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THE PARLIAMENTARY JOINT SESSIONAL COMMITTEE MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART ON THURSDAY, 29 AUGUST 2024

RECOMMENDATIONS OF FINAL REPORT OF THE COMMISSION OF INQUIRY

The Committee met at 8.32 a.m.

CHAIR - Thank you, Premier, for appearing before the Commissioner of Inquiry Recommendation Committee, which is overseeing the implementation of recommendations of the commission of inquiry.

As you'll be aware, this is an open and public hearing. It's being broadcast and transcribed by Hansard. We are using voice-to-text and if all you people could make sure you do use the microphone fairly directly to ensure we accurately capture what you say.

The hearing is covered by parliamentary privilege, but anything you say outside the Committee may not attract that privilege. If there was anything of a confidential nature you wish to share with the Committee, you can make that request and the Committee will consider it. Otherwise, it's all public.

I ask the other people to take statutory declaration but before we start, I will reiterate your comments, perhaps in the letter to the Committee ahead of these hearings, that during these public hearings, we will discuss highly sensitive matters that have deeply impacted the lives of many Tasmanians. This may trigger trauma for Committee members, ministers, department staff and members of the community. I acknowledge the victim/survivors who bravely shared their experiences with the commission of inquiry and thank them for their courage.

I remind those on both sides of the table to keep this in mind and take a trauma-informed approach to questions being asked and responses provided. Committee members will obviously keep this in mind. We've had discussions about this.

I encourage anyone impacted by the content matter in this hearing to contact services and supports. These include the statewide Sexual Assault Support Line, a 24-hour support for from local specialist councillors provided by the Sexual Assault Support Service (SASS) and Laurel House on 1800 697 877 or 1800 MYSUPPORT; Lifeline 24-hour crisis support 13 11 14; the Tasmanian Lifeline, between 8 a.m. and 8 p.m. every day of the year at 1800 984 434; 13YARN, a 24-hour crisis support for Aboriginal and Torres Strait Islander people on 13 92 76; Relationships Australia Tasmania, specialist complex trauma counselling, trauma-informed counselling, wellbeing and referral, and they're open from Monday to Friday 9:00 a.m. to 5:00 p.m. on 1300 364 277.

Having said that, I invite members of the table to take the statute of declaration and also invite you to make any opening comments you wish to make at this point, and you may wish to enable the secretary to as well.

There will probably be overview questions for you rather than going directly to the recommendations related to those in your area as Premier. We will see how that goes, but I am sure there are some members who have broader questions to start. If we can start that, that would be great.

PUBLIC

Mr JEREMY ROCKLIFF MP, PREMIER, WAS CALLED AND WAS EXAMINED

Mr ROCKLIFF - Thank you very much Chair, and thank you for your opening comments, I very much appreciate that. To my right is Kathrine Morgan-Wicks, the secretary of the head of the State Service, Department of Premier and Cabinet. To Kath's right, Courtney Hurworth, the Executive Director of the Department of Premier and Cabinet.

Ms KATHRINE MORGAN-WICKS, SECRETARY AND HEAD OF THE STATE SERVICE, **Ms COURTNEY HURWORTH**, EXECUTIVE DIRECTOR, DEPARTMENT OF PREMIER AND CABINET WERE CALLED, MADE THE STATUTORY DECLARATION, AND WERE EXAMINED.

Mr ROCKLIFF - Thank you very much, Chair. I appreciate the very important work the Committee is undertaking in these scrutiny hearings on behalf of children and young people and, importantly, victim/survivors who have had the courage to come forward throughout the commission of inquiry (COI). Thank you to all members again for the invitation to join you today to discuss how we can work together to keep Tasmanian children and young people safe from child sexual and physical abuse. I recognise the advocacy and expertise of victim/survivors, their families and supporters.

I have been listening, we have all been listening. Many victim/survivors have shared the lived experience with the mission of making sure what happened to them and their families, does not happen to any other child or young person. I share that mission and their determination to make the changes needed to keep children and young people in Tasmania safe. This will take time and we are facing many years of change - our agencies and institutions but also in our communities.

I thank the whistleblowers and staff who continue to advocate and share their concerns for change. I commit our government to keep listening, acting, and empowering our leaders and their staff to deliver this change.

Chair, this Saturday marks a year since the commission of inquiry handed its report to the Governor, making 191 recommendations and 75 findings. The magnitude of this reform cannot be understated. This is one of the biggest reforms our state has tackled and we want to get it right. We must get it right. There is a significant amount of interest, as there should be, in our progress to deliver each and every recommendation.

Before the COI final report, we announced 30 interim actions and have now delivered 22 of those, with the remainder overlapping the recommendations in the final report. Of the 191 commission of inquiry recommendations, overall, we have implemented 44 recommendations, 41 from phase one, and three from phase two.

I previously reported that 42 had been implemented from phase one. However, we have had advice from the Commissioner for Children and Young People, who has carriage for recommendation 18.14 and they require a little more time. Recommendation 18.14 relates to the production of user-friendly guides so that everyone can understand the role of the commissioner and other statutory officers and how to make a complaint.

Chair, in implementing all recommendations, we must not lose sight of their intent. They were developed for a purpose and that purpose was to make lasting change. We want to do what's important, but we also want it to be done well.

Genuine reform takes time and cultural change takes even longer. If we are to make real and meaningful change for children in this state, we must work with urgency but we also need to take the time to get it right. I welcome the involvement and oversight of this Committee in achieving this. As this Committee knows, there is an unacceptable but ongoing gap between the experiences of Aboriginal children and young people and other children and young people. Our government is committed to closing the gap and ensuring that all Tasmanian children and young people are safe and well.

I'm pleased to advise the Committee that I have this morning released a revised Employment Direction No. 5 (ED5). This is an important and necessary update to the procedures that guide the investigation and determination of whether an employee has breached the Tasmanian State Service code of conduct. The commission of inquiry made a number of recommendations towards improving processes, guidance and reform to the conduct of disciplinary processes in the Tasmanian State Service. We heard this and we are acting.

The government remains committed to the safety and protection of children and ensuring any allegations of breaches of the code of conduct are fully investigated. The issuing of a revised ED5 does not mean we are finished with the job of making improvements. Key themes from the COI highlight the need to make our processes more efficient, effective and timely and that the State Service needed to build capability across agencies in how to manage ED5s. This includes dealing with the most serious allegations and keeping children safe - a paramount concern - and this is reflected in the update that I table today.

In March 2021, our government commenced reporting the number of state servants who were suspended as a result of an allegation of child sexual abuse since October 2020. We wanted to ensure transparency for the Tasmanian community and that we were undertaking action to ensure children are safe in our institutions. We have continued to routinely disclose information. On 1 December 2023, we commenced a routine disclosure relating to assessment and actions by heads of agencies in relation to matters referred to the commission of inquiry report.

Today, I table a new routine disclosure relating to the matters of interest identified through the commission of inquiry as a result of the work by the Joint Referral Review Team (JRRT). JRRT is a multi-agency team comprised of key Tasmanian law-enforcement, regulatory authorities and state government agencies. The purpose of the Joint Referral Review Team was to review all Section 34A notices received by Tasmanian agencies, law-enforcement and regulatory entities from the commission of inquiry. It's important to note that some of these notices refer to allegations that stretch back decades to the 1970s. This is an important body of work that is a result of months and months of painstaking effort and it highlights our government's commitment to leave no stone unturned.

The review focused on identifying any key risks to children and young people in connection to the Tasmanian government institutions. I asked the Head of the State Service to brief the Committee on the work of the JRRT and the new routine disclosures.

Chair, next week is National Child Protection Week. It reminds us that we all have a role to play in keeping children and young people safe. With your indulgence, I will now hand over to the head of the state service, after which I welcome your questions today. For tabling, Chair, we have the revised ED5, a 'what's changed' guide, and the routine disclosure tables.

Ms MORGAN-WICKS - Thank you Chair, Mr Rockliff, and the Committee for the opportunity to provide opening remarks and update the Committee on action relating to State Service employees who were referred to in the commission of inquiry report. Before I start, I acknowledge the bravery of all victim/survivors and whistle-blower employees and to those that continue to support this critical work.

I commenced in the role of Department of Premier and Cabinet (DPAC) Secretary and head of the State Service just over four months ago. As part of my role, the Premier has tasked me with leading the implementation of the commission of inquiry recommendations and playing a critical role in improving outcomes for Tasmanians. I've actively engaged with the commission of inquiry process since its commencement and I attended all the Health hearings as the Department of Health Secretary. I've previously provided my commitment to deliver on the outcomes from the commission and I reaffirm this commitment today.

I know that we need to rebuild trust in public institutions that have failed children and young people. With this in mind, I will update the committee on action relating to State Service employees who were referred to in the commission of inquiry report. My update may be lengthy, but I believe it is critical to ensure fulsome information is provided to the Committee and to the Tasmanian community. Through the Premier, I will also table this statement.

In March 2021, the government commenced reporting the number of state servants who were suspended as a result of an allegation of child sexual abuse since October 2020. That routine disclosure has continued, with the most recent update provided on 16 August 2024. Since 20 October 2020, 90 state servants have been suspended, with 35 still currently the subject of an ongoing employment investigation and are currently suspended. This means that none of these 35 individuals are in the workplace. I advise that all allegations have been reported to the relevant authorities, including Tasmania Police and the Registrar for the registration to work with vulnerable people.

