high expenditure scenario, the then Treasurer dismissed it saying - 'Oh well, we are in a low-interest rate environment. Things are going pretty well. The economy is travelling well'. The rainy day was not on the horizon for the then treasurer. We and a number of people, at that stage, raised concerns with the structural strength of the Tasmanian budget, but we were dismissed. Lo and behold, you cannot predict a pandemic and the economic shock that it brings, but you need to prepare for it, like the state's Labor government did in the lead-up to the global financial crisis where we had enough reserves to respond, and to hand over to a new government in 2014 zero net debt.

We were already careering towards \$1 billion of net debt heading into the pandemic and we have the circumstance now where we are forecasting significant debt for the Tasmanian budget which will, no doubt, have at some stage a calling card that will be called on a government in future to make some pretty tough decisions to ensure we have a sustainable budget.

I do not accept the rhetoric from the Government that the budget is in a good position. It is not. You have the goodwill of this parliament over the last couple of years to expend more money than what you would have normally because of COVID-19. There is goodwill around that. There are expectations that that will be spent well but there are expectations that any government needs to manage the budget sustainably. The point has been made - what do you have to show for the massive debt? For the purposes of brevity as best I can, I will not go into the significance of that, but that will have consequences for Tasmania in the future if there is no clear, coherent strategy to manage that sustainably.

Turning to the bill, in terms of the appropriations being allocated that have been identified and, again, I acknowledge this is the most detailed appropriation second reading speech and subsequent briefing I have received whilst being on the oppositional crossbench and I thank the Government for that. The openness on that is appreciated and hopefully that is a new leaf that has been turned. If you could provide the parliament with the letter of comfort from Treasury to the previous treasurer over the sale of the gas turbine in the Tamar Valley, that would be another expression of goodwill from the new Treasurer.

Mr Street - AJ Pumping has gone straight into your ear.

Mr O'BYRNE - He has already said that? I have missed that. Hopefully, the Treasurer can continue in this vein.

I have a couple of questions. There are two references to the Tasmanian hotel quarantine program. There is the \$42.8 million as part of the Department of Communities Tasmania to support the extension. Correct me if I am wrong, minister, and I hope I am not confusing this but it seemed to be that the Tasmanian hotel quarantine program was not a specific allocation.

It was assumed from the Treasurer's Reserve that that could be accommodated, but I understand that is not the case but for the purposes of this bill, \$42.8 million has been allocated to that program. Also, through Finance-General, there is \$8.46 million provided to meet the cost charged by other jurisdictions to Tasmania for Tasmanian residents who are required to hotel quarantine after returning from international travel. They are two specific allocations which are clear but, at the time there was much fanfare and much discussion from this Government about the Australian Government and the COAG-related agreements between the states and the Commonwealth about responsibility. Who will be responsible for which patron?

I know we hosted a number of fruit pickers who were coming to Australia. Because of the low-risk jurisdiction they were coming from we were the best-placed jurisdiction to provide that support. Did we receive funding for that? Has that been equated, or has that been transferred in and out, which has a context to the \$42.8 million and also the \$8.46 million. Treasurer, within that package could you outline what is the out in terms of the quarantine obligations for Tasmania, not only the international, not only the remit to other jurisdictions, but also the allocation for the quarantine program that was run within Tasmania?

I want to talk about the Education department allocation of \$8 million. It would be interesting to know, for example, the allocation and the breakup of the air purifiers and air conditioning as opposed to maintenance for ensuring that the windows could work as intended, opening and closing. I echo the concerns of other members about the coming winter. We all felt the chill this morning. Imagine being in a classroom with the windows wide open and trying to keep focus and trying to keep learning. I confess, that is something of concern for most parents and most Tasmanians. Could the Treasurer outline, of that \$8 million, which is maintenance and which is new capital? I know that some of these things are not very expensive but it does add up.

Mr Ferguson - I have some but not the full extensive detail.

Mr O'BYRNE - Okay, as much detail as you can give I would appreciate, Treasurer.

Regarding the Tasmanian Risk Management Fund, \$105 million for that, I know that this self-insuring fund needs to be solvent and needs to ensure that it can have the capacity to deal with claims as they come in. From the briefing, I understand there has been an increase in a particular nature of claim which has put pressure on that fund. It would be good to hear from the Treasurer why that has changed. Is it COVID-19 related? If it is not COVID-19, is it the risk to the state or a liability to the state, is it a structural change in the payments out of the fund or is this a one-off to manage? I know the actuaries have a particular way of going about this.

I understand from the briefing that the \$105 million was the recommendation minus an existing allocation within the budget. That makes sense to me. My question would be, when was the last time the Government had to inject money into the Risk Management Fund and how much was that? The Treasurer cannot crystal-ball it, the actuaries will have it in hand, but does the Treasurer have any concern about subsequent financial years and what the obligation of the state will be? Is it a structural change in the claim basis which is putting pressure on that fund, or is it a one-off to manage? That would be good to hear from the Treasurer.

Two other matters that I will raise, not wanting the Government to pat themselves on the back too much, but \$4 million to Cricket Australia for the Fifth Ashes Test. That is not an insignificant amount of money. How was that arranged? How was that arrived at, I suppose

would be the question. What was the final piece? Was that the best offer on the table, I suppose?

The other question I have is about the \$322 000 allocated to capital services funding for expenditure on the northern correctional facility project. Given we had the announcement today that is of concern to me. Is that a reprofiling? I understand it may be, bringing that payment forward but in the scheme of half a billion dollars, \$322 000 does not seem significant. Given the ham-fisted approach the Government has taken to progress that project, what percentage of the total cost has been spent on that is that \$322 000? Does this then mean that because you have reprofiled it there will be extra cost in next year's budget?

If the Treasurer could illuminate us on those matters that would be good. I have gone on longer than I would have hoped. I thank your office and the department for their briefing. It was very informative. As I said at the outset, these supplementary bills, appropriation bills, are common but this is a big one.

Sitting Times

Mr STREET (Franklin - Leader of the House) - Mr Deputy Speaker, pursuant to Standing Order 18A, I move -

That for today's sitting the House not stand adjourned at 6.00 p.m. and the House continue to sit past 6.00 p.m.

Motion agreed to.

[5.01 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, I only have one question for the minister that I want to put on the record. I am sure, given your previous portfolios, you probably have some knowledge about it. During the briefing provided to us on the appropriation (supplementary appropriation) bill there was a reference to the escalating workers compensation costs and the actuarial advice that the Government had received. In that, an example was given about police. I am not saying that you said it was all the police's fault that we have this increase but that example was given, which led me to the question that I have because we do have some significant issues in workplace workers compensation for police.

In October 2019, we had 85 officers with open claims; 32 were psychological claims; and 53 physical. In March 2022, there are 139; 88 psychological; 51 physical, and so 139 of our 1401.7 FTEs, or 9.9 per cent, of the workforce with an open claim on workers compensation. I understand that that has led to a premium for the Department of Police, Fire and Emergency Management or for police going from \$1.8 million to \$9.8 million, which is a five-fold increase. We are seeing a significant increase in workers compensation costs. They are predominantly psychosocial. I am told from the force that about 8 per cent to 10 per cent are actually being treated for health issues without claiming workers compensation. There is a vast number of police officers particularly with psychosocial issues but with other issues who are not making claims. They are either managing it themselves or not managing it themselves very well. I know the police association provides support for some of those.

Given this bill deals with that, there is currently not enough money to manage the expected workers compensation costs, can you let us know where you are with the review that I understand that has been taking place about the workers compensation structure of DPFEM? Clearly that is going to have another level of cost, or not, depending on where the findings might end up. The winter review, I understand, has been completed and is out for some conversation, but we have not seen a copy of it yet. Can you update the House on that review and its implications for the budget as we stand today and the bill we are dealing with today and potentially the ongoing implications? I understand that there are some 23 recommendations which will come with significant cost. My question was a very specific one and I will appreciate you addressing it.

[5.04 p.m.]

Mr FERGUSON (Bass - Treasurer) - Mr Speaker, I thank my parliamentary colleagues for the debate. I might not go through individual speaker's questions in order. There are a number of themes but I have noted the issues and questions that have been raised by each previous speaker. In many cases I will be able to address them together given the overlap and the commonality of the number of those areas.

Thank you for the support. The Government is grateful that matters of this nature can be dealt with, with the level of support that has already been expressed around the House. It is important that the parliament of the day always make sure government spending is always able to be provided and appropriated by the parliament, as is proper, to ensure that the public service can continue to be paid and to do its excellent work and be supported.

It is a large appropriation, there is no doubt about that, and it was important in my view that I would provide the House with the level of detail underpinning this supplementary appropriation bill as I would want if I were in opposition, so I have adopted this approach and I think everybody has acknowledged that. You probably would have asked the questions during the debate anyway so I thought, 'Let's put it in the speech'. I have done that, and a number of members have also taken up the offer of a briefing during the week. I understand that has probably added some further comfort around the reasons for the different amounts for each agency provided within the bill. That is how I intend to continue in this role for however long I occupy it.

It is the case that the Government in the 2019 budget, before the pandemic, embarked upon a significant increase in our infrastructure program. I think in 2019 it was \$3.6 billion, which for us was a massive increase in the headline infrastructure program. We acknowledged in that budget that we were building our future and we would acknowledge that there are economic headwinds coming, and we would agree and accept a level of debt for intergenerational assets. Six months later the pandemic hit and it is the case that going into those unprecedented times, as we so often called them, the budget took a wallop for sure but our economy did as well.

This Government, and I will say this House, was extremely quick to act to support Tasmanian businesses that were told to close and support Tasmanian family budgets in the best way we could through a range of utility supports and measures that had been struck, and to support our community organisations to ensure that people in vulnerable circumstances would be supported. We spent a lot of money during those two years. I remember Mr O'Byrne was the shadow treasurer and he said when you need to spend more that will be agreed to as well, and it did happen that way through two budgets. I did paraphrase you fairly accurately,

Mr O'Byrne, because I remember the generosity of spirit it was said in at the time. It gave the Government confidence to be able to continue to listen to health advice.

I acknowledge the Opposition and Mr O'Byrne for doing that at the time, because at that time the politics was well and truly out of the picture in making sure that the government of the day, in this case our Government, was able to continue to govern, support people and do everything we could to not only save lives but to save businesses and the future potential of businesses that were going through a period of no income.

It was a great partnership with the federal government through JobKeeper. I will never forget that Sunday afternoon when that was announced. It was probably one of the biggest moments of relief, economically, we experienced. I remember telling many businesses around the state to get onto it and this is how you do it. Man, oh man, there was an incredible range of reactions and we have discussed that before. We are continuing to work through this, even dealing with costs to government for a range of programs including some we have been lobbied to include like the supercharge business support program. These were costs that were not anticipated at the time of the last budget, so we acknowledge that.

I also point out that the majority of these funds were noted in the Revised Estimates Report which was published in February this year. In many respects I will acknowledge, with a number of small exceptions such as the Ashes Test funding or the GFG funding for Liberty Bell Bay, with those few exceptions the Tasmanian Risk Management Fund will be perhaps the number that was news to most members of this Chamber and I will certainly come to that in detail as well.

I would like to be clear, though, that the Government, in moving to bringing the Budget down just three weeks from today, will be working closely to ensure that this Budget and any future budget ensures that we protect businesses, protect confidence and continue to fund essential services. We will continue to keep a very close eye on the level of appropriate borrowings so that we can get the balance right for future generations of Tasmanians as well. I do not want any member of this House, whether they are government or opposition, to accidentally fall for the idea that we are in an unsustainable position. That is a great way to destroy business confidence if you want to run around and start talking like that.

The case is that here in Tasmania, while we have accepted a level of debt, we have the lowest level of debt in the country of any jurisdiction - and before you ask, that includes when you compare our states and territories per capita. We are in a great position relative even to our peers. Have a look across the water at the results in Victoria in the last few days and you will see that they have gone from a forecast of, I think, an \$11 billion deficit to \$17 billion, for the reasons that are local to that jurisdiction.

We are in a good position and we need to keep it that way. I will not be forecasting anything that will be properly brought forward as part of the Budget, but this House will continue. We will need to continue to work together, perhaps with the occasional political point made on the way through, to continue to keep Tasmania in a strong financial position and to protect the economy and economic interests of our state, which as we know is leading the nation right now. We need to keep our state finances mindful of the pressures that are outside of government and also looking after our business community. That is how we protect jobs going forward.

I will not give the House any further lectures about responding to lectures I just received on net debt and finance and management, but that is my brief response and I do not intend to labour the point.

I would like to go now to answering some of the questions that have been raised by members opposite. First, Mr Dean -

Mr Winter - You do that all the time.

Mr FERGUSON - I beg your pardon, I have done that a few times. I do not mean to. If ever you hear me say it you must remember I do not do it deliberately. It is a weird thing.

Mr Winter, in relation to the range of matters you have asked me about, you asked specifically a range of questions around the Tasmanian Risk Management Fund or TRMF. Dr Woodruff also did, everybody did - Mr O'Byrne and Ms O'Byrne. The Risk Management Fund is our fund. It is an asset fund. Treasury and Finance commissioned an actuarial assessment of the fund to ensure that. It is certainly not about solvency. I heard that word used today. It is about the prudent level that the capital fund needs to be at to ideally meet current and future liabilities. That is a science all of its own. Actuaries are few and far between and highly paid. It is a complex piece of work which I dare say, with respect, is outside of the scope of any member of parliament.

Treasury engaged that work in order to get a proper assessment, or reassessment if you like, on what the fund ought to contain. I take this opportunity in my own paraphrasing to say that while the House is being asked to appropriate those funds from the public account, they are effectively being transferred into the fund and until those funds are drawn down, remain an asset.

Mr Winter - Will you provide the report?

Mr FERGUSON - I will not be providing the report. I have been advised that I should not do so because it is not of a nature that should be publicly released. I will go as far as I can to describing the inputs and the factors that a number of colleagues have asked me about in how that figure was arrived at and the reasons why.

Mr Winter - Okay, just do it the hard way, then.

Mr FERGUSON - It is not the hard way. It is what I have been advised is appropriate. The question arose as to why it would not just been put in the Budget in three weeks' time. I am following through with the recommendation of the Department Treasury and Finance that if this is the prudent funding amount recommended for this financial year, then we should have it appropriated in this financial year.

I believe that this advice was not provided to government prior to the development of last year's budget. If we did not do this, you would need to do it in another year, and premiums would be higher. This also helps to ensure that agencies are not having over inflated premiums going forward because the prudent level had not been added to in the way that we are asked to today.

Annual agency contributions to the Tasmanian Risk Management Fund are based on the recommendations of an independent actuary. In its recent review of the funding position of the fund, the actuary projected there would be a shortfall in assets compared to the estimated value of liabilities in the funding position for workers' compensation personal injury assets by 30 June 2022. Funding required was \$125 million; funding of \$20 million to meet the shortfall was able to be managed within the fund, utilising an excess that existed in another risk category. The balance of the shortfall today, being \$105 million, will be met from the supplementary appropriation funding.

I think three MPs asked me about the reasons for it. The primary factors contributing to the shortfall in the workers' compensation funding position include: the growth in the number of employees across the State Service; the growth in agency salary budgets due to the continued growth in the public sector workforce; an increasing number of workers' compensation claims in recent years; and an escalation in associated claim costs, particularly with respect to claims for psychological injuries.

Mr Winter - Do you have any specific numbers?

Mr FERGUSON - I will seek that advice for the moment. If it is available, I will provide it.

Mr Winter - Thank you, Treasurer.

Mr FERGUSON - These increased costs surpassed agency contributions - if you like - agency premiums to the fund in recent years. That is the reason that has led to the current shortfall. It could be said that we are catching up, and the actuary has made that assessment.

The key driver for the escalation in workers' compensation claims cost is the increasing number of claims. The type of injury, especially the type of injury including psychological injuries, is often complex to manage and can result in substantial delays in return to work. In its recent review of the funding position of the fund, the actuary identified that psychological claims are more costly than physical claims. Recent amendments to work, health, and safety legislation have also contributed to the increased frequency and cost of claims. Members here would be more than aware of the changes that the Government made, after having undertaken a review, in relation to more generous supports for people with a workplace injury.

In broad terms, there have been increases in psychological claims across nearly all agency fund participants in recent periods. The actuarial analysis indicates that the number of psychological claims as a proportion of total claims have increased over time. In 2017-18, the average proportion of psychological claims was approximately 15 per cent. In the three years from 2019 to 2021, the average increased to approximately 18 per cent. In the six months to December 2021, the average increased to 24 per cent of total claims.

Earlier I said that those claims were also usually more expensive than physical claims - of physical reasons for people being off work on workers' compensation and hopefully working towards returning to work.

I will see if there was anything further to your interjected question, Mr Winter.

Mr Winter - It was a Basketball Tasmania question.

Mr FERGUSON - Are you happy with my answer now on the Tasmanian Risk Management Fund?

Mr Winter - Yes, I am. It was fantastic.

Mr FERGUSON - I have a further response about TRMF before moving to other matters. The TRMF annual report is publicly available. I have been recommended to point you in that direction. It provides relevant data and detail.

Mr Winter - For last year?

Mr FERGUSON - Yes. If there is anything further required, perhaps it might be a line of questioning at Estimates hearings.

The basketball question posed by Mr Winter: the additional funding is required to meet the commitment for the \$250 000 for the refurbishment of the Kingborough Basketball Stadium and the purchase of new equipment and signage.

Mr Winter - Why is it going to Basketball Tasmania?

Mr FERGUSON - It is for the Kingborough Basketball Stadium. I am certain from previous debates in this House and question time where former premier Gutwein was questioned on this in the month of March, it was explicit that this was part of the engagement with the JackJumpers.

Mr Winter - This was going to the JackJumpers. Your statement that you read to the House said that it was going to Basketball Tasmania. The previous advice was that it was going to the JackJumpers. They are two different entities, so I am confused about whether the \$250 000 is going to the JackJumpers or going to Basketball Tasmania.

Mr FERGUSON - I will seek advice as to the correct name of the organisation but it is to the Kingborough Sports Centre to facilitate the upgrade as well as equipment purchases. The information I have to hand is as follows:

The project being funded includes a coach's office, a physiotherapy and recovery room, a kitchenette, players' lounge and a new courtside storage unit to house all JackJumpers-specific equipment. Four new ring leader backboards will be installed as the existing side baskets are not suitable for use by NBL athletes.

The project is due for completion in October. Who owns the Kingborough Sports Centre?

Mr Winter - Council does.

Mr FERGUSON - I will seek further advice and clarity as to the recipient to do those works, if you will provide me the opportunity.

Mr Winter - Your speech says Basketball Tasmania was getting the money.

Mr FERGUSON - Mr Winter, if that is a mistake I will advise the House, but I will need to take it on notice now. Is that okay?

Mr Winter - Okay.

Mr FERGUSON - But that is the purpose.

Dr Woodruff asked why Parks need the additional funding. Is it because of fewer people visiting? My advice is that is exactly the reason for the revenue loss experienced by the Parks and Wildlife Service. I am advised additional funding is required for the Parks and Wildlife Service, as COVID-19 has continued to impact revenue collections from park entry fees, lease and licence fees also and business enterprise operations such as the Overland Track and Three Capes Track.

I am advised parks and reserves in Tasmania, which underpin our economy and the visitor economy, have experienced some of these deteriorations which have led to that revenue loss. The advice I have is this allocation is for Parks and Wildlife Service revenue loss: \$7 million allows operations to be maintained at the existing levels even without those visitor numbers, which directly supports the recommendations of PESRAC council to ensure that local demand is maintained and to support enterprise recovery.

The answer to the question is yes and I hope that extra information is useful.

Dr Woodruff - Thank you.

Mr FERGUSON - School COVID-19 funding breakdown was requested and I do have something for you on that if I can make sure I have the right page, but I will not be able to provide you a detailed breakdown by windows and air-conditioning. In addition to existing departmental resources, an additional \$8 million is required to implement the measures, that include the improvements to ventilation, the use of air purifiers, upgraded outdoor learning areas - which I had not mentioned earlier - as well as a continued focus on hygiene, social distancing and site management, including cleaning.

In addition to those existing resources an additional \$8 million. I am advised as of 31 March 2022, \$5.23 million has been spent already on improvements to ventilation and outdoor learning facilities across schools including a \$3.2 million for air purifiers, and approximately \$1 million for outdoor learning. I am advised the remainder is on the other improvements. Mr O'Byrne also asked about that. If a further breakdown is required, I advise you to take that up with the Minister for Education.

Dr Woodruff - Sorry, did you say \$5.23 million for purifiers?

Mr FERGUSON - No, what I said was as of 31 March 2022, that figure, \$5.23 million, has been spent on a range of improvements including \$3.2 million for air purifiers and \$1 million for outdoor learning and the remainder on other improvements.

In relation to quarantine arrangements, Mr O'Byrne, I will provide you with what I have here. Since 2019-20, \$144.5 million has been expended on the Tasmanian hotel quarantine program. This cost is inclusive of wage subsidy, provided to some workers such as hotel and security staff. The total cost of hotel quarantine does include the costs associated with the

states agreement with Victoria to provide entry and pathway for Victorian seasonal workers. Total cost of \$144.5 million excludes funds reimbursed by the Victorian government which total, I am advised, almost \$13 million to date. These funds have been returned to the public account. Adjusting for these reimbursements, the net cost is approximately \$131.5 million; a lot of hotel rooms. I

n relation to the 2021-22 budget, you asked for the ins and outs - I hope this provides you with what you are asking - the original budget allocation of \$30.5 million in the 2021-22 budget. This was an estimate based on the hotel quarantine arrangements ceasing in December 2021. Of course, the Government extended hotel quarantine arrangements to 31 March 2022. The total cost for hotel quarantine in 2021-22 is estimated to be \$73.3 million; accordingly, a supplementary appropriation of \$42.8 million is required. How is that? Great. Thank you.

The hotel quarantine arrangements have ceased. No further costs for hotel quarantine are expected at this time.

I have had a note passed to me from my adviser regarding Mr Winter's question. It would appear there is an error in the speech - the payment for the purpose at Kingborough, knowing as it was for the JackJumpers arrangements. It should have said Tasmania Basketball Pty Ltd, not Basketball Tasmania. Tasmania Basketball Pty Ltd is the company trading as JackJumpers, to answer your question. That indicates there is an error in the speech which I will make sure, having put it on the record here, is updated before the Leader of the Government in the Legislative Council presents the debate in the other House. I apologise for the error.

Finally, a few minor matters. The Environment Protection Authority funding - Dr Woodruff said it needs to be real for the EPA to be independent and it is real. The extra funding, I trust, will be utilised to allow EPA to embark on that new mandate with a greater level of independence than has been the case before. I do not have anything to add in relation to the Northern Correctional Facility except, perhaps, to take those comments as noted and with respect to the GFG Alliance - \$2.3 million, quite frankly, that could be the best \$2.3 million that the state has spent. It has secured that facility. It was an incentive for investment that was negotiated between the proponent, GFG Alliance, the Gupta Family Group and negotiated through the Office of the Coordinator-General.

Many would realise in this House, perhaps more than many in the community, that business was in significant peril under its previous owners, South32 - what we all know as TEMCO. It was struggling and the Government was very restrained in what we said publicly about that. Very fortunately, the manganese smelter has seen a range of initiatives implemented to secure the business, even under the previous owners who I would like to say were exceptional to work with. When I was Minister for State Growth I had regular meetings with South32, together with the Bell Bay Advanced Manufacturing Zone organisation, Bridget Archer, the federal member, and the then Minister for Industry, Karen Andrews. We had to keep it tight because we did not want to disturb commercial arrangements and the company was very prudently in agreement they would continue to work with us and not make any sudden decisions. Divestment was an option. There were a range of options as well.

In the meantime, the Government made an approach to the Gupta Family Group and then engaged with the Office of the Coordinator-General. The Government is absolutely thrilled that incredible facility with its remarkable history, together with its 250 jobs has effectively been saved as a result of that strong investment by a GFG and now trading under its new name

of Liberty Bell Bay. Not only have they taken on that smelter, but they have already repaired one of the smelter units that was off-line and have incredible plans in the future to expand the plant even further. Many members of this House were present recently at Liberty Bell Bay as guests of the Gupta Family Group, including Mr Winter; me; and the acting Premier at the time, Jeremy Rockliff who then became Premier.

Mr Winter - You arm-wrestled, I think.

Mr FERGUSON - That was a pretty special morning because Mr Gupta said some very kind things about me and all I can say is every member of this House, I am certain, is extremely pleased with that outcome and what we have been able to do with that quite modest investment attraction payment to be able to help them find the way to make that investment. If anything, it reminds me of the importance of the Office of the Coordinator-General to attract investment to our state and while we wish them well, we know there will be bumps along the way. There always are with these industries and with an industry that has a lot of connection to metals exchange prices, for example.

It has been a stunning result for our state. One of the reasons that the GFG Group was so attracted to this is because it adds to their ambitions for green steel. They are able to produce manganese products out of Bell Bay using renewable energy. It adds to their vertical integration, which they want to achieve. I think it is exciting. It is exciting for that organisation and it is exciting for our state. I got a bit passionate there, but I am glad you asked, Dr Woodruff. I could not be happier. There are 250 families, plus the contractor families at George Town community and around Launceston who have a great sense of optimism for the future, which is not always the case when we look to major industrials that are going through major challenging times.

In conclusion on that matter, I do not want to talk down South32; they were exceptional to deal with. They acted in a way that protected the longer-term interests of that plant. They agreed to hold off on making any decisions at the Government's request. We could not be more pleased with the way it has landed. We will continue to work closely with all of our major industrial businesses across Tasmania, large and small.

I will close the debate there. I believe I have responded to every question as best I can. I thank members across the Greens, the Labor Party, and Independent - I think - for supporting this legislation today. I thank the House.

Bill read the second time.

Bill read the third time.

POLICE OFFENCES AMENDMENT (WORKPLACE PROTECTION) BILL 2022 (No. 15)

Second Reading

[5.37 p.m.]

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

That the bill be now read the second time.

Mr Speaker, the Police Offences Amendment (Workplace Protection) Bill 2022 repeals the Workplace (Protection from Protesters) Act 2014 and amends the Police Offences Act 1935.