As you know, the commission received information from many different sources, including the victim/survivors and whistleblowers who courageously shared their experiences. In October 2023, the Premier instructed DPAC to publish a routine disclosure at a whole-of-State Service level for alleged perpetrators and alleged non-perpetrators.

These disclosures commenced on 1 December 2023, providing the community with information on head of agency actions in respect of current or former state servants who are alleged to have abused children or who may have failed in their duties as state servants. These disclosures have continued and the data has now been expanded to identify agency information, with the most recent update being provided on the DPAC website as of 9 August 2024.

I want to be clear about the relationship between these disclosures on actions relating from matters connected to the commission of inquiry and the disclosure of suspensions. The suspension disclosure is made up of state servants who are alleged to have abused children and have been suspended. This is a cumulative list of historical and contemporary matters from October 2020.

The suspension disclosure also includes allegations that have come to light before and/or independently of the commission work. The commission related disclosures are limited to matters arising from the commission.

Those disclosures include information in respect of 22 current or former state servants who are alleged to have abused children. If they were a current state servant at the time the allegation became known, the process is that they would have been immediately stood down and then suspended and will also be recorded in the suspension disclosure. However, if they were not a state servant at the time the allegation became known as, for example, they may have already been terminated, left their role or they are now deceased they will not be recorded in the suspension disclosure.

Again, I must be clear that all of these matters have been reported to the appropriate authorities, including Tasmania Police and the Registrar for the registration to work with vulnerable people. Our law enforcement and regulators know about all of these matters and have or are acting to address them and to ensure that there is no current risk to children or young people.

I will briefly mention Section 18 notices. In the final report, the commission stated that it issued 30 Section 18 notices to 22 people during the course of the commission. There has been a great deal of concern about these statements, particularly in respect of Section 18 notices, also known as misconduct notices. The former commissioners have since provided Tasmanians with comfort and assurance in respect of these Section 18 notices. They stated on 7 December 2023, in advice to Mr Mike Blake, that at the same time the commission did not identify any specific findings of misconduct against any specific person that it would otherwise have intended to make but for the challenges presented in the act. This means that there were no other people that they were wanting to make findings against. This letter was publicly released on 12 April 2024.

As Section 18 notices are issued to individuals, not institutions or to the state, and only demonstrate a procedural step, not an outcome, the more appropriate matters to consider are called Section 34A notices. As you know, the William Cox review is reviewing these matters, including Section 34 notices, and will be publicly reporting on outcomes.

The commission stated in its final report that it made referrals about more than 100 individuals to Tasmanian and other authorities in respect of potential risks to the welfare of children. To ensure that these referrals have been acted upon, I advise that the Department of Justice established the Joint Referral Review Team, as mentioned by the Premier, to consider matters of concern raised by the commission of inquiry.

The JRRT has been reviewing the Section 34A notices received by the commission of inquiry and also matters arising from the COI report under consideration by heads of agencies. The JRRT is a multi-agency team comprised of key law enforcement and regulatory authorities and agency representatives including core representatives from Department of Justice; Department of Education, Children and Young People; Department of Police, Fire and Emergency Management; Department of Health; and the Registrar, Working with Vulnerable People.

However, input and information has been received from all State Service agencies. The JRRT now comprises a team of over 30 state servants and members of Tasmania Police who work simultaneously to analyse each matter of concern referred by the commission, either from within its final report or from what it has advised via a Section 34A notice.

This work is of the highest priority, but it is complex. It requires the team to extract and rebuild the information based on what the commission has provided to us through the referrals and identified in the COI report. Today, the Premier has tabled for the first time a new JRRT routine disclosure report as of 17 August 2024.

I can advise that the JRRT has identified Section 34A notices received by: the Department of Health, five; Department of Education, Children and Young People, 60; Tasmania Police, 52; Registrar, Working with Vulnerable People, 71; Teachers Registration Board, seven; Integrity Commission, zero; Australian Federal Police, zero; Australian Health Practitioner Regulation Agency, I'm advised that information was not able to be disclosed due to legal and privacy restrictions under Australian law.

The JRRT was able to confirm the identities of 214 individual persons of interest, of which 161 were referred to in Section 34A notices from the commission. A further 53 were additional persons identified through pre-existing information holdings collected by agencies.

Of the 214 identified individuals, 149 were alleged to have committed child abuse, sexual or physical. Of these, 29 individuals were current State Service employees as of 17 August 2024. 71 were former State Service employees, 12 of which are confirmed to be deceased, and the remaining 49 have never worked for the State Service.

In respect of the 29 current State Service employees, I am advised that seven have been assessed, and the determination made from the preliminary assessment or code of conduct process is that there is no breach of the code and the employees have been cleared to return to duty. One was assessed as breaching the code of conduct, sanctioned, and returned to duty. One breach has been determined and remains suspended awaiting finalisation of sanction. 14 are currently suspended with an ED5 underway. Two were not State Service employees at the time of the allegations, and the matters have been referred to the relevant authorities. Four remain currently under assessment. I note that all these numbers are contained within the final table of the routine disclosure document that has been tabled by the Premier.

In closing, I'll provide some further information on why these numbers do not directly match with previous routine disclosures. Those routine disclosures were made on the basis of an assessment in December 2023. As we have continued to ensure that all matters have been reported, the work of the JRRT, as I am outlining to the Committee, is as of 15 August 2024. This means that all of the individuals in the previous routine disclosures - the 22 alleged perpetrators and the 42 alleged non-perpetrators - are captured within these 214 persons of interest identified by the JRRT. However, for all the individuals who have been terminated, left their role, or who have died since December 2023, these persons are now considered to be former state servants for the purpose of the JRRT disclosure.

We will continue to provide additional information to the community, as and when we can. I assure this Committee and the community that we will continue to act to ensure that every matter of concern has been reported in full to the relevant authorities and, where matters relate to current State Service employees, heads of agencies assess and determine the action.

Thank you, Chair, for the opportunity to provide this update.

CHAIR - Can I clarify one thing, and I'll go to broad questions? Those that are still subject to the ED5s - will they be assessed under the new framework? Is that the process that will be used now?

Ms MORGAN-WICKS - The Premier has signed off on a new ED5, and we have transition arrangements for current ED5s to be completed following the new framework.

CHAIR - Thank you.

Mrs PETRUSMA - Premier and Secretary, I appreciate that we've now got a copy of this, but I haven't had a chance to look at it. For the purposes of *Hansard*, are you able to explain what key changes have been made, and why? I know in the past there have been comments - especially in the media and as part of the commission of inquiry - regarding the length of time these investigations are taking. Will it assist with that, please?

Mr ROCKLIFF - Thank you, Mrs Petrusma. As I've said this morning, and Kath has referred to, I am pleased to share with the Committee the release of a revised Employment Direction No. 5, and an important and very necessary step: an update to the procedures that guide the investigation and determination of whether an employee has breached the Tasmanian state code of conduct.

As I say, last year I requested heads of agencies to assure me that in relation to ED5 investigations, everything that could be done would be done, in the timeliest manner possible and within the law.

We remain committed to the safety and protection of children, and any allegations of breaches of the code of conduct are fully investigated. It is important to say that this review does not mean we have finished the job of making improvements, as I indicated before. We have had a wide range of stakeholder feedback that has informed part of this revised ED5, and I'm sure there will be more to come as we continue to build on the changes and receive further input from the Woolcott Review. We have heard that we need to build further capability across State Service agencies in how ED5 processes are managed, and this is an important step in the process, and purpose, indeed.

In answering your question succinctly, the revised ED5 has made changes to support a more flexible approach in dealing with disciplinary matters, noting that ED5 deals with a range of potential breaches of the code of conduct that also supports the more efficient and timely management of ED5 processes. These include providing the ability for agencies to consider different delegations for managing ED5 processes to improve efficiencies, providing some flexibility for the heads of agencies to determine how to deal with specific behaviour or conduct, so that when the conduct or behaviour is of a less serious or lower risk in nature, this can be managed in the workplace. Clarity is also provided in the revised ED5 that the protection and safety of children is to be a primary consideration when managing allegations. The revised ED5 provides there may be limited circumstances where an investigator may not be appointed. Do we have any further information, Kath, to Mrs Petrusma's question?

CHAIR - The key change is what Jacquie was after.

Mr ROCKLIFF - I have detailed some of those.

Ms MORGAN-WICKS - As the Premier noted, it was critical and paramount to include a statement relating to the safety and protection of children in the new ED5, and to note the recommendations of the commission. That goes to the entire conduct of the ED5, the way in which investigators are appointed, the training investigators must undertake in order to be appointed to ED5 and to be part of our investigatory panel.

The guidance developed on the changes to ED5 clarifies that where a matter relates to child sexual abuse or related conduct, this would clearly be a potential serious breach of the code of conduct and could not be dealt with in any other way other than as a potential breach of the code. As the part of the government panel of investigators, an investigator is to be given a maximum of 12 weeks to complete their investigation. Regular updates are to be provided and where any delays are identified, an explanation of the delay and an extension of time is to be sought and communicated to parties.

It was a requirement that investigators on the panel have undertaken trauma-informed training and that details on an investigator's relevant skills or training are recorded so investigations can be conducted by people with appropriate training, depending on the nature of the investigation. Trauma-informed training has been made mandatory for those involved in ED5 processes and continues to be rolled out across the service. This training includes the importance of communicating timeframes and continuing to communicate with all parties, particularly, where there are delays in matter and an explanation for those delays.