The Government has been elected three times with policies designed to further protect the rights of workers and to deter unlawful interference with workplaces. For some time, businesses in Tasmania have been adversely impacted by the actions of individuals and small groups, and it remains an issue today. We want to deter people from this aggravated, unlawful conduct that has such significant economic impact on businesses and workers in these sectors.

Importantly, there are also the psychological impacts for people going about their daily work who are confronted with these unlawful disruptions. We also seek to protect those persons who foolishly place themselves, and often others, at risk in their attempts to disrupt business activity. The Tasmanian Government condemns these actions. They are unacceptable, and our law and penalties must clearly deter this behaviour and support people who are going about their lawful business. This problem is not unique to Tasmania. Several other jurisdictions have taken the necessary step of introducing legislation to curb these types of activities.

In New South Wales a spate of unlawful activity shut down major roads, costing the community millions of dollars in direct economic loss and lost productivity. In response this year, the New South Wales Government passed the Roads and Crimes Legislation Amendment Bill 2022 to deal with the illegal activity blocking major roads or facilities, in addition to existing road obstruction offences. Like other jurisdictions, New South Wales has also introduced higher penalties for trespass that obstructs business and undertakings.

In 2019, the Queensland Government passed the Summary Offences and Other Legislation Amendment Act 2019 to address the use of dangerous lock-on devices, recognising that those devices were designed solely to maximise the disruption caused to workers and members of the public.

Similarly, the Criminal Code Amendment Agriculture Protection Act 2019 passed by the Commonwealth Parliament created two new offences relating to trespass and property offences on agricultural land. This legislation was in direct response to the actions of those people inciting serious trespass on a number of farms throughout Australia. Such conduct could cause the contamination of, or interfere with food production, and poses a significant biosecurity hazard.

Such legislation recognises that the freedom of political communication does not mean unreasonable obstruction of lawful business viability. Like those jurisdictions, Tasmania needed to take action to further protect the rights of people going about their lawful business. We took action with the Workplaces (Protection from Protesters) Act 2014 but, of course, accept that the High Court of Australia and *Brown v. the State of Tasmania* found certain provisions of that act relating to forestry land are invalid. This was because they were found to impermissibly burden and the implied freedom of political communication contrary to the Commonwealth Constitution.

However, importantly, a majority of the judges of the High Court considered the purposes of the act was valid. This bill gives effect to the fundamental purpose recognised as valid by the High Court, fulfilling the Government's commitment to workplace protection. It protects people who are undertaking lawful business activities. People should be able to earn a living without trespasses obstructing businesses and undertakings or unreasonable obstruction on roads.

The Police Association of Tasmania has expressed strong support for this objective. In utilising existing offences and new penalties to clarify the law for this proper purpose, the Government recognises that freedom of communication, including protest, is a fundamental right. It has been called the touchstone of all human rights and it allows ideas to be tested and inform political debate. The Government recognises that businesses may need to accommodate some levels of disruption due to the legitimate expressions of these rights.

However, the bill recognises there are limits to all rights, particularly when businesses suffer substantial disruption. For example, the implied freedom of political communication does not permit people to trespass on the land of others only because the person entering the land wishes to make a political point or a statement. As a former Chief Justice of the High Court of Australia wrote:

The importance attached at Common Law and international law to freedom of speech does not convert it into a right which can be exercised inconsistently with the rights and freedoms of others. It does not carry with it a right to go onto private land in order to express a particular view. It does not carry with it a right to go onto land when access requires permission, for example, by a public authority controlling the land for particular purposes. There are and always have been limits.

The Government has given careful consideration to the High Court's decision, as well as feedback received during consultation on previous proposed amendments to the 2014 act and the feedback received during consultation on this bill.

The bill has been carefully drafted to ensure it strikes the right balance between protecting these various and sometimes conflicting rights and interests. This bill delivers a simpler framework that deserves broad support. It creates no new offences or police powers but clarifies the law of trespass and public order offences, making them more readily understood and enforced. It applies to all persons and businesses equally and it gives courts the ability to give higher sentences if appropriate for the more serious conduct.

I turn to the detail of the bill. The bill amends the offence of public annoyance in section 13 of the Police Offences Act, which currently prohibits violence and riotous behaviour, disturbances of the public peace, disorderly conduct nuisance and so on.

The bill inserts a new element of 'unreasonable obstruction of the passage of vehicles or pedestrians on a street'. This clarifies the existing fact that this conduct can already be charged under section 13. It can also continue to be charged under laws such as the Road Rules 2019, where appropriate. In recognition of feedback during submissions, the bill has been amended to clarify what obstruction refers to, similarly to other offences. It is now stated clearly as unreasonable obstruction of the passage of vehicles or pedestrians.

The element of 'unreasonable obstruction' has been incorporated from both road and other offences. For example, a person stopped in traffic or broken down on a street, is not unreasonably obstructing a road. As noted by the High Court in the Brown case, the notion of 'obstruction' is also limited by principles of legality and section 3 of the Acts Interpretation Act 1931. That is, obstruction would apply to 'substantial' or 'serious' obstruction.

Importantly, members of the community will continue to be able to apply for a permit to conduct various activities on public streets, as they have always done. This change has no effect on the conduct of demonstrations or events which have been granted a public street permit by a senior police officer under section 49AB of the Police Offences Act.

This bill also addresses the issue that the current maximum penalty under the Police Offences Act for section 13(1) offences is too low for appropriate deterrence and recognition of this serious conduct. We want to give courts discretion for higher penalties for more serious offending conduct under section 13(1), which includes unreasonable obstruction of streets, but also the other existing elements such as violent and riotous behaviour, disturbances of the peace, disorderly conduct and nuisance.

The amendment will increase the maximum financial penalty for public annoyance under section 13(1) from three penalty units to 10 penalty units. However, it will not impact on the maximum period of imprisonment allowable. The new maximum financial penalty equates to \$1730. This change brings Tasmania into line with similar offences in other jurisdictions. It remains a maximum for the court's discretion, for the most serious conduct, so that lower level conduct is not unduly affected. In many cases, police will disperse persons found offending in minor ways against section 13, rather than charge them under the offence.

Moving on to section 14B of the Police Offences Act, the bill makes amendment to the offence of trespass. It reinserts the current section 14B(1) with minor amendment to clarify the current references to entering or remaining on property including a new 'move into or onto'. It also includes a new section 14B(1A) to clarify that acts such as locking on to machinery or standing on machinery amounts to trespass. This is a commonsense amendment given the significant disruption and danger that can be caused by this conduct.

The bill provides for increased penalties for the offence of trespass. Importantly, the increased penalties only apply where the court is satisfied, at the time of sentencing, that the trespasser either obstructed a business or undertaking, or caused a serious risk to the safety of the trespasser or others. The increased penalties only apply in these specific situations because these are the situations that have a real impact on business and livelihoods, or create serious risk. The Police Offences Act already provides for increased penalties for certain forms of trespass that are considered more serious or dangerous and the bill is consistent with this approach.

I will now break down the three types of what can be thought of as aggravated trespass. The first situation where an increased penalty will apply is where the person, by or while committing the trespass, obstructed a business or undertaking, or took an action that caused a business or undertaking to be obstructed. The person will be liable to a maximum penalty of 50 penalty units, apparently \$8650 or imprisonment for a term of 12 months. This is double the standard penalty for trespass, and the same as the current aggravated penalty for trespassing in a home or with a firearm. The terms 'business' or 'undertaking' is used across a range of Tasmanian legislation and has its normal meaning. For example, it protects both profitable and

not-for-profit businesses and undertakings. Again, for the same reasons I explained for the section 13 amendment, obstruction would apply to 'substantial' or 'serious' obstruction.

The second situation is where the person, by or while committing the trespass, caused directly or indirectly, a serious risk to the safety of themselves or another person (or took an action that caused such a risk). This covers both risks directly created at the time of the offence, but also indirect risks that are still closely linked to the person's conduct. For example, a person who tampers with machinery overnight, that may malfunction and harm someone the next day.

The person will be liable to a maximum penalty of 75 penalty units, currently \$12 975 or 18 months imprisonment. That penalty is three times the standard trespass penalty. If a person has previously been convicted of this form of trespass, they are liable to a maximum penalty of 125 penalty units, currently \$21 625 or 30 months imprisonment. That is a significant penalty. It is five times the standard trespass penalty, and for good reason. It applies only if the person has previously been convicted of trespass which caused a serious risk to the safety of themselves or another person.

Third, if a body corporate commits a trespass and in doing so, they obstruct a business or undertaking, or take an action that obstructs a business or undertaking, the body corporate is liable to a maximum penalty of 600 penalty units, currently \$103 800. Again, this is a significant penalty, as it should be. Body corporate penalties are generally significantly higher than those faced by individuals. Of course, this is partly because prison does not apply to a body corporate. There is a risk that without a significant penalty, body corporates will simply consider any fine imposed as a cost of business.

It is important to remember that, in respect of all the increased penalties introduced by this bill, they are maximum penalties. The Magistrate retains sentencing discretion to fix a sentence that is appropriate in the circumstances of the case. Further, the penalty levels for trespass for individuals are substantially lower than related penalties in the 2014 Act.

The offence of trespass requires a person to be on a property without the consent of the owner, occupier or person in charge.

The final substantive aspect of the bill clarifies when the holder of a mineral resources lease or licence, known as a mineral tenement, is taken to be in charge of area of land. In many cases it is already clear when the holder of a lease or licence is in charge of the land or an occupier of the land for the purposes of trespass.

However, noting the nature of mineral tenements is that the holder only has possession of the land to the extent necessary for carrying out lawful operations under the lease or licence and there are a wide variety of factual situations that may arise. This provision is intended to address any circumstances where it is not clear whether the holder is an occupier or person in charge of the land. This is an important issue because we know that sites of mining leases or licences are often targeted by persons looking to disrupt lawful mining activities. This provision was clarified after consultation to address an issue noted by the Police Association. That is, the bill has never intended to deem persons on mining land to be trespassers or deem a person to commit a trespass if they also commit a mining offence. The clause now simply provides that where a police officer reasonably believes the person on such land is obstructing operations to the extent that they are committing serious offences under the Mineral Resources

Development Act 1995, the lease or licence holder is taken to be the person in charge of the land for the purposes of trespass.

Where a person has entered land and committed such offences, therefore, the tenement holder can give or withdraw consent to persons remaining in that area. Under the continuing law of trespass under the act, if the persons do not then leave that land, then they are also committing a trespass.

The specified offences under the Mineral Resources Development Act all involve hindering or obstructing lessees and licensees from carrying out lawful activities under the respective lease or licence. This approach has the practical effort [as read, and as per SRS] of clarifying a person can be trespassing in mining areas if they are on an area of the land in which they are actually hindering or obstructing lawful activities under the lease or licence from occurring. It does not apply to the entirety of the land subject to the lease or licence.

This approach to mining areas draws on the existing model in section 55 of the Police Offences Act, which provides a police officer can arrest someone if they reasonably believe a specified offence is being committed. Existing safeguards for trespass continue, such as a person must first be given an opportunity to leave before being arrested. Further, another continuing safeguard is that a police officer cannot arrest a person for trespassing if they believe the person has a reasonable or lawful excuse for being on the property. A person may not be arrested at all if it is more appropriate to proceed by way of summons.

Indeed, it is not the case that every offender today or under the bill will be charged or arrested. As is the case today, where people are unreasonably obstructing a street or trespassing, most often it is those few whose behaviour is serious or who refuse to disperse who will be charged. For those who are charged with trespass this bill only allows courts to consider a higher penalty if the court considers the trespass meets the aggravating criteria. If not, that person is subject to the same trespass penalty as they are today.

Public and targeted consultation was undertaken on this bill, and I note in particular the Australian Lawyers Alliance acknowledge the bill, in part, reflected their previous proposal for a simpler approach. Both the Australian Lawyers Alliance and some other submissions gave constructive feedback. The Police Association of Tasmania noted that this bill is far simpler than previous legislation and far more practical, workable and not an unnecessary burden on police officers. We have addressed any necessary changes in the final version of the bill consistent with the Government's objectives.

By utilising the existing framework of the Police Offences Act, the bill enacts changes that can be readily understood by members of the community, business and police. Most importantly, the bill, while respecting the right to freedom of communication, appropriately protects people undertaking lawful business activity.

The bill ensures activity that involves trespass or road obstruction is adequately addressed by our laws, and that, if people decide to commit these offences the penalty is capable of serving as a deterrent. It is clear that the current laws are not doing enough.

I commend the bill to the House.

[5.57 a.m.]

Ms O'BYRNE (Bass) - Mr Speaker, I have much to say about this bill, and I have much to say about this minister. I have much to say about the politicisation of worker safety. I am not sure whether I should move an extension of time now, because I am not sure 40 minutes is enough time for me to talk about what this minister has done to workers in this industry over the last six years. It is not long enough to talk about the threat that this poses to workers in this industry. It is not long enough to talk about how important work safety is and how all of you fail workers time and time again.

You bring this bill to the House with some kind of confected concern for workers, knowing as you do that, time after time, you betray them. You betrayed them for six years with this issue. Where are we now? Gosh, it is late on a Thursday night, and an election is coming up; parliament is about to rise. Gee, I wonder if I can use workers in these industries as a tool, as a plaything, as a game to make a political point. I wonder if I can do that.

I am sick to death of this Government and other members of this House treating those people with such contempt. There are significant issues of safety for these workers, and time, and time again this Government comes to this House and produces legislation that cannot survive and it knows it.

The first piece of legislation - and, quite frankly, this minister must be humiliated - because the bill before us today is to repeal his original flawed, draconian, inappropriate, rubbish legislation that he always knew was rubbish. We know that because he brought it in, late on a Thursday night, 'gosh we are going too long on this bill and I have questions I cannot answer; better guillotine it'.

All of the issues we raise were raised in the other place - I feel sorry for them, because they have gone through it time and time again - and everything they said was concerning, was true. This minister has been forced into an embarrassing backdown on that terrible first piece of legislation. They did not really care about it, because the gap in time from guillotining it through this debate and having it debated it upstairs was not really quick, was it? A guillotine is used when you have something of such urgency that you want done. This minister did not really want it done then and he did not want it done the second time around either.

Once again, late on a Thursday night. The minister drops a bill. The minister knows that bill is not going to get through. The minister guillotines debate. The minister does not take it to the upper House immediately; it sits there for ages because it was only important as a political game because these workers do not matter to you, minister. I am sick to death of you coming in to this place, sitting here in question time, going out to the media and saying that Labor does not stand by workers. I tell you what, there are some things you could actually do if you cared about workers. First of all, you could have fixed this six years ago. You could have but you did not want to because that did not play the game, did it? It did not help you politically. It did not do what you wanted to do politically. You sold those workers down the line.

There are other things you could do if you actually care about workers. You could fund Workplace Standards properly. WorkSafe Tasmania does not have the number of people or resources to do the work they need to do. Where are the spot inspections? Bugger all spot inspections because there are not enough people to do the job. You know it and you let it happen.

I tell you what else you could do. You could do something about casualisation of the workforce. We could do something about insecure work because there is nothing safe about being in a workplace where you are not secure enough in your job to say, 'I am scared about that risk. I am scared about the way I am being treated. I am worried about people's safety, insecure work, casual work'. They are some of the biggest things that impact on workplace safety, on the safety of workers, but you do not do anything about that.

What else could you do? I do not know? How about the Boland report? How about you and your federal colleagues act on the Boland report? It has been sitting there since 2019. Why do you not do that? Okay, maybe you want the federal government to do something with that. Maybe you could something on industrial manslaughter - and do not say we are waiting for the federal government to do that because every other jurisdiction has approached it.

You do not care about workers. You have never cared about workers so do not dare come into this House and pretend that you are bringing in legislation to resolve workplace safety. Do not dare.

For a little while, when I first saw what you were talking about, I thought gosh, maybe this minister who is not the minister responsible for police and the Police Offences Act 1935, and who is not the minister responsible for Workplace Standards Tasmania, is bringing it in because it is part of what he does. Maybe he wants it to pass, but then you cannot help yourself, can you? You have had to include things in this bill in order to have a fight and you can say this has no impact on protesting but you know it does. You know that is why you have done it. We are sitting here late tonight already noting we are not going to pass this bill tonight so this bill is not going through this parliament tonight. It is not getting to the upper House. There is no upper House sitting waiting for a bill to arrive. There is no upper House sitting next week waiting for a bill to arrive. We know why this was done.

This is yet another opportunity to use those workers as a bit of a political game, a media stunt. We will just wait for the press release to come out. However, interestingly, minister, you may be hoist on your own petard. You might accidentally do something to support workers in this industry. You might accidentally get through, not because of your intent, not because of your political agenda but because we might help you do that because there are parts of this bill that we absolutely support.

Ms O'Connor - What a sell-out you lot are. Your confected outrage.

Ms O'BYRNE - Do not dare. I am not going to take this from you.

Mr SPEAKER - Order.

Ms O'BYRNE - There is not a time when it is okay to go into a workplace and put anybody at risk. There is not a time.

Mr SPEAKER - Order, Ms O'Byrne. Through the Chair, please, interjections will cease. As we continue this debate I ask everybody to be respectful of each other's opinion. Everyone has a different opinion. We need to respect that. That is what our democracy is about. If you disagree, keep it until your contribution, please.

Ms O'BYRNE - Difference of opinion, democracy. They are important things. They are really important things. The right to protest is a very important thing. I am a protester from way back. I have protested many things. I intend to protest many things in the future and I do so because I am passionate about it. I do so because I care about it but I do not do so in a way that would put anyone's life at risk.

Going into a forest and putting spikes in trees, going into workplaces -

Ms O'CONNOR - Point of order, Mr Speaker, Ms O'Byrne knows very well there is zero evidence that any protester has spiked trees. In fact, it is workers who were found to have spiked trees to pin it on protesters.

Mr SPEAKER - Again, I say can we respect each other's opinion? I ask that interjections cease. That is not a point of order. Ms O'Byrne, if you could address your contributions through the Chair, that would also be helpful.

Ms O'BYRNE - I aim to be helpful where I can.

Ms O'Connor - What a load of garbage.

Ms O'BYRNE - I thank the Chair for the protection you are affording me, but clearly it is not working that well.

It is not okay for workers to come to work and find themselves in an unsafe situation. It is never okay, it has never been okay and it never will be okay. You can protest vehemently, you can protest passionately, and you can protest successfully as generations have done -

Dr Woodruff - As long as you do not offend the fossil fuel corporation.

Mr SPEAKER - Dr Woodruff, just because Ms O'Connor is now taking notice of the Chair, does not mean that you do not have to.

Ms O'BYRNE - I feel as if my flow has been interrupted. It is not okay for workers to be placed in an unsafe circumstance. If we can get this bill through that the provisions that actually impact on risk, that actually impact on changing behaviours to make sure that those places are safe, that is okay. Why then has the minister sought to do what he has done? Why has he done the whole clause 4, all of it?

The argument he is putting is that it is not exactly the same; it is just increased penalties and it will not impact on the right to protest. What rubbish. Of course it will impact on the right to protest. We were talking in the briefing - and I thank the member and the staff who attended the briefing. They were very good and we had a frank conversation about our concerns about the bill. We talked about an amendment that we wish to move and we talked about the parts of the bill we found untenable and why we found them untenable. It was a useful conversation and I thank you.

There is a view that clause 4 will not impact on the way people protest. However, clause 4 will absolutely impact on the way people protest and it is designed that way. The conversation we were having was, if this was the first time the Government had brought a bill to this House to address this issue, then maybe a different lens would have been applied. We

have had six years of this Government claiming to want to fix those problems and trying to silence dissent, trying to make it harder for people to protest, and trying to make it harder for people all the time. We have had instances, and I do apologise because I cannot remember the name of the bill, if someone can assist me. It was the bill to do with begging. That bill was certainly one that made us very concerned about powers that police might have. The last time we have had the iterations of these bills, they have acted to silence protests and the Government knows that.

It could have brought a bill to the House today that only dealt with what it says is the problem, which are the incidents that take place in those industries where there are significant protests and that have dangerous behaviours. It could have done that but it chose not to. That is because it is a deliberate decision not to do that.

Clause 4 is a significant problem to this bill and the minister will be aware of that. I note that the minister has been able to adapt his second reading speech on the basis of concerns that were raised in a letter to him from the police association on 2 May but has not done any work in adapting some legitimate concerns that we raised. That was not done, possibly because the minister still likes to have his fight, or he is a bit embarrassed about having to tear up his last bill, or he feels humiliated because he is finally doing what we told him to do in the first place, which was find a way to present legislation to the House that deals with the problem but does not politicise the issue. The advice was clear.

When we have seen previous iterations of the bill and concerns have been raised about industrial action and industrial protests, there have been provisions to carve out those issues, to make sure those things are protected. There are even times in the industry that the minister purports to protect or support, that those workers need to take industrial action, those workers need to protest and those workers might need to do so something that will fall foul of this law. That needs to be carved out and the minister knows that.

We have talked about an amendment, shared our thoughts and our thinking with the Government but we have not heard anything back. Those things could be done. The minister quotes other jurisdictions and other laws that have taken place. Other jurisdictions and laws were not about stopping protests. They were about the issues being raised and New South Wales itself - and I have some issues with New South Wales legislation I will be fair - but New South Wales also carved out some provisions in that to ensure that workers and workers' activity would be protected.

Whilst this bill is far better than the things the Government has brought here before, it still could not help itself. The Government dropped it on Tuesday. It includes provisions that go beyond what is safe, goes beyond what the state had intended the bill to be. The public nuisance provisions in clause 4 are unnecessary. The failure to carve out union and industrial actions speaks volumes about this Government.

This Government says it wants to protect workers from unsafe workplace invasions but this bill through clause 5 goes some way to addressing that. With amendment, we think we can protect the union activity.

We understand and we accept the provisions around risk. We had that conversation and we understand those provisions. We want to reduce risk and we want workers to be safe. Clause 4 is just problematic. The Government knows it. It is there because the Government

wants to pick a fight and wants us to vote against the bill. It is there because this Government wants to be able to do a media release tonight when the House rises, so it can have running around prior to some local elections, possibly prior to the federal election. That is why it is there and everyone knows that.

This Government likes a fight more than a resolution. If you are not on offence you are on defence and that is not a good place to be, is it, minister? It also wants to silence the voices of those who disagree with them. We are not going to be supporting those bits of work.

I have so many documents and much less space now we have this lovely protective shield here for the staff. I wanted to talk a little about workplace safety. That, apparently, is something the Government cares about - not that we are seeing very much of that in this House.

In Australia, a worker is killed every two days. This Government and their federal colleagues do not take that seriously enough -

Ms Archer - Come on, that is offensive.

Ms O'BYRNE - I do not. Otherwise we would have national industrial manslaughter laws. We would have action on the Bowen Report. We would have the work done -

Ms Archer - That does not stop fatalities.

Mr SPEAKER - Order.

Ms O'BYRNE - We would have the work done and you know it, minister.

Last year, 7623 workers made a claim for workers compensation. That is the tip of the iceberg for whom the work experience is one of danger and one of risk. We are seeing emerging threats to health and safety. We are seeing an increase in silicosis diagnosis. We are seeing a huge increase in mental health injuries. For the first time in a generation we have black lung. That is the kind of environment for workplace safety and workplace standards that we have in this country.

Nationally, over 100 000 people will be seriously injured and receive workers compensation. Despite progress that has been made, we have seen an 8 per cent increase in the number of workers injured and the 32 per cent increase in work-related fatalities.

Ms Archer - This legislation was about protests, I thought.

Ms O'BYRNE - This legislation is about protests that make workers unsafe, isn't it?

Members interjecting.

Ms O'BYRNE - That might be an interesting thing. The minister has just said this legislation is about protests. Absolutely it is. However, your other minister says he has brought it in here because it is about protests that behave in a risk framework that causes people's lives to be at risk. It is either one of those, minister. It is not both and you know it.

Ms Archer - Calm down. The faux rage is a bit much.

Ms O'BYRNE - It is not faux rage. I know that you have no heart and soul when it comes to issues of work and safety but people on this side of the House do. Do not accuse me of faux rage. I will not cop it from you.

Ms ARCHER - Point of order, Mr Speaker. I take personal offence to the member saying, 'I do not have a heart and I do not care'. She should withdraw. It is another offensive personal attack from the mean people over there.

Mr SPEAKER - If there is no personal offence then members will be respectful of other people's views. When comments are made other members have opportunities down the track to either rebut them or to put another point of view.

Ms O'BYRNE - I will rephrase that, Mr Speaker. The minister accused me of having faux rage. I am genuinely outraged. I believe my outrage comes from where my heart is and my heart is firmly committed to workers and keeping them safe. I believe that that motivation does not stand true for everyone. That is something I can say quite safely within the Standing Orders.

We have had an emergence in recent years of silicosis and black lung. We have a rapid increase in mental health injuries caused by work which indicate the greater protection for workers psychological help is needed. This bill and the second reading speech talks about the psychological impact on workers of being frightened. Many workers are frightened that they might not have a job the next week or enough money to pay their bills. They are frightened that they cannot survive under these kinds of government behaviours.

So, not only are mental health conditions increasing in frequency, rising to some 9 per cent of all injuries, we are also growing in terms of severity with return to work rates climbing from 11.2 weeks in 2000-2001 to 26.6 weeks in 2021. That is significant.

The rise of insecure work further threatens health and safety at work and they are long associated with poorer physical and psychological health and safety outcomes. Insecure work challenges workers' ability to speak up and demand safer working conditions. The reason for that matter in the context of this bill is for some of the reasons that we have the workplace standards and frameworks we have at the moment - the December 2018 Review of the Model Work Health and Safety Laws. I know that the minister who has been interjecting has read it. She is from the ministerial council dealing with it, or not dealing with it, as the case may be. Certainly, we have not dealt with it here; other jurisdictions have and are taking on some of the activities. That speaks volumes as well.