Ms LOVELL MP - Thank you. Premier, these are very good changes, it is obviously something much needed and I think will be well supported. Was there any consultation that was undertaken on the new ED5 process?

Mr ROCKLIFF - Thank you, Ms Lovell.

Ms MORGAN-WICKS - Yes, consultation was undertaken with all unions and also with all agencies with respect to the new ED5 and has been undertaken over quite an extended time.

CHAIR - Can I go to the point you raised, Premier, and also noted in here on referrals to the Australian Health Practitioner Regulation Agency (AHPRA), the health regulator and the sharing of information privacy concerns. I do not doubt they do their work but how are they informed? If it is once the information is provided to them, what happens and how do you or the secretary get feedback from AHPRA? Do they ever get an outcome?

Mr ROCKLIFF - Thank you, and that reference was that to Ms Morgan-Wicks' opening statement where she was advised that information was not able to be disclosed due to legal and privacy restrictions under Australian law-

CHAIR - Which we have adopted.

Ms MORGAN-WICKS - Perhaps reflecting a little bit on my time as secretary of the Department of Health, with very positive dealings with AHPRA, noting they are subject obviously to federal law, not state law. We, as the Department of Health, entered into a new

PUBLIC

memorandum of understanding to try and improve the timeliness, the flow and the sharing of information between the Department of Health and AHPRA, noting that AHPRA can receive complaints that the Department of Health are unaware of, so to try and encourage it the first opportunity-

CHAIR - Yes.

Ms MORGAN-WICKS - - to try and encourage at the first opportunity AHPRA to notify us that if we do have a health registered health practitioner in the workplace in which a complaint or an investigation may be proceeding against, that we are then able to take action within our own workplaces.

CHAIR - You do get notified of that. It's not like a black hole the information disappears into.

Ms MORGAN-WICKS - There is some disclosure of information by AHPRA, but they are subject to federal laws which do restrict that information. Noting they are undertaking - without speaking for AHPRA - their own investigation processes and they have their own referral processes. For example, the medical board or the nursing board, who then determine particular sanctions in relation to investigation matters. We are taking steps to try to improve that information disclosure and encouraging - again, if employees are reporting a particular complaint or concern about a fellow colleague or someone in the workplace - to also please raise that with their own employer and department. We can also take action concurrently with AHPRA.

CHAIR - I could be wrong, but the risk is if I, as a consumer or a fellow health professional, refer a medical person like a doctor, nurse, midwife, whoever to AHPRA and don't refer it to my employer here in the state my employer here may not know about that. Then, naturally that person could keep working for a period of time until AHPRA made their determination. Acknowledging the challenges with the federal legislation, how can we prevent someone remaining in the workplace that probably shouldn't be?

Ms MORGAN-WICKS - That is the reason why we are continuing to train all employees on a mandatory and annual basis. For example, in the Department of Health where all employees, volunteers and contractors are trained about the indicators of child sexual abuse and grooming behaviours and the way the reporting mechanisms that must be implemented -

CHAIR - Right. They have got to report both, both ways.

Ms MORGAN-WICKS - And noting that, most importantly, not just AHPRA, not just the employer, if you believe there is an incident of child sexual abuse or grooming you must be reporting it to the relevant authorities, Tasmania Police and steps to be then taken with working with vulnerable people to the child advice and referral line, et cetera, if there's an immediate threat, for example, to a child,

CHAIR - Sure.

Ms WEBB - Yes, thank you for providing the update here. It's a lot of information for us to receive, respond to and interrogate or scrutinise here at the table. It may well be we will need to come back to it as a Committee to be able to do that.

Mr ROCKLIFF - I'm sure there will be other opportunities.

Ms WEBB - In terms of the revised employment direction and you confirmed in response to the Chair's question that that's going to be the new process used for current and ongoing ED5's -

Ms MORGAN-WICKS - Will be in in transition with it.

Ms WEBB - -as they transition. We also know it's been reported in the media that Regina Weiss has a role to play within DPAC in reviewing some of these matters. Can you explain how that fits in to this new system and how that's part of the transition?

Mr ROCKLIFF - Thank you, Ms Webb. Yes, we can. Yes, I can go to engagement with Ms Weiss. Thank you, and as you've stated, Ms Webb, respected Tasmanian barrister Ms Weiss has been engaged to provide expert practical and strategic advice to the head of the State Service about the newly established Shared Capability and Centralised Investigations Unit focused on improving timeliness and capability of ED5 investigations and processes in the Tasmanian State Service.

The new unit is the State Service Management Office within the Department of Premier and Cabinet and will have an initial focus on matters arising from child sexual abuse allegations and related conduct in Ashley Youth Detention Centre. Ms Wise will also provide expert advice to assist in the finalisation of assessments and investigations on matters involving current and former employees of Ashley Youth Detention Centre. We welcome her expertise and knowledge to support the protection and safety of children in the management of allegations of serious breaches of the code of conduct. This engagement further supports the government's commitment to the safety and protection of children and that any allegations made are fully investigated.

To your question, Ms Weiss will engage with relevant intermediaries and stakeholders to provide her with the support and assistance as she progresses with the investigation of matters relating to the Ashley Youth Detention Centre. Ms Weiss has noted the importance of intermediaries and other stakeholders in this process, and is mindful that their confidentiality is protected. Ms Weiss will be engaging with victim/survivors of sexual and other serious abuse, approaching her work in a trauma-informed manner, which means control and consent of the information lies with the victim/survivors. If any new information or allegations come to light, then those matters will be fully considered by the unit and Ms Weiss for referring to a decision-maker to consider whether an ED5 process should be commenced.

I should also emphasise that the initial focus for Ms Weiss, as part of her scope of engagement, is engagement with victim/survivors. Whilst part of the scope of engagement also provides Ms Weiss to undertake investigations and provide advice to the heads of the State Service, it is important to know that Ms Weiss does not have decision-making powers. The decision as to whether there is a reasonable belief as to whether a potential breach of the code of conduct has occurred, and therefore to commence an ED5 investigation and process leading to a determination of a breach or not, remains with the decision-maker, being the Secretary or Associate Secretary of the Department of Premier and Cabinet for these Ashley Youth Detention Centre matters.

PUBLIC

It is intended that Ms Weiss is assisted by Solicitor, Ms Demi Peters, and Ms Weiss' engagement is subject to confidentiality agreements and conflicts of interest declaration. The *Personal Information Protection Act 2004* exemption is in place to allow Ms Weiss to access information.

Ms Peters' engagement will be subject to the same confidentiality agreements and conflicts of interest declaration as Ms Weiss, and Ms Weiss will continue in this engagement until all matters are complete. There is nothing more important in that role than keeping our children and young people safe.

And Kath, do you have any further -

Ms WEBB - That's probably pretty comprehensive. I was just wanting to understand where that fitted into the mechanism of it, but I appreciate that I gave you a Dorothy Dixier for it. Anyway, that's okay, it's good to have that material in the public domain.

Can I ask how this new routine disclosure that you've given us today here at the table, which is really comprehensive and will be good to dig down into - how would we know from this about instances where there's been an ED5 investigation? Potentially, somebody's been returned to work, fresh allegations have occurred, there's been another ED5 investigation started, and that person's been re-suspended. How is that represented in these tables?

Mr ROCKLIFF - Thank you for the question. Kath?

Ms MORGAN-WICKS - Thank you, Ms Webb. Noting that, although we've put it together into one document today for tabling, several of these tables have been on our DPAC routine disclosure website for some time. The new information probably relates to the fact sheet information on Section 34A notices and also Section 18 notices to try to explain, because it can get a bit confusing there about all the number of notices that were issued. The new table at the back of this document in relation to 34A notices.

In terms of determining, and noting that the purpose of this disclosure is not to identify individual matters - and I know you were not asking to identify individual matters - you will see in the outcomes in each of the tables. For example, for the 22 alleged perpetrators that were identified in the COI report, it will state -

Ms WEBB - Which page of the document are you looking at?

Ms MORGAN-WICKS - Yep, so if we go to -

Ms WEBB - Page four, is it? Five?

Ms MORGAN-WICKS - Page five has the final outcomes of the action taken. Perhaps if I work through the example.

For alleged perpetrators, these are the list of 22. Page four details the summary information about who was a former employee or a current employee. It talks about how every one of the 22 was assessed by a head of agency and to make a determination whether an ED5 process was commencing or not. It also records outcomes where that assessment couldn't be undertaken because a person was deceased, et cetera, or where two people were not assessed

because they were already convicted of criminal charges and subject to a term of imprisonment. The next page, on page 5, gives a summary of the current action taken and final outcomes for those that have finished. It will include, for example, where people have been subject to an ED5 process, the process has concluded, no breach has been determined and a sanction not applied. I probably haven't picked the best example in the 22, so I'll work down where we have the 22 at the moment. One deceased and two convicted of criminal charges and imprisoned. We have four that have been terminated due to a breach determined. One with a sanction of termination recommended but the employee resigned prior to finalisation. One with a breach determined sanction other than termination applied and so that employee has returned to duty. Three resigned or contract expired prior to an ED5 process commencing - that those three employees have been advised then an ED5 will commence.

Ms WEBB - Sorry for interrupting. I appreciate you talking us through the table, but my specific question is not to describe the table.

Ms MORGAN-WICKS - Apologies, Ms Webb.

Ms WEBB - I'm wondering how it would be represented in this table, the circumstance of somebody who had been suspended subject to an ED5 investigation, found to have no breach, returned to the workplace, but then resuspended due to a fresh allegation and then subject to a new ED5 process. How would we see that represented here and understand that that had happened?

Ms MORGAN-WICKS - If that person is part of the 22 and I am aware of some, they would be represented here in terms of active ED5 process underway if they are currently subject to that act. They may have had a starting ED5 process.

Ms WEBB - It wouldn't have visibility of the double up.

Ms MORGAN-WICKS - No, and it's very complex. I suppose that's a very important point for the Committee. The information and allegations and the state of evidence that comes forward is not a static state. This information changes on a day-to-day basis depending on each individual that's involved in particular incidents and whether or not they wish to share information or provide it through to authorities or the status of investigations that are undertaken by authorities.

I am aware, as head of the State Service, of matters where we have had an ED5 process with an employee suspended where that ED5 process may have concluded at a point in time with a no breach determination. If additional information then comes through, that employee may be resuspended and a further ED5 process commenced. That is why the Premier has outlined the appointment of Ms Weiss as an independent person of both agencies, independent of Tasmania Police, for example, as someone for complainants to come forward and speak to. We do continue to encourage any member of the community that are concerned about a person in the state service to please come forward with that information.

Ms WEBB - We would have no visibility around people being put back on an ED5 and double ups. That is not going to be something that you can incorporate as reporting into this table. People are very interested in this area and it is about accountability. It does seem like a pertinent matter to understand where an ED5 process may have, for various reasons, come to a close with no breach found, but then been reignited to understand how that fits into the

PUBLIC

counting that we're doing here in this table. Would you take that on as something to consider how it might be represented?

Mr ROCKLIFF - The answer to that question is yes.

CHAIR - Can I clarify on that point that people that fit into that category now are on this, listed in the second bottom box, is that one or more of the four? Is that correct?

Ms MORGAN-WICKS - I'm not sitting here with individual names. I need to take care in making sure that I speak to what 200 much better people than I have double-checked in terms of numbers, because these investigations move all of the time.

I absolutely know the reason why people may like to see that information. I also need to take care, as the Head of the State Service, as heads of agencies do as well, not to identify individuals. It may be lower numbers that are involved here, but we can absolutely take a look at that. I think we are attempting to demonstrate that we are seeking to increase the amount of information that is available to community to make sure that all of these employees are being held to account.

Ms WEBB - Can I ask one more question about the 34A referrals made by the commission? Were there any section 33A referrals made by the commission and would they have had to be assessed against the state code of conduct in a similar way through consideration of an ED5 process?

Mr ROCKLIFF - Thank you for the question Ms Webb. If we may take that on notice, so we can provide further information to the Committee, unless there's some more information has come to light. We are advised that the Department of Justice is unaware of any Section 33 notices.

Ms WEBB - The Department of Justice is unaware? Is that because Section 33 notices are issued to individuals and, therefore, not necessarily coming to the awareness of the department? For example, there may have been one or more issued, but because they're issued to individuals they haven't become a departmental matter. Is that the situation of why the Department of Justice may not be aware of any issued?

Ms MORGAN-WICKS - I hesitate to speak for the Department of Justice, I think that they would need to answer in relation to that. From my general awareness, section 34A was the mechanism by which the commission could refer any matter of concern to either a statutory individual or to an organisation. That is why we have treated that as the absolute core in terms of the information that the commission were concerned about. I should also note, I went to the table of 22, if there is a new suspension or if a person is suspended for the second time, they are also included in our table of suspended state servants since October 2020 in relation to child sexual abuse.

Ms WEBB - Appearing as a fresh number? Can I just come back? The section 33 notices that would have related to matters where the commission felt that their work had been obstructed. If a section 33 notice was issued, it was because of that. The reason I'm asking is because what we're looking at here is following up on whether there's been code of conduct matters that could be considered later from things identified and that occurred during the

commission. I can put a question on notice laying that out as a clear question and hopefully we'll get a response back with whatever information is available.

Mr ROCKLIFF - Yes. Thank you.

Mrs PETRUSMA - I have another overview question.

CHAIR - Yes, we've still got an overview. I'll come back to you. I have a couple more up here.

Ms LOVELL MP - I have some questions on another matter, but before I do that I wanted to clarify, Premier, something you said in your opening remarks. You said that you'd previously said that 41 recommendations had been implemented, but that the Commissioner for Children and Young People had requested a bit more time for one of the recommendations. Was that recommendation included in that 41 that you previously reported or is that in addition? I am just wondering if that changes the number of implemented recommendations now to 40 or if it's still at 41.

Mr ROCKLIFF - All right, so if we go -

CHAIR - I think you said it was recently 42.

Ms LOVELL MP - Alright. Thank you. That was included.

Mr ROCKLIFF - Yes, so previously reported 42 for clarification and that recommendation was part of the 42.

Ms LOVELL MP - Thank you. That's what I want to clarify. I have some questions about - it's not directly linked to these recommendations, but it's been raised with me as a matter of concern because of the close links between child sexual abuse and family and sexual violence - the decision to move the family and sexual violence secretariat from Department of Premier and Cabinet to Justice. Given the close links that have been identified in the commission of inquiry report on a number of occasions, can you talk through the reasons behind that decision and why that move is being made?

Mr ROCKLIFF - Yes, we're able to, and I ask Ms Morgan-Wicks to comment on that. In saying that, I acknowledge the correspondence I've recently received relating to this matter. I appreciate some of the concerns that have been raised. A number of organisations have put their name to the email that I received in the last 48 hours, if my memory serves me correctly. Kath, would you like to talk through some of the reasons for that?

Ms MORGAN-WICKS - Noting that the prevention of family and sexual violence has obviously been, and continues to be, a critical priority for the Premier and the Department of Premier and Cabinet. We remain the central policy agency responsible for continuing to engage - for example, with National Cabinet as it is also on the National Cabinet agenda. That particular area and the recommendations that crossover with the commission of inquiry recommendations are still within the purview of the Department of Premier and Cabinet.

What has been put out to consultation in terms of structural changes for DPAC and some machinery of government changes is the movement of the small team. We're talking about two

or three employees within DPAC who had been responsible for continuing to run the centralised policy area through to the Department of Justice, noting the larger number of employees that are involved there, but still with a cross-agency perspective on the prevention of family and sexual violence.

We are still all over this area of critical policy and it intersects at many levels with the commission of inquiry work. I might, if the Premier doesn't mind, also ask Courtney Hurworth, who has led these areas and leads our commission of inquiry reform team, to also comment.

CHAIR - Does this link directly to a recommendation in what Courtney's going to say? It would certainly be good to do it under that actual recommendation.

Ms MORGAN-WICKS - No, it does not, Chair.

CHAIR - Okay, that's fine.

Ms HURWORTH - I met with the alliance last week to hear their feedback directly. The first thing I'd say is the decision hasn't been made. We're in a consultation phase, including with our own staff. When I met with the alliance they shared their frank and fearless feedback with me. I immediately sent that on to both Kath and the Department of Justice.

I acknowledge that they did raise the intersection between family and sexual violence in their submissions to the child and sexual abuse reform strategy, so we are taking their feedback seriously.

I'm also meeting with Laurel House again tomorrow.

Ms MORGAN-WICKS - I should add, from a policy perspective, DPAC remains responsible for the action plan and for any review of the action plan. We will continue to consult and be engaged with our key stakeholders across this reform as we are on our COI recommendations.

Ms LOVELL MP - Given that, and given that you've said DPAC remains the central policy agency - but then you said the team of two or three employees are the employees who have been responsible for policies - how will that work then if that decision does go ahead? If DPAC's still the central policy agency, why wouldn't you keep that team with that agency? I'm still unclear on the reason for the move.

Ms HURWORTH - I think it's really important to be clear about what those resources do.

Ms LOVELL MP - Yes.

Ms HURWORTH - The last time the whole-of-government strategy and action plan was developed was two years ago. That was led by a policy team. There's a team that leads implementation of that strategy and action plan, which includes things like contract management and program delivery.

The intention would be that the next time the strategy and action plan is due for renewal, which is in about 2027, DPAC would lead that on behalf of government. It's more clearly

defining the functions of a central policy agency, which I think is an important distinction to note.

Ms LOVELL MP - I'm still unclear as to why that team needs to be with Justice. Everything you've described to me sounds like they should be with DPAC because that's where the work is being done.

Mr ROCKLIFF - Thank you, Ms Lovell. Kath?

Ms MORGAN-WICKS - There's some significant synergies in actually placing these resources who work on a daily basis with resources in the Department of Justice, in the Department of Police, for example, who are administering within Justice, for example, Safe at Home, the Keeping Women Safe in their Homes program, the flexible support packages and funding programs, which are all actions under the five-year action plan for the prevention of family and sexual violence.

But from a central policy agency, I probably can't also undersell the amount of resource that is working on the commission of inquiry recommendations which also intersect with family and sexual violence. We need to look across DPAC and say, 'What are the key pieces of reform that we have to establish teams to be leading?' At what point in time do I work with all of my agency heads to say that they will take - if we have been working, for example, in the family violence area for many, many years, and will continue to do so, but where a particular agency can also put up their hand and say, 'We can take a lead on this', whilst DPAC is also right in the space of 191 recommendations for the commission of inquiry.