The reason that is matters is that the provisions of clause 4, which go to the right to protest, which goes to those activities, the ability for clause 5 to pick up industrial action is fundamental to safety at work. It is the union movement that has fought for safe work environments. They created the WorkSafe standards we have. It is the union movement that will continue to fight for them. It is a member of the union movement who is outraged that this Government has been using this legislation through its reiteration for the last six years to attack workers and their voices when it says what it trying to do is make them safer. Clearly, it is not.

I will turn to some of the submissions that have been presented.

Unions Tasmania wrote sent an email to the submission haveyoursay@justice. They are the peak body representing working people in Tasmania. There is no other Tasmanian peak body dedicated to giving a voice to working Tasmanians and their families.

Unions Tasmania represent our affiliate unions across industry in the private and public sector with approximately 50 000 members. We are the local branch of the ACTU.

Unions Tasmania notes that the Police Offences Amendment (Workplace Protection) Bill 2022 is the latest version of laws colloquially referred to as 'anti-protest', but is more limited in scope than previous versions struck down by the High Court and widely criticised by civil liberties groups, lawyers and unions as anti-democratic.

The trade union movement, is a movement built on protest. It is through protest activity that many of the rights of work that we take for granted today - for example, superannuation, equal pay, safety laws - were won through collective action.

We have, however, always maintained the position that we do not support protest activity that endangers the lives or safety of our members at work, either because they stand to be injured themselves or they risk injuring someone else because of dangerous protest activity. All workers deserve a safe workplace.

You get that bit and you think great, we are going to have legislation that actually deals with that, but they go on because they have read the bill and they understand the consequences.

We intend to make two broad comments about this legislation. The amendment to section 13, to create an offence of 'public annoyance', does not appear to target protest activity or workplace safety and we therefore consider it unnecessary.

We would also seek specific exemption for trade union activity to ensure that workers who are participating in legitimate union activity such as industrial action, industrial disputes, or campaigns are not unduly targeted by any legislative change.

That submission was made on 13 April 2022. I do not know whether those concerns have been taken on board. If the minister was genuinely trying to protect workers and keep them safe in their workplace, then he would have done so.

I know that he is able to react because on 2 May he received a letter from the Police Association of Tasmania. When I first saw the Police Association's letter today I thought this is a little different from what I thought was happening to some of the provisions. Then I realised, of course, that a brand new second reading speech had come through.

The minister had received a piece of work on 2 May that said we have some concerns and he was able to amend the second reading speech. I will ask him to detail how he has addressed the concerns of the Police Association. So, he is able to respond to their concerns

but not the unions' concerns of nearly a month earlier and not the concerns that were raised by us over this week. That is telling. The Police Association has always had a view, on behalf of their members, that they just wanted legislation that was clear. You give some sort of interesting lifting of their letters and placing them in your second reading speech as if there is overwhelming support.

The Police Association is always very careful when they are giving this kind of advice that they are talking about the clarity of the law. Reading your second reading speech, I believe most people would think it meant that the Police Association was saying, 'Yeah, do this'. I suggest the Police Association has done what it has always done - it has said, 'That's easy to understand and our members will be able to manage that'; 'that's not easy to understand and we would like some clarification'. That appears to be what they have done and the minister has responded. The Police Association was pleased to see that the bill had significantly reduced its concerns about complexity, that is true. They also talked about the fact that they want workers to be safe in workplaces. We all do, that is not an unusual position. However, they also felt that there were still some parts of the bill that were confusing, and that related to the implications of the Forest Management Act and when they would have to refer to that. In their letter of 2 May, they say:

In a forest protest context, whether a protester is trespassing will still be determined by the *Forest Management Act 2013*, so our members dealing with forest protests will still need to be aware of this (as native forests are usually on Crown Land and the public are entitled to access them, unless the forest manager has met certain criteria under the Act to prohibit access).

As much mining occurs on Crown Land, which the public are often to be on ...

They go on to quote your original second reading speech - not your current second reading speech - to say:

This seems unnecessarily complex, and this proposed provision to the *Police Offences Act 1935* won't make enforcement for police easier, nor simpler.

I want to see that if you have been able to address that, how you have managed to address it in the second reading speech and not in the legislation itself. As we know, the second reading speech is where you go if there is some inconsistency, or concern or failure to be able to adequately interpret the legislation itself. It goes to intent. The second reading speech gives intent but you can only get to the second reading speeches when you are in court, and when you have been able to prove that there is some kind of inconsistency in the piece of legislation that is being managed. They went on to say.

Police officers will still have to know and understand the *Mineral Resources Development Act 1995* to apply the proposed subsection (7). As a consequence, it makes little sense ...

They do say that the current bill is simpler - and I do not believe we disagree with that - and at an operational level will hopefully mean their members are less likely to be necessarily exposed to inappropriately applying legislation.

But they do have a concern.

Holistically, this draft Bill is a significant improvement on the previous Bill
- less the proposed subsection (7) ...

I wonder if the minister, when he does his summing up in the months, weeks, or years before we debate this bill again - it may be some time and people may not be able to remember where we were when we got there - because this minister does not take this bill through this House in any kind of effective timing. It is all political. We know that, he knows that, the media know, and workers know that. I tell you what, workers know that they are a bit of sick of it.

Then a letter came in just this evening that I want to put in, and it is from a number of groups: the Australian Democracy Network; Community Legal Centres; the TAC; The Australia Institute; TasCOSS; and Human Rights Law Centre. In their commentary, they are particularly concerned again about the chilling effect of provisions, and especially around the vagueness of the proposed new public nuisance offence, for example, that they believe will deter peaceful protesters across a range of issues, especially given the increase in penalties.

In our briefing, the Government kept saying 'It is okay, there are provisions already, it is fine, there is going to be no change'. There is a change in that it will change the way that people approach their ability to have their voice heard. That is why when we do finally one day or one week or one month or next year, or maybe a completely new bill because that often happens with this minister; maybe, when we get to that point, we might get some progress because we would not be supporting those changes in clause 4.

They go further than the stated intent of the bill, and I believe they are designed to impact on protests. The advice from the minister's office was, 'It will just never be used that way'; 'We would not do that, we would not be seeking to stop a protest on health or a protest on workers' safety or a protest on abortion or any of those kind of things. 'We would never do that'. However, it is what the legislation allows for. We cannot have legislation that allows for something on the basis that we get a little nod and a wink, it is going to be fine, we will take of you, because that is not how it works. If this legislation allows that kind of protesting to be impacted, then that is what it does, and that cannot stand.

The second piece, of course, was around the carve out of industrial action. There are times that there are industrial protests and industrial action. Going back to when we did this bill last time, the carve out that was provided then was not the greatest carve out because -

Ms O'Connor - Why should unions have more rights than young people who want to save the climate?

Mr SPEAKER - Order.

Ms O'BYRNE - it only impacted on protected action under the national laws. We had to point out to the minister and I am not sure if he understood. I do not know whether this was intentional. It probably was.

Ms O'Connor interjecting.

Mr SPEAKER - Order, Ms O'Connor, you will get your opportunity.

Ms O'BYRNE - It would not have provided any level of protection to a whole range of activities because there is a certain threshold. We went through this in great detail last time, which is why I am rather worried there is no carve out now. We talked about the sort of things that will not have been provided any level of protection. The minister is well aware of the concerns there. Those concerns apply to the lack of any kind of carve out. If we ever do get to the point of debating this legislation, and as I say, I am not particularly sure that we would, we would be looking to pick up some of the provisions similar to New South Wales.

We have had some drafting support, which was excellent. It is something the other place has had for a while and it is nice to have access to it. That was going to provide a carve out for people who were engaged in an industrial action or an industrial dispute or an industrial campaign. Importantly, that carve out would apply whether they are protesting outside the Canberra Parliament House; or they are protesting outside a workplace where they might be putting on a work ban for safety reasons at a construction site; or the mining and forestry industry, where they may have to take that kind of action because it is appropriate to get the outcomes they need.

That would not have been protected under the last carve out, but it does need to be protected because it is a fundamental flaw of the bill. It is what makes it quite disturbing for people who spend their working days taking care of workers and who know the people who work in this industry, are friends with the people who work in this industry and want to make sure that they get home safely at the end of the day. It is not a lot to ask that every worker should be able to go home safely at the end of the day. That is the work that we will seek to do if we ever get to see this bill come back to this House. I hope it does come back to this House because I am very interested in how the minister justifies -

Mr Barnett - Do you plan to table your amendments?

Ms O'BYRNE - We can do that in Committee. We have already shared the draft amendments with your office. I am flagging that is what we will do. I do not know when we are ever coming back to this, minister. It may be that as time goes on we can find a resolution to this. I certainly hope that we can.

I will go through some other provisions of the bill to make sure I have covered the bits I am concerned about. It repeals the 2014 legislation - the High Court decision - wisely, because that was terrible. It deals with section 13 amended which is the clause 4 which is to amend that whole area of public nuisance. We know how we feel about that. We know how the union movement, the community sector, and how everybody feels about that. To not have this clause in the bill does not change the stated intent, but it does ensure that people have the right to protest and people are not persuaded against protesting; people are not frightened from protesting. Being frightened of having your voice heard is as bad as saying you cannot do it anymore. We want people to have their voices heard. We want to effect social change. We want to effect policy change. We want to introduce progressive changes.

The protests and campaigning that are done in our community are part of that, but we agree that they have to be done in a way that keeps people safe. We absolutely agree with that. There is no time that it is okay for someone to not go home at the end of the day, or for someone to go home at the end of the day in a lesser form than when they went to work because they are

hurt, because they have been injured or because the psychological stress has been too much. That is not okay and I do not think anyone in this House would agree with that.

Clause 5 amending section 14B of the Police Offences Act is that a person without reasonable excuse cannot enter into or onto, move into or onto or remain in or on land, building structures, premises, aircraft, vehicle or vessels without the consent of the owner. That is a point of protest. The aircraft and vessel elements are new. I am assuming the minister will talk to that when he does his response and I am assuming that actually has to do with things that might create a safety risk there and it is also to attaching.

I have to do a little confession on attaching. The only time I ever planned to attach myself in protest was with the late Sue Napier. She and I agreed with great gusto that if the Launceston City Council ever tried to sell the Queen Victoria site that we would chain ourselves to the gate. That is the only time I planned to attach which would be illegal but I am sure Sue and I would always have found a way around that and it would not have been something that put anybody at risk.

Ms White - That will never happen.

Ms O'BYRNE - It got very close. When Sue and I were talking about this some years ago, it was very close and we were kind of sure that it was our threat to chain ourselves that did assist and this would be something that this bill takes into consideration. We would have copped a fine and we would have gone there knowing about that, but it would not have put anybody at risk and that is important.

We then get to (2AA), which is despite those subsections if the court convicts a natural person of an offence under this section. This is where we start moving into that grade of issue of a serious risk. The person would have to have caused directly or indirectly a serious risk to the safety of a person or another person. That goes to the point that has been identified, that is a risk you pose immediately or a risk that you set up that occurs later on. That is not acceptable and we absolutely support that.

The body corporate issue. I was wondering why the body corporate might be that it would be picked up and a different fine applies to a body corporate than applies to an individual. We would want to see a carve out through industrial organisations on this as well because whilst they may not be a body corporate in our understanding, some of them do as part of their organisation, have incorporated bodies which could be then picked up by a body corporate. Some unions, for instance, have registered training organisations that are incorporated bodies so we would want to see a carve out of that for industrial bodies as well.

There is the clarification that the Mineral Resources Development Act, which I want the minister to address in his response because we have a different second reading speech today from the one that we were briefed on yesterday, and the one that was tabled on Tuesday. That actually concerns me. I would like to understand how that change happened so quickly, why it happened so quickly, what the effect of that will be and if you could act that quickly on theirs, why you did not act so quickly on those concerns raised by the union.

There is the other bit in this bill, Schedule 1 Legislation repealed. There are members of this House who are sorry they are not here today to be able to say they are very pleased to see that this bill finally repeals the Workplaces (Protection from Protesters Act) 2014 which was

unconstitutional, unacceptable and was always designed to fail. It was designed as wedge politics and was never designed to protect workplaces from protesters. It was designed to create a political fight, to silence voices and it was designed to impact on the union's capacity and on the capacity of organisation and community organisations to have their voices heard.

With that, I will sum up.

Ms O'Connor - Yes, please do.

Ms O'BYRNE - Thank you, Ms O'Connor. We will wait to see if this bill ever comes back on again. Who knows, will it come back on again? The minister clearly brought it on today for whatever timing reason that he has. Probably the same timing reason that he had the last time and the time before that.

We have lived this for way too long. It is unacceptable that this Government has claimed to protect workers and failed, deliberately at each stage to do so by bringing in legislation that it knew was not constitutional. I remember standing here and creating a whole lot of different scenarios for the minister to tell me if I did this, would it be lawful and the minister could not answer a single one of those questions and eventually guillotined the debate.

I am not sure whether that was the time, it may have been the time after that I then had root canal the next day, which I can assure you was more pleasurable then doing the debate on that bill. It was shocking legislation and should never have come to the House. It has taken too long for the minister to bring something forward. I am extremely disappointed that what he has brought forward is something that is contentious again, because it did not have to be. It did not have to be this.