I say to all of our very important stakeholders in this area: it doesn't mean that DPAC is not treating this as a priority, will not still be involved and working hand-in-hand with the Department of Justice. We are in consultation and feedback is going to come through and we'll consider every piece of that.

Ms LOVELL MP - Thank you. On that consultation, you've already said that you are consulting with organisations that provide those specialist services, is there any consultation under way with any victim/survivors on this?

Ms HURWORTH - We've had individual conversations with victim/survivors about the change.

Ms LOVELL MP - Okay. But not a formal consultation process?

Ms HURWORTH - That's right, not a formal consultation.

Ms LOVELL MP - Not a formal consultation process, okay. Thank you, that's -

CHAIR - Meg has a follow up on that.

Ms WEBB - Picking up on some of the answer on the commission. You mentioned the responsibilities relating to oversee that side of the commission of inquiry response is sitting there with DPAC and is quite considerable. Has there been a restructure of allocating that responsibility within the department Are we able to see how that looks structurally in the

department in terms of the organisational chart? Is that available now in the public domain you can point us to or could you provide to us?

Ms HURWORTH - We could provide that.

Mr ROCKLIFF - We can provide that for you, Ms Webb.

Ms WEBB - Can you briefly describe if there is just one designated area that sits, for example, under the secretary that is responsible for undertaking that work?

Ms MORGAN-WICKS - Yes, there is. Courtney Hurworth at the table is currently the acting reform lead for that area of work.

Ms WEBB - Great, so we can get a structural map of some sort? Thank you.

Ms MORGAN-WICKS - Yes, and noting that it's currently out for consultation and feedback.

Mr ROCKLIFF - Yes. We can provide that.

Ms WHITE - Premier, I wanted to ask questions about the review of the employment directions. You provided an update about ED5 today. As part of the independent review of the Tasmanian State Service undertaken by Dr Ian Watt and provided to your government in 2021, there were a number of recommendations including the requirement to rewrite a number of employment directions. How far progressed are you on that work? It's been a number of years since you've received that report and accepted those recommendations. We've seen one new employment direction tabled today. When will we see the others as recommended to be rewritten by Dr Ian Watt?

Mr ROCKLIFF - Thank you for the question, Ms White. We'll seek to provide an update for yourself and the Committee on recommendations in the Watt review as particular reference to the employment direction. The Tasmanian Government supports, in principle, the recommendations of the independent review of the State Service - the Watt review, as we now know it, as Ms White said. We have committed to prioritising implementation of the State Service review reforms with strong linkages to commission of inquiry recommendations and keeping children safe priorities. To date, 13 recommendations have been completed, including initiatives aligning with the initial commission of inquiry response actions such as updating performance agreements for all heads of agency as recommendations number 7 and 8, setting up a new unit with shared capability for serious code of conduct investigations, recommendation 58.

In the ministerial statement tabling the commission of inquiry report on 26 September last year, I announced an investment of \$5 million to implement new human resource administration management systems across State Service agencies in line with recommendation 34. A further 21 recommendations are currently underway or prioritised for implementation and will contribute to keeping children safe, including revising employment directions. A number of recommendations pertain to that: 35, 37, 43, 54, 55, 56, 57 and 59. Employee capability assessment and development recommendations 13, 50 and 51. Thank you for the question.

PUBLIC

Ms WHITE - Is it possible to get a timeframe for when we can see those recommendations delivered? It's been three years now.

Mr ROCKLIFF - Of the entire review or the one -

Ms WHITE - You've spoken about the ones that relate specifically to the commission of inquiry. For the purposes of this committee, it would be useful to understand when we can see those delivered.

Mr ROCKLIFF - Yes. We can provide that and when it comes to 84, Kath, would you like to update the Committee on that?

Ms MORGAN-WICKS - Once we had the hand down of the 191 recommendations, we started the work to compare across obviously to our Tasmanian state service review so we can make sure I don't have two teams, for example, working independently of one another on those recommendations. The priority, coming back to the original part on when are the EDs going to be reviewed, was for ED5 first. I reconfirmed that upon my appointment as head of the State Service.

Our next priority is ED4, noting the commission of inquiry included that in phase two of its recommendations, so 30 June 2026. We are attempting to get there sooner than that, but noting the ED5 work has been the priority. We will certainly, as my commitment as the head of the State Service, working through each of the employment directions noting the recommendations of Ian Watt, but also the commission of inquiry recommendations.

Ms WHITE - I Appreciate that. One of their concerns raised previously with the government and also discussed today is the length of time it takes for a complaint to progress through an implement direction to see resolution. People have been stood down for more than three years in some cases. Arguably, if the recommendations from the Watt review in 2021 had been progressed faster, we might not be in a circumstance where people are stood down for years and years. I am frustrated to hear you say it might still take a number of years to progress those recommendations, 77 of them from 2021.

Premier, I'm keen to hear from you about the broader work of the State Service review. You've spoken about the ones relevant to this Committee, but there are 77 recommendations. Is there any public reporting on progress to deliver on those recommendations we can look at?

Mr ROCKLIFF - Thank you, Ms White, for the question. As I said before, we would welcome the opportunity to provide an update to the Committee about the progress of the Watt review. I can call to the table, if you'd like, Matt Healey.

CHAIR - I just wonder if this is more a question for Budget estimates rather than this Committee, only because we've got a lot of -

Ms WHITE - Happy to take your advice, Chair.

CHAIR - Yes, the Premier may be well prepared at Budget Estimates to provide such an update. A bit of gratuitous advice across -

PUBLIC

Mr ROCKLIFF - As you'd expect, we are prepared for the Watt review recommendations pertaining to the commission of inquiry and more than happy to provide the Committee with an update before budget Estimates.

CHAIR - If you could perhaps provide it, yes.

Ms WHITE - I'm happy to do that, Chair. I'd be keen to understand from the Premier if there's any public reporting for us to see of the progress on these recommendations, if you could answer that.

Mr ROCKLIFF - Yes. There's public reporting with regard to the commission of inquiry recommendations and particularly, those that link with the Tasmanian State Service review.

Ms WHITE - Not the State Service Review?

CHAIR - I think that's a matter for Budget Estimates to follow up.

Ms WHITE - Okay. I have other overview questions, but I understand you've got -

CHAIR - I have Jacquie with another overview, then I'll come back.

Mrs PETRUSMA - Premier, you mentioned that there were 41 phase one recommendations completed and also three phase two. Are you able to let us know which are the completed recommendations in phase two?

CHAIR - We can probably get to that when we go through individual recommendations.

Mrs PETRUSMA - Okay. It was more to help, when we get to the recommendations, if they were completed and we're running out of time, I thought we got the numbers down.

CHAIR - I'd like to get to each of the recommendations. Are you happy to wait until then?

Mr ROCKLIFF - Thank you, Mrs Petrusma. I have a considerable amount of information about phases one, two and three.

Mrs PENTLAND - Can I ask a question about this document?

CHAIR - Yes.

Mrs PENTLAND - Thanks. I was looking at this suspension of state servants and how many are still potentially on full pay. Obviously, they're not on full pay, it says, if their working with vulnerable people registration has been suspended. It's on page 10. I'm wondering how many of these 32 have had their working with vulnerable people registration suspended? How many people? Would you know?

Mr ROCKLIFF - Thank you, Mrs Pentland. Can we take that question on notice and provide that information to the Committee as soon as possible?

PUBLIC

Mrs PENTLAND - Yes. Can I ask one other question? What would the review look like if someone were to have the suspension on their working with vulnerable people card? How does that work?

CHAIR - If it was upheld? If it was cancelled, was the question?

Mrs PENTLAND - Yes.

Mr ROCKLIFF - Thank you very much for the question. Kath?

Ms MORGAN-WICKS - Noting that the Attorney-General and the Department of Justice are responsible for the registration to work with vulnerable people, but noting from practical experience as a secretary receiving notifications of either suspension or cancellation of working with vulnerable people, we would receive that notification from the Registrar and take steps to stand down an employee if they were still within our workplace. We could then do a preliminary assessment and determine what action could be taken - whether it's an ED5 or not. It will depend. We don't necessarily receive a lot of information with those notifications, and we need to do further investigation to determine the allegations against the employee. From my personal experience, we have taken immediate action when we have received one of those notifications.

Mrs PENTLAND - Those 12 employees that have been suspended for more than 365 days - would it be fair to say that they would have their working with vulnerable people suspended at the moment?

Ms MORGAN-WICKS - Through the Premier, it is fair to say that the Registrar for working with vulnerable people will be notified in relation to every single one of those suspensions. What steps that Registrar then takes is a matter for that Registrar under that scheme.

Ms WEBB - There's something to clarify there, I think.

CHAIR - Okay, I'll go to Sarah.

Ms WEBB - This table we're talking about on page 10 is 'duration of suspension on full pay'. Now, if someone had had their working with vulnerable people card suspended, would they still be on full pay during suspension, or would they not be on full pay during suspension?

Ms MORGAN-WICKS - Through the Premier, and looking at the previous page, we have 35 employees who are currently suspended with an active ED5 investigation underway; 32 of those are on full pay. It's correct to state that if an employee is required to hold a working with vulnerable people registration and that is suspended or terminated, we are not permitted to pay them.

Ms WEBB - Thank you. None of the people represented in the table on page 10 would have suspended working with vulnerable people cards because they are on full pay - just to clarify?

Ms MORGAN-WICKS - Yes, that would be correct. Through the Premier, I believe that to be correct, but in providing evidence, I also want to go back and check.

Ms WEBB - Thank you - and that would explain the difference between the '35' figure on the table on page 9 and the '32' figure on the table on page 10.

Ms MORGAN-WICKS - Yes, but I would like to make sure that I have checked.

Ms LOVELL MP - That was my question - if there are any employees suspended without pay - which you've answered - but what you've just said means that Mrs Pentland's question about the length of the employee being suspended for longer than 365 days would likely have their work with vulnerable people card suspended. Do we take from that that's not the case because if they had they would no longer be -

CHAIR - On the list.

Ms LOVELL MP - The question is: is that a hard and fast rule once somebody's work with vulnerable people card is suspended that they are then automatically suspended without pay?

Ms MORGAN-WICKS - This is on the basis of advice from the Solicitor-General and it depends on whether the person's employment has a requirement to hold a work with vulnerable people registration, noting that not all state servants in the State Service have that requirement as part of their statement of duties. I'm not trying to be evasive, but I'm just making sure that I'm providing correct information in these tables.

CHAIR - Did you want to follow up on that?

Mrs PENTLAND - Did you say that not all people in the State Service must have a work with vulnerable people card?

Ms MORGAN-WICKS - Yes, that's correct.

Ms LOVELL MP - One further question. It says here that in some cases an employee can be suspended without pay for reasons such as their working with vulnerable people registration being suspended. What would the other reasons be? And of the three that are currently suspended without pay, would that likely to be the reason or could there be other reasons for them being suspended without pay?

Ms MORGAN-WICKS - Without identifying any individual, if I could speak generally, ED4 allows the head of the State Service how to determine whether a suspension is without pay, noting that the issue of a suspension is not a sanction, it is a procedural step during an investigation whilst evidence is being obtained from all parties involved. It is a very serious step to then deny an employee who is suspended pay who may need to retain a lawyer, seek further advice, support their families during that investigation. I note the seriousness of taking that step. We have legal advice that if they are required to hold an RWVP card and that's suspended that we cannot pay them. That will be a suspension without pay.

It may also be that you are currently remanded in prison and unable to perform the duties as an employee. Therefore, we are unable to pay them. There are other serious circumstances in which that part of the ED4 could be exercised.

PUBLIC

CHAIR - I remind members that we're going to have a break at about 10.00 a.m. I'd like to finish the overview by then if we can, so we can get to the individual recommendations. Rebekah, back to you.

Mrs PENTLAND - On the 32 suspended members who are in this table, how many of these staff members would require a working with vulnerable person registration in their role? How many of those people would need one?

Mr ROCKLIFF - Thank you Mrs Pentland, we will need to take that on notice to provide accurate information to the Committee.

Ms MORGAN-WICKS - All State Service employees, some of whom are performing a public service that does not have any interaction with children -

CHAIR - Or vulnerable people.

Ms MORGAN-WICKS - Or vulnerable people, but an allegation has come forward and we are reporting if that allegation relates to child sexual abuse and we have suspended that employee. We would need to take that question on notice in relation to working through the list to determine whether their actual statement of duty had a requirement to hold a registration.

Mrs PENTLAND - Great. Thank you.

Ms WHITE - On the working with vulnerable people card, Premier, do you have a view as to whether elected officials should be required to hold a card whether they're elected to state or local government?

Mr ROCKLIFF - Thank you for the question, Ms White. That has been subject of community discussion. I have a working with vulnerable children's card and have had since the scheme started. I can't quite recall exactly the time and I have visited many schools myself as education minister. I'm happy to receive policy advice in terms of the question that you ask, I know it's been spoken about in local government circles as well as state.

Ms WHITE - Do you think it should be important for the public to be made aware if an elected official has their card suspended? I ask because we interact daily with people who are vulnerable. We have a position of authority and it is not a requirement for us to have a working with vulnerable people card. It should be. I think that if there's a suspension, it should be able to be accessed publicly by the community so they're aware of that. Do you have a view about that?

Mr ROCKLIFF - We are working through the commission of inquiry recommendations and, in the interest of absolute thoroughness and transparency, it is important that we are, as a government and elected officials, very transparent in these processes to ensure that the community are informed. I'm happy to seek further advice on the question you ask in terms of working with vulnerable children cards. In principle, I support elected officials having to have a working with vulnerable children's card. Implementation of and consultation with local and state government would be important in that.

Ms WHITE - Do you want me to put a question on notice to you? Is that what you're encouraging?

Mr ROCKLIFF - I've given you my principal position. The reason I need to take advice on such a matter is in terms of whether there are constitutional issues with those matters. I'll have to be considered in my response but all things being equal, in the interest of transparency, in principle I would support and encourage elected officials to go through the process of having a working with vulnerable children card. I have one. I'm sure many members of parliament have one, given our daily interactions with children, young people and vulnerable people in our community.

Ms WHITE - Would it be possible, Premier, to put a question on notice to you so you can provide advice back to the Committee to help us understand what the advice might be that you're relying on? The constitutional matters, for instance? I think it would be useful. Can I do that?

Mr ROCKLIFF - Of course.

CHAIR - Premier, have you sought advice around the potential constitutional issues on this matter?

Mr ROCKLIFF - I'm advised that we are in the process of considering these matters and seeking advice. I'm happy to welcome the opportunity to table any advice that we have with respect to these matters.

Ms WHITE - A further matter that I want to ask you about, Premier, and this was discussed with the Attorney-General in relation to the reviews of both the Integrity Commission and the *RTI Act* that are due by 9 April next year. I am keen to understand if you remain committed to delivering on those given the agreement was with their Jacqui Lambie Network. If so, have the terms of reference for those being finalised?

Mr ROCKLIFF - We continue that very important work in increasing transparency and accountability to the Tasmanian community, as I've said a number of times, including in answering your previous questions. As Committee members will note, the commission of inquiry made a recommendation in its final report, which was Recommendation 17.8, relating to reforming information sharing and access processes across the State Service. The government has agreed to all the commission of inquiry recommendations and has committed to delivering this recommendation by July 2026.

The Department of Premier and Cabinet, in consultation with all Tasmanian State Service departments, continues to lead improvements to the way the community can access government information, primarily through its Right to Information Uplift project. It's critical that agencies work together to make these improvements. This government is committed to improving the openness and accountability of government decision-making in the RTI process and improving capability across the public service. That work is continuing through the Right to Information Uplift project. I've asked that it continues to be prioritised.

The confidence and stability agreement, as you mentioned with the Jacqui Lambie Network, requires a review of the RTI Act and processes within 12 months of the agreement. The government is continuing to work with the JLN - indeed, my notes clearly need to be updated - and independent members to ensure these important reviews and associated work continues.

PUBLIC

The government has committed to the reviews and has stated the work will ensure that reforms consider all commission of inquiry recommendations and those remaining from the 2016 statutory review and the 2022 consultation.

CHAIR - If you could go back to your question, are you happy with that answer or is there a more specific question?

Ms WHITE - Chair, it sounds as though the government remain committed to delivering on both of those reviews by April next year.

Mr ROCKLIFF - That is correct.

Ms WHITE - And, do you have terms of reference for those reviews, given it is August, and I believe they have to be delivered by 9 April next year?

Ms LOVELL MP - It's almost September.

Ms WHITE - It is nearly September.

CHAIR - Are there terms of reference to guide?

Ms WHITE - Are there terms of reference - have you engaged anybody to undertake this work?

Mr ROCKLIFF - I am advised the terms of reference are still being finalised as we speak. Our commitment to the JLN and independent members remains to that April timeframe. The project will deliver, in terms of the RTI Uplift project, a comprehensive suite of training modules for all RTI delegates across the Tasmanian State Service, developed by the University of Tasmania, model policies and procedures to increase the consistency of RTI practices, a review and increase of routine disclosures, advice to community members on how to effectively seek government-held information, and training resources for others involved in actioning a RTI request, such as people who are searching for information. April is when I expect to be able to deliver.

Ms WHITE - But you haven't started on either project yet?

Mr ROCKLIFF - When it comes to the RTI Uplift project, it was initiated indeed by the Department of Premier Cabinet in 2022 as part of the Tasmanian Government's interim responses to the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Judicial Settings. As you may be aware, \$500,000 was committed to support the uplift of RTI capability and practice in the public service, through the provision of centralised training, building skilled RTI practitioners and reducing key person dependencies in agencies. I have outlined what the Uplift Project will deliver.

Ms WHITE - The review of the Integrity Commission? There's no money - as I understand - provided to that. You haven't got terms of reference, you haven't engaged anybody to do that work yet. Is that correct?

Mr ROCKLIFF - We'll be working through those matters, as we have committed to.

CHAIR - I am conscious of the time. I'll just go to Meg on this particular point, then we'll have a break.

Ms WEBB - A follow up on the RTI Uplift project - because, as you said, it did begin in 2022 - \$500,000 across two years, but in the first year only \$90,000 was spent. From August last year through until at least 14th of June this year, there weren't any meetings being held by the working group that is running it.