The minister could have brought in a piece of work, which is what he always said he was going to do, that protected workers in their workplace from unsafe activity, and he did not do it. I will just touch on that. Apparently, one of the reasons for clause 4 is to stop blockades on roads near our forests and mining activities. If that was genuinely what you were trying to do there are ways to do that, and I would encourage you to find ways to do that if that is what you want to do. However, it would not be unreasonable or unlikely that a union might be having that kind of protest outside one of those activities. It would not be unusual or unlikely that kind of activity could happen here on other issues outside here, and that legislation would then apply to that, and that is not acceptable, and the minister knows that.

I encourage the minister to find a way through that. We expect the minister to respond to us at some stage, on our suggestions about carving out protections for industrial organisations and industrial campaigns.

Ms O'Connor - But not the workers generally, just for unions, your donors.

Ms O'BYRNE - This is the thing, you actually think unions are something different to workers. This is how you fundamentally do not understand how unions work.

Ms O'Connor - There are a lot of people who work who are not in unions.

Mr SPEAKER - Order.

Ms O'BYRNE - Unions are the voice of workers in this state, and they are the voice of workers in our country. They have been for years. They are the only reason we have the industrial relations laws that we have. They are the only reason we have the workplace standards that we have; they are the only voices that are in those places day by day, talking to workers and presenting things forward. When conservative governments fight against them, that is outrageous and you know this whole view that you get safe standards because the boss gives it to you, you know why there is a minimum wage? Because they would pay you less if they could.

Then the people over on this side, attack the very organisations that stand up for workers every single day because it does not suit them. Unions are made up of their workers. They are made up of the industrial bodies that represent the people in those areas, and they do so because they give a damn. I genuinely wish the Greens would, I know the Government does not.

There are problems with this bill, minister. Fix it or we will find ourselves in the same mess again.

Members hear, hear.

[6.37 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, someone please, give Ms O'Byrne an Oscar. What a performance. In fact, she is about as good at that lectern as Amber Heard is in the Johnny Depp trial, a total fake.

Members interjecting.

Mr SPEAKER - Order.

Ms O'BYRNE - Point of order, Mr Speaker, as I am sure you understand, I do take personal offence at that, and so I should, and she should withdraw. I come to this House, as every member does, with a passion for the causes that I speak about.

Mr SPEAKER - Order, personal offence.

Ms O'CONNOR - Okay, I will withdraw it. No worries about that but I do think Ms O'Byrne should nominate for an Oscar, because that was quite the performance.

Ultimately what we could smell here is Labor preparing to roll over on this legislation. That fake outrage about workers, pretending every worker out there is a member of a union is really quite breathtaking. There are countless workers who are not members of unions, and they have rights too. Labor just wants a carve out for the unions because the unions are their political and financial backers. They could not give less of a toss about other workers.

Members interjecting.

Mr SPEAKER - Order. Dr Woodruff, you are interjecting on your own member. Interjections should cease. Ms O'Connor has the Floor. There should be no other person in the Chamber speaking.

Ms O'CONNOR - Thank you, Mr Speaker, I interjected before, against your wishes, asking Ms White why there should be a carve out just for unions. Ms White said, because they are workers. There are so many workers who are not part of unions. In fact, conservationists who go out there and defend the forests or defend the marine environment -

Members interjecting.

Mr SPEAKER - Order, order. Member for Bass, you have made your contribution, the member for Clark is now making hers. Everybody else should be quiet, please.

Ms O'CONNOR - Mr Speaker, conservationists are nurses, doctors, volunteer firefighters, teachers, business owners, people like respected Tasmanian business owner Anthony Houston; they are workers too. Ms White and Labor do not see those workers, they do not have any regard for those workers because they are not in a union. Young people striking for a safe climate have jobs too. I know it might shock Labor, but they have jobs too.

Ms O'Byrne - Industrial awards apply to everybody in the worksite.

Mr SPEAKER - Member for Bass, I must warn you. You cannot continually interject.

Ms O'BYRNE - If I can, Mr Speaker, can I point out that I do believe -

Mr SPEAKER - On a point of order?

Ms O'BYRNE - On a point of order. The member is misleading the House. Industrial awards and WorkSafe standards apply to every worker in the workplace, and not just those who are union members, even if that is what you would like to be the case.

Mr SPEAKER - No. A point of order is not a point of clarification, okay? Sit down. Resume your seat please, Ms O'Byrne. If you interject again I will ask you to leave.

Ms O'CONNOR - Thank you, Mr Speaker. Young people striking for a safe climate have jobs too. Many of them are studying to be scientists, teachers, doctors, nurses, all manner of worker. Many young people who strike for a safe climate are going to TasTAFE. Many of them will not be members of a union. Labor's confected concern for workers is really next level.

I will point out that we had to listen to the minister here talking about his concern for workers: it is bucketing down outside. The Bureau of Meteorology has issued a statewide warning. It has told people - basically - to stay at home and not leave home unless you have to. We are sitting late at night, we have people here from departments, we have attendants, we have people in Hansard, I believe there are still people in the dining room, employees, workers, who are being put at risk by this late sitting. This late sitting, of course, is happening because minister Barnett wants to have a political wedge before the Legislative Council elections this Saturday, and before Australians vote to boot out the Morrison Government on 21 May.

Neither party in here has a shiny record in terms of caring about workers, and neither party in here cares enough about young people and every day Tasmanians who want to defend this place.

This legislation gives more rights to a Chinese state-owned mining company in the Tarkine, and to a corrupt corporation from Brazil, than it does to Tasmanians defending their forests, young people striking for a safe climate, and coastal communities trying to protect their shared waterways.

This is not a worker protection bill. It is a corporate protection racket. The only time that the legislation mentions the word, 'workplace', as far as we can see in any meaningful way, is in the title. The title should actually read, 'Police Offences Amendment (Corporate Protection) Bill of 2022'. Recently in the Supreme Court, the Government's own lawyer confirmed that there is an urgency about determining the takayna lease place due to protests on Helilog Road.

This legislation is about corporations like a Chinese state-owned mining company, MMG, which wants to stick a toxic tailings dump in a rainforest habitat that you will not find anywhere else on Earth - and both these parties in here are fine with that. They could not give a toss about the natural environment, not even slightly; they pay lip service on climate and give young people the middle finger. You want to talk about psychological distress, minister and Ms O'Byrne, get out more and talk to the kids. If you two stagnant, disgusting old parties think that you can arrest your way out of a climate and biodiversity crisis, you are utterly deluded. Young people think they have nothing to lose. The depths of their despair about the future is existential. It is deep in their guts and it is breaking their hearts.

Yet, we are seeing Labor in Queensland, Liberal in New South Wales and a sick combination of the two down here, doing the bidding of the corporations and delivering a neo-Liberal anti-peaceful protest agenda because they are frightened and rightly so of people power. They are frightened and so they should be because the age of disruption is here and you are not going to be able to arrest your way out of it. People will defend those forests because they know once they are gone they will never come back the way they were.

People will defend the swift parrot because they know that if Forestry Tasmania keeps doing what it is doing that bird is gone forever - on our watch. That exquisite bird is the fastest parrot on the planet and these two disgusting, anti-environment, old parties are part of that. People of all ages across the generations will defend the masked owls' habitat, and they will defend the wedged tailed eagles' habitat because they know governments will not.

Conservationists, Greens in parliament, are all that our threatened and endangered, exquisite, iconic, endemic species have. At a federal level, the EPBC act is driving these species to extinction. At a state level, a plethora of legislation is doing the same. Have a look at the kind of people who join Extension Rebellion, for example. I can guarantee that when I am out of politics I will be one of them. Every age group, every demographic, every profession, from scientists to doctors to tradies to bus drivers are joining Extinction Rebellion. Why? Because they know time is running out. The only solution is disruption. That is all we have now.

As my dad used to say, bring on the revolution. Bring it on. The level of complacency and idiocy amongst the old parties is breathtaking, it is depressing and it is accelerating the problem. We export a million tonnes of native forest woodchip out of this state every year. It goes straight to China, straight out of our forests which you will not find anywhere else on earth. We have both the major parties in this place really cool with MMG smashing down a rainforest gully, the likes of which you will find nowhere else on earth or in the universe, for a

tailings dam. You have this minister and this Government cheering on Xi Jinping's mining company, unlawfully approving leases, trying to hurry things up in the court so Xi Jinping's mining company can get its way, and fiddling Tasmanian law so that the holder of a mineral tenement has more rights than a Tasmanian over their own land.

This legislation is rightly rejected by Aboriginal Tasmanians who for 220 years have been marginalised, dispossessed, robbed and paid lip service to. That protest the other morning when members of the Aboriginal community went through the city to put pressure on government over treaty, they were technically a public nuisance, they were impeding business activity. Yet, this Government pays lip service on treaty. Labor says it is a friend of Aboriginal Tasmanians and yet, with a few tweaks to give their union mates a carve out, they would sell Aboriginal people down the river.

Members interjecting.

Ms O'CONNOR - They would; it is so obvious. These two sick, old parties are corporatist neoliberal shills.

We had some absolute garbage from Ms O'Byrne. One of them related to allegations of tree spiking. On any number of occasions, peaceful, non-violent protesters, conservationists have been accused of the most terrible and dangerous of actions. And that is tree spiking. Police investigations, inquiries. Never, ever, has there been any evidence that tree spikes have been planted by conservationists, but there has been enough evidence that they have been put there by forest workers.

Mr Winter interjecting.

Ms O'CONNOR - We have just heard Mr Winter groan. I will give him the apology from the former premier, Lara Giddings. This is an ABC news article going back to 20 February 2012 when we were in government with Labor:

The Tasmanian Premier, Lara Giddings, has apologised for accusing environmentalists as using tree spiking as a tactic in a campaign against native forest logging.

The Premier made the tree spiking claims at a pro-timber workers rally on the weekend.

"I have seen some and I believe there has been complaints made to police because if it," she said.

It is understood a bolt was found in a log being processed at Ta Ann's Huon Valley mill last Thursday during a tour by the Premier.

What do you know, they found a bolt in a piece of timber, just when the Premier happened to be there? What a coincidence. It is amazing, isn't it?

Ms Giddings now says she should not have linked the incident to environmentalists and apologises to anyone who took offence.

Every time conservationists are accused of spiking trees, peaceful protesters, conservationists and organisations like the Bob Brown Foundation or the Wilderness Society categorically deny being part of it and in fact called for police investigations. We have had enough of the lies, the demonisation of people who are standing up for the planet we all share, for the clean air we all breathe, for young people and for life on earth.

I know it is raining outside and it is a bit cool, but the planet is cooking. We have just had released this week, science out of the Australian National University, which makes it clear that because of the Tasmanian Forest Agreement, we are sequestering, we are preventing, about 22 million tonnes of CO₂ every year from entering the atmosphere.

It is the great gift that we have to give the world for a safe climate. Yet we have a government that is felling these forests, a Labor Party that is cheering them on and both of them seeking to criminalise those who would defend those mighty carbon banks. It is perverse, utterly perverse.

History will very harshly judge people who sit in this Chamber and are part of the destruction and the denialism. I hope some members in this place have the capacity for self-reflection as they age and they judge themselves harshly too.

When we were out on the lawns today with conservationists who were protesting the legislation that we are debating now, a very well-known activist, Grant Maddocks, picked a little clump of oak leaves and gave it to me for this debate. He said 'The oak, like the leaves on your carpet in that place, is a symbol of democracy'. A fundamental foundational tenet of democracy is the right to peaceful protest. Yet we have neoliberal governments across the country, the last gasp of disaster capitalism, undermining the right to peaceful protest. It will have a chilling effect on protest and that is the purpose.

When you undermine the right to peaceful protest, you undermine the foundations of democracy. When you have a government and an opposition who are more interested in pandering to the corporates, pandering to their donors than they are in looking after nature, giving young people hope, being part of climate solutions, you know you have a problem. Boy, do we have a problem here.

The history of protest on this island has helped to create the island that we share: from Lake Pedder to the Franklin, to Wesley Vale, the Tamar Valley, the Styx, the Florentine, Ralphs Bay, rights for LGBTIQ+ people, the community up at Westbury who protested, who stood up to defend their place and they won. That is core of who we are as Tasmanians. It is core to our identity and it is core to our brand. We would not have the brand that we have now if not for the fight and the commitment and the heart of conservationists over decades.

Talk to older people who have voted Labor or voted Liberal all their lives and they will acknowledge that we have a lot to thank the conservation movement for: our wealth, our agricultural exports, the fact that people want to come here from all over the mainland and all over the world because there is nowhere else on earth like this, that is hard won. That is decades of peaceful protest, of activism, of driving change, of having Greens in this place, of having Greens at the negotiating table.

If not for the Greens in government, we would not be a global climate leader because we would not have scientists lauding our carbon negative status. Yet what this Government and

this minister wants to do, is to stop Tasmanians from standing up to defend this place. It is fine if you have a permit, if you are authorised, if you are allowed you may have a protest. But do not dare get in the way of corporate profit or we will smash you with higher penalties, we will jail you for longer, and if you happen to be the Bob Brown Foundation we will try to send you broke. It is most certainly not going to work. We have seen some very chilling developments like the arrest of young Mr Billy Rodwell, 23, who was arrested in takayna and jailed for three days on a false assault charge and denied bail. A young person who was visiting the island, went to takayna and was so moved by what he saw - as anyone who is empathetic when you go into the Tarkine - and he stood up. He got arrested. He was slapped with a false assault charge and then the police lobbied against him going out on bail and he was jailed for three days. Inevitably, Mr Mark Miller, the principal legal officer for Tasmania Police had to issue an abject apology for the Tasmania Police actions in that case.