I asked questions on notice about this and you said DPAC is currently preparing advice on proposed next steps for the project, taking into account reviews and reforms, operations suggested by the seven recommendations 17.8 in the commission's report, and recent commitments made to do their review.

Given that there seems to be a bit of a stasis on that RTI Uplift project from at least mid-last year through to mid-this year, two months since I asked those questions, is there tangible progress happening on the RTI Uplift Project? If so, what is it? That's the first question.

Mr ROCKLIFF - Thank you. The answer is yes.

CHAIR - That's the answer.

Ms WEBB - What steps? Since I put those questions to you and you're waiting for the advice being prepared by DPAC on proposed next steps, what has changed since the 14 June answer?

Mr ROCKLIFF - Thank you for your question, Ms Webb. Kath, would you like to update the Committee please?

Ms MORGAN-WICKS - The reconstituted steering committee met on 23 July 2024 to better align the project with the reform work that's already happening in relation to other pieces of work, such as the commission of inquiry recommendations relating to RTI. The committee agreed to rework the scope of the project to achieve the following outcomes: a comprehensive training program for delegates; a review of routine disclosures to try to increase the amount of information that is disclosed; advice to applicants on how to effectively seek information; work on model policies and procedures to increase consistency across the State Service; and training resources for other officers involved in actioning RTI requests.

A contract with the University of Tasmania for the development of the comprehensive training modules to be rolled out across the State Service was executed on 5 August 2024. The university is currently undertaking the planning work for this and will be consulting with all RTI delegates across the State Service shortly. A new project manager is also being recruited and is due to commence on 2 September.

Ms WEBB - Thank you. A small RTI matter to follow-up on as well. A commission of inquiry related RTI release was disclosed and published on the RTI release log on the DPAC website in May this year and no longer appears to be listed on the website. Are you aware of the RTI disclosure that was put up and then taken down that was commission of inquiry related and why that may have happened?

PUBLIC

Mr ROCKLIFF - We'll check into that Ms Webb, thank you.

CHAIR - Okay. We might have a 15-minute break then, Premier. About 10.15 a.m., we will resume.

Mr ROCKLIFF - Thank you very much Chair. Thank you, Committee.

The Committee suspended from 10.02 a.m. to 10.17 a.m.

CHAIR - Premier, thank you for coming back. We will move to the recommendation that specifically relates to, and we did receive through your office earlier this month, your implementation report. You did touch on a couple of things, and I know that Meg had a question with regard to some of the matters that you mentioned during the first part. I think we have covered number 2, which is the RTI matter. The others are completed there. There was one about encouraging support staff to raise child safety concerns - I think you have covered that and [inaudible].

Ms WEBB - I am looking at action 29 from that document that you sent us, which is about youth justice reform. It talks about, on 1 July 2024, a new multi-agency taskforce was established within [inaudible] to accelerate and enhance actions are underway. I want to understand all these different mechanisms because we have had announcements, even today, about the Youth Justice Reform Engagement Group, which sounds like a different group. There has been talk in times past of a youth justice taskforce that may involve other external-to-government agencies. Can you map out these different groups? I believe we've got an expert panel now as well. You could provide the committee with a map of these different groups, taskforces, and engagement groups so we can how they intersect with the work being done in DPAC. Is that possible provide?

CHAIR - Some of those matters will be better addressed to the minister for children and young people. We've got him this afternoon.

Mr ROCKLIFF - Minister Jaensch put out the statement which you referred to you.

Ms WEBB - I just want to understand how it intersects into the DPAC roles and the groups that are informing the work within DPAC as well.

Mr ROCKLIFF - Thank you, Ms Webb. If you go to recommendations 19.1 to 19.4 -

CHAIR - We will do it then.

Mr ROCKLIFF - Performance strategy, governance structure for child safety and the like.

CHAIR - We will get to that shortly, Premier. We will try to work through them numerically, regardless of what phase they are in. The document that was sent to us with the implementation update, according to this, 6.6 is the first one that you actually have responsibility for. If you've got others, that you think we should be covering ahead of that, I am happy. Going by this document, it suggests 6.6 -

Mr ROCKLIFF - So, 6.6 is directly related to the responsibility of the Department of Premier and Cabinet, myself, and the child-related incident management directorate. This phase-2 recommendation includes that the Tasmanian government should establish a child-related incident management directorate. Part of the actions to date, the Department of Premier and Cabinet has appointed a project officer whose duties include initial scoping of the Child-Related Incident Management Directorate in close collaboration with the Department of Education, Children and Young People. Over the next 12 months, the project officer will work with agencies to scope the requirements of the incident management directorate, including how it will work with existing incident management structures. A project plan will be formulated. Funding will be considered through the '25/26 Tasmanian budget process and that's where we're up to with that.

CHAIR - Any questions on that further from anyone?

Ms WHITE - So this is a coordinating function essentially rather than a response function. Would that be a correct way to characterise it, Premier?

Mr ROCKLIFF - Well, yes. We've got a director. It should maintain a case management platform and oversee a single file for all child sexual abuse allegations and concerns about staff, including recording matters that do not result in disciplinary action and further. Kath?

Ms MORGAN-WICKS - Through you Premier, noting that this is a phase two recommendation. It is early days in terms of our work on this and it's going to require some significant coordination across agencies, noting that this is about a child at the centre of the incident. We've spent a lot of time talking today about investigations of employees and the work that DPAC has done to stand up the shared capability in serious conduct unit, the work we've done around the revised ED5. We now need to pull together the recommendations of the commission of inquiry relating to the policy to form this Child-Related Incident Management Directorate and we'll be able to provide further updates when we next address the committee, but noting it's a phase two that's now starting.

Mr ROCKLIFF - And indeed evaluation of the implementation of the incident management director will be through the reform implementation monitoring following the establishment of the directorate, additional evaluative mechanisms will be determined aligning with the function of the unit. Do you have anything further, Courtney, to add to that?

Ms HURWORTH - Through you Premier, just to say that this incident management unit is very closely interrelated with the shared capability unit in SMO as well as other processes. As the committee would appreciate, a number of the recommendations intersect together and so they need to be considered together, not only on their own merits.

CHAIR - Any further questions on that, Section [inaudible] 616? Yes, Bec?

Ms WHITE - Just to follow on from Ms Webb's question about - is it possible to get some visual representation of this? Because accepting your point, I'm not sure how you keep your head around where all the things work together and it's obviously very difficult for us who aren't in it every day to understand that. So it would be helpful -

CHAIR - A flow diagram is the sort of thing you're asking for or organisation chart?

Ms WHITE - If something like that exists, potentially, it could be quite helpful.

Ms MORGAN-WICKS - That is what our strategy and action plan have started the work of, so trying to pull together - it's hard to go. We have 191 recommendations - they're not being implemented in a linear fashion - many of which are interconnected and why secretaries and agencies have met to identify the themes in the report and the priority areas that we outlined in the strategy. In terms of the Change for Children Strategy, certainly - and I'm a big fan of visual representations because I like to see, you know, something that is simply explained. So, we will have a look at how we could actually do that as a supplement to the strategy.

Ms WHITE - Okay. Thank you.

Ms WEBB - To clarify, too, if I may, the directorate will sit within DPAC then, once it's established?

Ms MORGAN-WICKS - Yes. The reform unit will and have a reform lead. We currently have our reform lead acting which is Courtney Hurworth. That position is currently, at the moment, out for confirmation as part of an EOI process and that will report through to me as secretary.

CHAIR - Next one on my list, 9.14. The same on your list?

Mr ROCKLIFF - Yes, it is.

CHAIR - Good. So if you would like to speak any further to this one...

Mr ROCKLIFF - Yes, I can, and can I acknowledge the traditional custodians of the land of which we are meeting today and 9.14 is Commissioner for Aboriginal Children and Young People. This is a phase two recommendation which requires the Tasmanian Government to appoint a Commissioner for Aboriginal Children and Young People with the statutory powers and functions to monitor the experiences of Aboriginal children in and out of home care and youth detention.

Work is under way on the legislative and administrative arrangements to establish the new commission for children and young people and its statutory roles, including: the commissioner for aboriginal children and young people. A working group comprising senior representatives from the Department of Premier and Cabinet, the Department of Justice, the Department of Education, Children and Young People, the Independent Regulator and Acting Commissioner for Children and Young People have been established and is continuing to inform the development of the legislation and support the establishment of the new commission.

Early discussions have taken place with the DPAC Aboriginal partnership team and Tasmania's member of the national Coalition of Peaks, the Tasmania Aboriginal Centre, to help inform the development of the new role. The Department has also initiated discussions with representatives of the Tasmanian Regional Aboriginal Community Alliance.

The Department of Premier and Cabinet will continue to work with the Department of Justice and the Office of Parliamentary Counsel to finalise the consultation draft of the Commission for Children and Young People Bill 2024, in consultation with the working group.

PUBLIC

Our consultation plan for the draft bill is currently being developed and will include targeted engagement with key stakeholders, including Tasmanian Aboriginal communities. The consultation draft of the bill was expected to be tabled in parliament in mid-September 2024, marking the start of the public consultation period.

CHAIR - The public consultation draft will be tabled in parliament?

Mr ROCKLIFF - The consultation draft, yes.

CHAIR - Right, yes.