Does anyone remember when Dr Lisa Searle and other Tarkine defenders, two years ago or so, were driving back from the coupe and a bunch of yobbos in a car targeted them and tried to drive them off the bloody road? No concern for their life. This is Dr Lisa Searle who is a Tasmanian hero. Lisa Searle, who will spend days up in a forest giant trying to protect it. A doctor. She is a worker too, Ms White.

The attacks on conservationists from people in the industry are well documented. I do not know if anyone here remembers the car in the Florentine that had the protesters in it and some loggers came in with baseball bats and effectively tried to kill them. Where is your outrage about that?

We will obviously go into Committee on this bill. I want to read in the letter, that I am not sure Ms O'Byrne had access to or time for, from the Civil Society organisations that want this bill rejected; and if it is not to be rejected, they want it to be sent off to a committee. These groups that have signed on to this letter are the Human Rights Law Centre, the Tasmanian Council of Social Services, The Australia Institute, the Tasmanian Aboriginal Centre, Community Legal Centres Tasmania and the Australian Democracy Network. In a plea to this House, in a letter to you, they have said:

The Police Offences Bill should be withdrawn. At the very least we urge the Tasmanian Government to refer it to a committee.

So, I move -

That all the words after 'that' be omitted and the following words inserted:

- (1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon:
 - (a) the Police Offences Amendment (Workplace Protection) Bill 2022 (No 15); and
 - (b) other matters incidental thereto.
- (2) The Committee shall consist of six (6) members, being two (2) from the Government nominated by the Leader of the House; two (2) from the Opposition nominated by the Leader of the

Opposition; one (1) from the Tasmanian Greens nominated by the Leader of the Tasmanian Greens and the Independent member for Clark.

(3) The Committee report by 1 November 2022.

Mr Speaker, I have the right now to speak on this amendment, but I am not going to speak for the full time that I am able to speak because I want the people who work in this building to go home. But when parliament resumes, Mr Speaker, we should be debating this amendment, because civil society has called for this bill to be referred to a parliamentary committee. It is the very least we can do, given the concerns that have been glossed over by Ms O'Byrne, but that have been raised by organisations, civil society, that we have to respect - the Tasmanian Council of Social Services, the Tasmanian Aboriginal Centre.

This bill should be referred to a parliamentary committee. Of course, Mr Speaker, we will vote strongly against it, but this bill is odious, it is overreach, it applies - for example - for simple trespass, the penalty increases five-fold where the person has caused a risk to safety of another person while trespassing, and they have committed this offence previously - this carries a greater penalty than drugging another person, assaulting a police officer, and setting fire to a property. It doubles the current penalty for trespass -

Mr SPEAKER - Ms O'Connor, if I could interrupt for just a moment. There is no problem with what you are doing, except your motion - I have to disallow in the sense that it is not worded correctly, it must contain or mention the bill that we are dealing with.

Ms O'CONNOR - I am very happy, on the fly, if the Clerk would not mind handing it back to me, to put the name of the legislation into the motion. This is a motion that has come out of community organisations that have a direct stake and interest in this odious, overreaching legislation. I can inform the House that if it is still ruled out of order, Dr Woodruff in her contribution on the Tuesday next will move for the committee in a motion that is correctly worded.

Mr SPEAKER - I am not trying to hold it up. I am just saying I have advice that it is not correct, and when working on that you need to move an amendment.

Ms O'CONNOR - To the amendment.

Mr SPEAKER - To the first line and so that it is more appropriate, and so that I do not have to rule it out of order.

Ms O'CONNOR - Thank you, Mr Speaker.

Mr SPEAKER - What you are doing - the process - is okay, and so you need to move an amendment.

Ms O'CONNOR - Mr Speaker, I amend the motion I put forward to establish a committee to state that all the words after, 'bill' be omitted; do you want me to withdraw the original motion?

Mr SPEAKER - You can withdraw the original motion then, and move that.

Ms O'CONNOR - Thank you, I withdraw the original motion and I read in -

I move that -

[TBC]

All the words after 'that' be omitted and the following words inserted:

- (1) The Police Offences Amendment (Workplace Protection) Bill 2022 be referred to a Select Committee of the House of Assembly for investigation and report thereon.
- (2) The Committee shall have the power to send for persons, papers and records, to inquire into and report upon:
 - (a) the Police Offences Amendment (Workplace Protection) Bill 2022 (No 15); and
 - (b) other matters incidental thereto.
- (3) The Committee shall consist of six (6) members, being two (2) from the Government nominated by the Leader of the House; two (2) from the Opposition nominated by the Leader of the Opposition; one (1) from the Tasmanian Greens nominated by the Leader of the Tasmanian Greens and the Independent member for Clark.
- (4) The Committee report by 1 November 2022.

Mr Speaker, given the potential consequences of this legislation to civil society organisations - including unions, I might add - this bill should be examined by a committee. Other members in this place should not have a problem with that. If they believe in it so much, then they should support the referral to a committee. As I indicated earlier, I do not intend to take up my full speaking time on this amendment, because I want people here to be able to go home. I will just say this about the legislation, which is why people in this place - our colleagues - should support the referral to a committee.

This is from the Australia Institute's very thorough examination of this bill.

The Workplace Bill 2022, sets disproportionate penalties for the offences of public annoyance and aggravated trespass. It increases the penalties for public annoyance more than threefold. It doubles the current penalty for trespass, where a person obstructs a business activity, putting the penalty for trespass at the same level as offences including loitering near children, possession of an implement with intent to commit a crime, and aggravated assault.

It triples the penalty from the current amount for trespass, where a person's trespass causes risk to the safety of the person. A person would receive similar penalties for obstructing a crime scene. From simple trespass, the penalty increases five-fold, where the person has caused risk to the safety of

another person while trespassing, and they have committed this offence previously. This carries a greater penalty than drugging another person, assaulting a police officer, and setting fire to a property.

Mr SPEAKER - Ms O'Connor, the desk now needs a copy of that motion, so, if there is a single copy that we can distribute.

Ms O'CONNOR - Thank you. Where a body corporate - and why the bill just does not put Bob Brown Foundation in the text I cannot know - but where a body corporate obstructs a business it increases the penalty from simple trespass by 24 times. No other penalty units in the Police Offences Act of 1935 are set so high. In fact, it is 600 penalty units which is four times higher than the current highest penalty unit in that act.

I am going to conclude my debate on the amendment there because I am aware that a member of this House has an appointment at 7:30, and I also know that it is time the people who work in this building, who are not paid as well as we are, were given the opportunity to get home, safe and sound, and be cosy when they are.

I commend the amendment to the House.

Debate adjourned.

ADJOURNMENT

[7.12 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I move the House now do adjourn.

JackJumpers - Grand Final Series

Mr STREET (Franklin - Minister for Sport and Recreation) - Mr Speaker, I want to very briefly touch on the JackJumpers and their involvement in the grand final series starting tomorrow night. The JackJumpers' achievement is one of the great achievements in Australian sporting history. We know the mountain they have had to climb in order to get to the grand final series.

I cannot stress what an incredible achievement that is, to make it to face the Sydney Kings. As important as their win/loss record is in terms of where they are now, tonight I want to touch very briefly on the phenomenal connection to the Tasmanian community that they have established in such a short amount of time.

We have seen a 7.4 per cent increase in youth participation in basketball, just this season alone. It is why the Government made the decision to invest in the JackJumpers. As well as delivering elite content to Tasmania, we wanted to stimulate grassroots participation in sports, and the JackJumpers have delivered that in spades.

I congratulate Scott Roth on the job he has done as coach and his award of the Lindsay Gaze Trophy as the Coach of the Year. To Jack McVeigh, who was given the NBL GameTime

Award for his work in the Tasmanian community. Jack receiving that award is testament to the work of the entire organisation. To Clint Steindl, the captain, who was nominated as a finalist for the Six Man of the Year and is also the captain and hopefully will be bringing the trophy home to Tasmania in the next 10 days. I have been incredibly privileged to be present for three games of the JackJumpers season. I am very fortunate to be in a position where I will be there again on Sunday. It is one of the greatest atmospheres I have ever been a part of the last two times have been out to MyState arena.

I was fortunate to be at North Hobart Oval in June 1990 when Tasmania beat Victoria in the AFL State of Origin game. That will take some topping, I have to say. In terms of the JackJumpers' season, it is an incredible achievement. However, let us not concentrate on the win/loss record. Let us concentrate on the way they have represented themselves and this state. They have defended the island. As Scott Roth said the other night, their motto for the back half of the season is 'Why not us?'. Now that we have made the grand final series even though it was unexpected we may as well win it and prove to the rest of Australia what a great state we are.

Members - Hear, hear.

Abortion Law in the United States

[7.15 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, I have watched, as many of us have, the actions of United States lawmakers and the United States Supreme Court in recent days with the leaked decision to strike down Roe v Wade. It is a direct assault on the dignity, rights and lives of women. I say to them, as I say to those in this country who view the United States progression in conservative law as a model, who look to undermine a woman's right to choose, that you cannot ban abortion. You can only prevent unsafe abortions. You can only place women at risk, you can only act to deny them human rights, you can only act to remove women's agency. I condemn it, we should all condemn it, and we should have a very careful watch of activities in this country as that level of conservatism grows.

Members - Hear, hear.

Macquarie Point Development Corporation - Staff Media Training Arrangements - Further Information

[7.16 p.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I would like to add to an answer I provided in question time today.

Ms White asked me a question today about media training with respect to Macq Point development corporation. I advised the member that I would provide an update. I am advised that the provision of media training by Government departments for staff is common practice. There is a range of organisations that are part of panel or preferred providers of marketing and communication services for use by various government agencies for such training. I am advised the panel arrangement has been in place since 2006. I understand that Pont PR and

Beyond PR, as it was called prior to that, is on the panel and has been providing media training for many years including under the previous Labor government.

I am advised media training was offered by the Department of State Growth from late December 2021 as a staff and learning development opportunity due to interest expressed by a significant number of staff. As with all of the agencies training, I am advised the training was made available to staff of both the agency and the organisations with which they have shared service arrangements including the Macquarie Point Development Corporation.

I am further advised that one Macquarie Point Development Corporation staff member, the Chief Operating Officer, participated in the training. The cost of the individual's attendance was allocated to the Macquarie Point Development Corporation under the shared services agreement.

Tasmanian Boat Builders PFG Group - Sentinal 1100

[7.18 p.m.]

Ms OGILVIE (Clark - Minister for Advanced Manufacturing and Defence Industries) - Mr Speaker, it is with great pleasure that I rise today on adjournment to speak about the great work that Tasmanian Boat Builders PFG Group are doing. As a maritime state we can and should be so proud of the skills and expertise that are located in Tasmania. We have a long history of building boats in our state. We love our boats. We love them so much we put them on the top of our cars and we take them to the rivers. We get out in boats at every opportunity.

We also have a reputation for excellence and unique technological advancements. PFG is an example of one of the many excellent Tasmanian companies that are doing great things in the heart of the wonderful electorate of Clark, my electorate.

They are a company of global renown. The work they are doing continues to put Tasmanian advanced manufacturing on the map and on the water. I am delighted as both Minister for Advanced Manufacturing and Defence Industries and as the local member to be able to share what a fantastic job this company does. I visited them recently to see the newest tactical watercraft they had built, the Sentinal 1100. This 11 metre Sentinal vessel is the latest model of Sentinal tactical watercraft produced by PFG.

Some of the members in this Chamber would recall that our Government committed \$600 000 at the 2021 state election as a three-year no-interest loan to the PFG Group to support the construction of this state-of-the-art vessel. I was there that day. It was a fantastic day; a real highlight in that election campaign.

The new Sentinel vessel was built for the defence sector in Australian and international markets. It will grow the presence of renowned Tasmanian tactical watercraft. The Sentinel will be transported to Sydney to form the cornerstone of the Tasmanian Government's defence industry's display at the INDO PACIFIC 2022 International Maritime Exposition at Darling Harbour in Sydney, which is the home of water craft.

I have previously had the opportunity to get out on the River Derwent on the smaller Sentinel vessel with colleagues, which I understand will also be in Sydney and available for people to ride in on the harbour. It goes pretty fast. I can highly recommend that experience for delegates to the Indo Pacific expo. For members of this place, when it is back in Tasmania,

I highly encourage you to get out and have a look at it. It was, as PFG describes, simultaneously fast, safe, stable and smooth. It is a lovely set of words to describe the beauty, speed and endurance of this vessel. It is easy to see why the high-density polyethylene, otherwise known as HDPE, which the vessel is constructed from, is such a game changer in its ability to absorb vibrations while also being incredibly resilient.

While I was at PFG, I had the pleasure of talking with the CEO, Mr Rob Inches; Steven McCallum, General Manager Marine; PFG Group Chair, Chris Oldfield and, importantly, a number of the skilled people who work at PFG constructing these vessels which are unique to this Tasmanian company and unique globally as well.

Manufacturing in Tasmania has been revitalised, rebooted and revved up in recent years. The Tasmanian Liberal Government has a clear plan to boost and support the industry to be world leaders of cutting-edge advanced manufacturing. It is marvellous. I am super proud to hold these portfolios. It is a delight to interact with a sector that is so passionate about what they do. You feel it when you are talking to them. With the workforce, with the engineering, with the technology and the boat building skills, it is all the best parts of Tasmanian excellence and engineering brought into the creation of unique assets that we are able to sell and export across the planet. It is easy to see why the products are sought after, across the globe.

I wish PFG all the best for more sales, and more exports of their beautiful boats. I hope that we are able to see advanced manufacturing in Tasmania, particularly in boat building, lift up and come to life as we move out of the pandemic phase and into a new era of innovation, commercialisation and servicing the globe's need for these sorts of boats. Well done. I look forward to seeing more great boats being built.

King Island - Shipping Services

[7.23 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I will comment on Ms Ogilvie's contribution today, and say that I look forward to Mr Ellis showing you around the north-west coast and all the wonderful world-class advanced manufacturers that we have in Braddon. I am sure you will have great pleasure doing that.

Ms Ogilvie - That is part of it. I am working with them as well. I might bring you along.

Ms DOW - I rise tonight in response to a meeting I had with the King Island Council last week and the King Island shipping group about changes to their shipping service and some correspondence that they sent to each of us as local members across Braddon, and to the Premier. I will read a couple of things from that correspondence and make some general comments. The email we received says:

Premier Rockliff and honourable members,

Attached is a copy of a letter sent to the Premier, then honourable Peter Gutwein and the then Minister for Infrastructure and Transport, the honourable Michael Ferguson on 28 March 2022.

Minor amendments have been made to the original letter. Receipt of this letter has been acknowledged by both parties but no further communication has occurred.

That is an important point. When I spoke with the council and the shipping group on Friday, they still had not received an acknowledgement or any further information from Government about the requests they had in their correspondence, or an offer to meet with them to further discuss their concerns. I would like to see the Government do that.

We are writing to you as our local members to ensure that the impact on our community is understood by you. We would then ask for your assistance in ensuring that the cost increases are not imposed on our businesses and residents until full consideration of other alternatives is considered. The three-month embargo on the increased costs should not commence until TasPorts undertakes discussions with the shipping group members.

The full body of the letter, which is titled 'Proposed Changes to King Island Shipping Service', goes on to say:

You would be aware that there is considerable disquiet in the King Island business community about changes being made by Tasmanian Ports Corporation and their fully owned subsidiary Bass Island Line, TasPorts, to the triangular shipping service previously promised to King Island. This service was previously guaranteed by the state Government because of the economic contribution King Island makes to the Tasmanian economy ...

Nobody can argue against that.

... and to overcome the substantial disadvantages faced by the island because of its isolation and its location.

They go on to say:

Under the current proposal, the King Island-Victoria link has been replaced with the Melbourne-Devonport-King Island transit with varying increased costs and severe time delays. There is now no direct service between King Island and Victoria, options being considered by TasPorts or the Government.

Consequently, they ask that all increases in freight costs be forgone for up to three months. After speaking with them on Friday, I understand that they think that should be increased to six months to allow proper investigation of the impact on island businesses and residents, and genuine consideration of other options. This other part from the letter says:

Unless consideration is given to developing a more acceptable solution, an estimate of the impacts on major businesses and residents will be: One major shipping group member, a minimum increase of \$100 000 per year; the Metal 6 Group, \$150 000; High Analysis Fertiliser, a 28 per cent increase; groceries and bakery items, a 22 per cent minimum increase; and fuel supplies from Victoria, a 59 per cent increase.

Tonight, I have put on the record the concerns they raised with me. I strongly encourage the Government and local members - as I have - to meet with King Island, the council and the local shipping group to understand their concerns. They are calling on the Government to put a halt to these costs for them for up to three to six months, so that there can be options looked at around a shipping service for King Island.

This is another example of a promise this Government made that they have not delivered to date. The mayor has called on the Government to forgo increases in freight costs for three months to six months to allow proper investigation of the impacts that they understand will be on imposed on island businesses and residents. They want to see genuine consideration by the Government and TasPorts of other options. They would also like to see money in the upcoming Budget for a feasibility study done independent of TasPorts to look at other options for a shipping service to King Island. I strongly encourage the Government to meet with them to discuss their concerns.

Harness and Greyhound Training Facilities - North-West Coast

[7.28 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I rise to discuss the state of racing in the north-west of Tasmania. I had the pleasure of attending a meeting of greyhound and harness racing trainers in Spreyton in Devonport a couple of weeks ago. They are feeling very let down not only by Tasracing but also by the Tasmanian Liberal Government.

The situation for harness and greyhound trainers in the north-west is that the facility at Devonport Showground has been shut down for their activities. It is not just races, it is also training for both codes. The situation is that there was a long-term lease in place for Tasracing at that site. The site was sold but Tasracing has made the decision to vacate the site. In doing so, not just vacated the site for races but also for training for those two very important codes.

It became apparent during the meeting that Tasracing was not aware of the critical importance of Devonport Showground for harness racing and greyhound trainers. It was not aware that they required a training facility like the Devonport Showground for them to continue to operate. At that meeting I spoke to greyhound trainers who were in tears, greyhound trainers who have been training there for a long time who have nowhere to train and conduct their business on the north-west coast. I spoke to harness racing trainers who have to travel for hours - in one case, who goes to work for his eight-hour shift at his other job and then spends hours and hours now needing to go to Carrick or Hobart or Launceston when he should be able to continue to operate on the north-west coast. This all comes at the same time as the Government and Tasracing have abandoned the Palmers Road track proposal after announcing it not that long ago because it appears that they did not do their due diligence when it comes to that site and its capacity to host a race track.

This is not just about holding race meetings. This is about training these animals on the north-west coast. We are talking about generations of Tasmanians from the north-west coast who have been training there, who have been doing their business on the north-west coast, and are now forced to travel outside the area just to go about their work. It is a devastating attack on their business.

On Monday, one of the harness racing trainers told me that he got home at 1:30 that morning because he had to travel to Hobart as there is no track available for him on the north-west coast; and then he had to go to work. He told me that he is not sure how many more weeks he can go under the current circumstances.

There is one short-term training facility potentially available to harness racing trainers on the north-west coast, but it is only now that Tasracing has become aware of this requirement - only now. They are now investigating and, according to the meeting I was at, are now exchanging legal letters with the owner of this facility where harness racing trainers might be able to do their fast-work, which is very important when you are training harness racing horses, standardbreds.

For the greyhound industry, the proposal put forward to them at the meeting by Tasracing was completely inadequate. In fact, they said that is dangerous for their animals - that, by the way, they love - and it will not work for them. That was a proposal in Ulverstone. We are in a situation where we have greyhound trainers from the north-west coast who literally have nowhere to go anymore. The minister was nowhere to be seen, and has not been seen anywhere.

It is about time this Government took the racing industry seriously, and understood the economic benefits that the industry provides across the state. From the north-west coast, right across the state, they are feeling abandoned, let down by the Government, that has basically said nothing. As I understand it, the minister has not met with the trainers that I spoke to, and does not appear interested in the serious situation they have.

I understand they are now trying to re-engage with Devonport Showground, to once again try to get back on Devonport Showground to train their animals. They are re-engaged for the third time, trying to do a deal. I appreciate the 'now' enthusiasm of Tasracing to try to do that, and I also appreciate the Deputy Mayor of Devonport is trying to assist with that process but it should not have to be like that.

How on earth could Tasracing close down a racing facility that is used by so many trainers for training their greyhounds and for harness racing, without having a plan for where else they would train on the north-west coast? They have offered up financial support to these trainers, which they tell me is already inadequate; it is not meeting the extreme cost that is being forced onto these trainers. What the Government cannot give them back is their time. Most of these people have full-time jobs or part-time jobs elsewhere. This is something that they do because they love it, or to supplement another income. They are being forced to spend hours on the road, driving to Hobart or Launceston or Carrick, when they should simply be able to do their work and do their passion on the north-west coast.

This is a mess caused by a failure to plan by Tasracing and a lack of interest by the Tasmanian Liberal Government.

Time expired.

Gavin Pearce, Federal Member for Braddon - Tribute

[7.35 p.m.]

Mr ELLIS (Braddon) - Mr Speaker, the north-west, west coast and King Island have been extraordinarily well served in Canberra over the last three years because we have a fighter

up there by the name of Gavin Pearce. Many people know that Gav is a 20-year army veteran, he is farmer, a small businessman, he has been part of the Yolla Coop, he is a father and he is a husband. Gav has done more for our region than we have seen in many years.

When Gav was a young man around my age and involved in the electronic warfare squadron, he was serving our country in East Timor, alongside Major General Peter Cosgrove, a former Governor-General. You can see that fighting spirit that was developed in that theatre and he has brought that back to the north-west and then taken it to Canberra. He was a fighter for our country and served us with distinction. Now we can say that he is a fighter for our region and has served us with distinction.

A mainland newspaper recently reported that Braddon had received their second largest injection of federal investment in the nation. You only have to see Gavin Pearce operate to know that is absolutely no accident. It has been a real pleasure in the time I have been in, to see him in the three years he has been up there, for this Government to work in partnership with him to deliver for the people of the north-west, the west-coast and King Island. We are talking about tax cuts: a plan for 2745 more dollars in taxpayers' pockets this year and 39 700 in Braddon receiving tax cuts. We are talking about young people being able to get a job and a record low unemployment rate. A big part of that has to do with the higher education that Gavin has helped to deliver not just in the bigger centres on the north-west but also in some of those more out-of-the-way places, on the west coast in Zeehan with the west coast study hub. In Circular Head, this innovative model of study hubs that has been rolled out now across our region is leading the way.

It means that if you live on the west coast, if you just finished at Mountain Heights High, if you live in Circular Head and you have just finished at Circular Head Christian School, then you can stay in your region and get an education and get some of the fantastic jobs that are on offer. A big part of that has been Gavin Pearce delivering for our region.

This is a guy who is serious about making sure that young people can stay where they grew up, get a fantastic opportunity and then start a family of their own. The amount this guy has delivered for our region is simply staggering. Look at Burnie, the Companion Hill Maco Base Station out at Hampshire, which is delivering mobile reception for those of us who spend a heck a lot of time commuting in and out of the west coast for work or driving up the coast to receive services. A Defence Force Veterans Transition Centre in Burnie, \$2.2 million delivered by Gavin Pearce, because he gets it. He gets what it means to be a veteran, to have served our country and to know that having that little bit of extra care when you get home, helps to transition.

Elphinstone Battery Electric Underground Support Vehicles, a grant of \$5 168 000, so that we can help that business take part in the battery revolution which is transforming transit and so much of our industrial processors. Elphinstone is a fantastic employer in our local region and Gavin Pearce backing those jobs means that we are backing the future of families.

There are improvements to acute care at the Acute Care Facility at the North West Regional Hospital; \$10 million because you need to get the health care that you need in our region so that you do not have to leave. To be able to deliver that kind of funding for our people makes a huge amount of difference.

In the Central Coast, \$2.5 million, working in partnership with the state Government and the council to deliver the Ulverstone Cultural Precinct, which is just over the road from my office, is a wonderful opportunity, a Science, Technology, Engineering and Mathematics (STEM) Centre for young people in our region to be able to enjoy and learn. The Penguin Foreshore upgrade - \$6.5 million. The transformation that that has had for the town to shore it up and to give it a sense of future and permanency has been fantastic. The Ulverstone Skate Park - one for the kids - \$320 000. Gavin and I were there the other day for a youth festival because we want to make sure that kids can enjoy themselves.

Delivering for Circular Head - \$60 million for the Bass Highway upgrade, Wynyard to Marrawah. We have worked in partnership with the state Liberal Government, Gavin Pearce and the federal Liberal National Government in Canberra over the last three years delivering more than we have seen in a very long time. The Circular Head Aboriginal Corporation Indigenous Education Wellbeing Program - \$325 000; that is about making sure that we look after our people and they can get the care and the education they need. Emmerton Park Aged Care, a capital grant for residential care places of \$1.65 million for people in Smithton who want to be able to age in a place where they grew up, close to their family and enjoying that beautiful part of the world.

Delivering for Devonport: Devonport Soccer Club, Devonport pools, headspace Devonport, expanded individual placement and support, the Kelcey Tier Road Safety Project upgrades. These small projects right around our region that were neglected under the Labor-Greens government Gavin Pearce has delivered on in big way because he gets out there. We wave at each other more on highways and back roads than I have ever seen any Labor member floating around. Mission Australia, Tasmanian Family Day Care Service - looking after our kids and giving young families the opportunity to maintain their work and maintain their lifestyle.

On King Island - heritage funding for the 175th anniversary commemoration of the *Cataraqui*, and working in partnership with the state and the council for the King Island telecommunications transformation project. That is a project of more than \$7 million and will fundamentally transform that island.

Gavin Pearce has been an enormous representative for our region. I cannot thank him enough for the work that he has done and I hope to see him returned in a couple of weeks' time.

The House adjourned at 7.42 p.m.