Mr ROCKLIFF - It is anticipated that the final bill will be tabled in parliament during the first session next year, 2025, following many full and respectful consultation with children and young people, people with lived experience, and Aboriginal communities. The commencement of the various roles and functions within the Commission for Children and Young People is expected to be staged consistent with the commission of inquiry's recommendations. While the commission of inquiry's suggested timeframe for delivery of this recommendation was 2029, the government committed to bringing this forward to 2026. It is expected that the role of the commissioner for Aboriginal children and young people commence in 2026 at the same time as the child advocate, and if not, before. The timing of the commencement of the commissioner for Aboriginal children and process for engagement will be subject to consultation with Aboriginal communities.

Just an update on -

CHAIR - Does anyone want to ask any further questions on that?

Ms WHITE - Yes, thank you, Chair. I'm keen to understand what will happen to the role of the current Commissioner for Children and Young People. Obviously, Ms McLean's has taken other work, but there is an Acting Commissioner. She had previously been appointed to that role for five years. Is the Acting Commissioner performing the rest of that term of her contract? Will they be paid out once this new person is appointed in this new role?

Mr ROCKLIFF - Thank you for the question, Ms White. In the interest of accuracy, I'm prepared to take that on notice and the Attorney-General can provide some further information as well, but if we have that information, we'll seek that information for you, for the Committee.

Ms WHITE - Thanks. I think there were some points of confusion that I saw reflected in a submission to the commission of inquiry, a miscellaneous amendments bill that went through the parliament this year in a submission from the current Commissioner for Children and Young People about the terminology that was used to describe her current functions and their future functions. I'm not sure if that's been resolved now, but in the interest of making sure that legislation that's gone through this parliament works appropriately and covers the responsibilities of that appropriate person -

CHAIR - Hasn't quite gone through yet, it's still at our House. Time for change.

Ms WHITE - My sincere apologies.

CHAIR - Yes, that's right, it's not all about the Lower House!

PUBLIC

Ms WHITE - How are we working through some of those points of confusion that have been raised? Because you have an existing role and then a future role that hasn't yet been created, but you're creating legislation that is supposed to cover that body.

Mr ROCKLIFF - Correct. Thank you, Ms White. I can ask Mat Healey to come to the table to provide some information pertaining to your particular question.

CHAIR - If you can introduce Mat, and I'll ask him to do the statutory declaration.

Mr ROCKLIFF - Thank you, Chair. To my left is Mathew Healey, Acting Deputy Secretary of the Department of Premier and Cabinet.

MATHEW HEALEY, ACTING DEPUTY SECRETARY, DEPARTMENT OF PREMIER AND CABINET, WAS CALLED, MADE THE STATUTORY DECLARATION, AND WAS EXAMINED.

Mr ROCKLIFF - Thank you, Mat. Ms White's question about Commissioner for Children and the transition was the question.

Ms WHITE - Did you understand the question?

Mr HEALEY - My understanding is: how we're managing the transition from where we are now through to a new commissioner, and how do we make sure that the functions continue?

Ms WHITE - Yes.

Mr HEALEY - As I understand it, the acting commissioner is appointed until the substantive commissioner's term finishes, which I understand is in mid-October, at which point the minister will need to appoint a new commissioner for children and young people. I understand that is the intent, for the period between mid-October and when the new commission is created, there will be a new commissioner in place for that period. Then all of the functions and responsibilities of the existing commission will be transitioned into the new commission as part of the legislation that's been drafted. We'll make sure that there is no gap between the responsibilities as they exist now and the expanded responsibilities of a new commission.

Ms WHITE - Can I check something? Ms McLean was reappointed in 2023 for a five-year term. You've just outlined to the Committee the acting commissioner is employed until October. Is that of this year?

Mr HEALEY - Yes. An acting commissioner can only be appointed while there is a substantive commissioner in place, and the current commissioner's resignation doesn't take effect until October. One, we can't appoint a new commissioner until that resignation takes effect, and two, an acting commissioner can't continue beyond that date because they're acting on behalf of another appointed official. An appointment will need to be made.

Ms WHITE - How progressed are you in finding a new commissioner for whatever period is required? Obviously, September and October are quickly approaching.

PUBLIC

Mr HEALEY - That's not our responsibility; that's the minister's responsibility.

CHAIR - We can ask the minister more about that this afternoon, perhaps?

Ms WHITE - Yes, I'm happy to do that. Thank you.

CHAIR - The minister for children, it would be?

Mr HEALEY - Yes, that's right.

CHAIR - He'll be here this afternoon.

Mr ROCKLIFF - Thank you, Chair, Mat. We do have a Keeping Children Safe fact sheet - information accountability for keeping children safe - where it goes through the child safety reform implementation monitor, commissioner for children responsibility, commissioner for Aboriginal children and young people, the child advocate independent regulator and deputy -

CHAIR - It seems to be lacking pictures and diagrams.

Mr ROCKLIFF - Yes. This names up the roles -

CHAIR - Maybe you could back it up with some diagrams?

Mr ROCKLIFF - I'm happy to have a visual presentation of the structure as well as written, as requested by Ms White and others.

Ms WEBB - I have one follow-up question on recommendation 9.14. I want to clarify whether you are already engaging with the Tasmanian Aboriginal community on this recommendation.? You mentioned that there'll be public consultation on the bill when you put it forward, but I would like to understand, and I hope, that you are already engaging the Tasmanian Aboriginal community ahead of that formal period.

Mr ROCKLIFF - Yes. To the best of my knowledge, we definitely are. I believe I reflected that in my statement. Courtney, would you like to add further value to the consultation?

Ms WEBB - What that looks like, yes.

Ms HURWORTH - Yes, we are already engaging with Aboriginal communities. Part of that engagement is about designing the actual consultation in partnership with the community so it can be an Aboriginal-led process about what they want their commissioner to be able to do and the way in which they need to be able to do that. The intention is to uphold the priority reforms and principles of Closing the Gap through that process.

Ms WEBB - Thank you.

CHAIR - We might then move to 12.1, your next one, Premier.

Mr ROCKLIFF - It is 9.33, Chair.

CHAIR - Sorry, missed one.

Mr ROCKLIFF - The independent child advocate is the recommendation 9.33. It's a phase 2 recommendation that requires the Tasmanian government to establish an independent child advocate to be included in the commission for children and young people, which is recommendation 18.6, which we will come to. The child advocate should have responsibility for the independent community visitor scheme, the individual advocacy for children, including making complaints to the Ombudsman on behalf of a child in care, and the permanent out-of-home-care advisory group.

Work is underway on the legislative administrative arrangements to establish the new commission for children and young people and its statutory roles, including the child advocate. A working group comprising senior representatives from the Department of Premier and Cabinet, the Department of Justice and the Department of Education, Children and Young People, and the independent regulator, and acting commissioner for Children and Young People has been established and is continuing to inform the development of the legislation and support the establishment of the new commission. DPAC has also met with DECYP's existing non-statutory child advocate for out-of-home care to help inform the design of the new child advocate role.

The next steps in this particular recommendation will be that DPAC will continue to work with the Department of Justice and Office of Parliamentary Council to finalise the consultation draft of the commission for children and young people bill 2024 in consultation with the working group. It is expected that the commencement of the various roles and functions within the commission for children and young people will be staged, consistent with the commission of inquiry's recommendations, and that the role of the child advocate will commence in 2026, if not before.

CHAIR - Any questions about that recommendation? No? We'll go to 12.1.

Mr ROCKLIFF - Thank you, Chair, 12.1 is a phase 3 recommendation raising the age of detention -

CHAIR - No, 12.1 is a phase 2 recommendation to close Ashley as soon as possible.

Mr ROCKLIFF - Right, my apologies. So 12.16?

CHAIR - No, 12.1. It covers both. To clarify, 12.16. Do you want to talk about both of those at once?

Mr ROCKLIFF - Right, I see. So 12.16 is our responsibility -

CHAIR - Do you want to talk about both of those at once?

Ms MORGAN-WICKS - So 12.16 is the opening; we've covered them together. It is not just about the closure, it's about the opening.

CHAIR - To make it clear, in terms of what you're responding to, you are responding to a recommendation 12.1 and 12.16. They both relate to Ashley.

Ms WEBB - I can't understand why you would like to conflate those. Can we stick with 12.1 first?

CHAIR - We can ask questions about both. I'll let the Premier provide his update and we'll see how we go.

Mr ROCKLIFF - So, 12.16 relates to the new youth detention facility, which we need before we close Ashley Youth Detention Centre, which is 12.1. We are progressing our plan to close the Ashley Youth Detention Centre and transition to a new youth justice facility that supports a therapeutic model of care as one component of our comprehensive reform of the entire youth justice system.

We have already committed \$50 million to commence the transition to a new contemporary fit-for-purpose facility in the south of the state. The statewide centre will provide the opportunity for intensive intervention and rehabilitation through a therapeutic model of care. The model of care will be used to design a detention centre that both incorporates therapeutic design elements and facilitates the ability of staff to practise in therapeutic ways. The facility will be more home-like than the current Ashley Youth Detention Centre and incorporate design features that reflect best practice international youth detention facilities.

Importantly, to ensure cultural connection and safety, we will co-design the new centre with Tasmanian Aboriginal people. Attention is also being paid to how the site will prioritise the safety of young people and promote connections between them, their families, and communities. By ensuring the new facility reflects the best practice international youth detention facilities, we aim to develop a more therapeutic approach to the youth justice system in Tasmania.

Since the establishment of the new youth justice reform taskforce in the Department of Premier and Cabinet, we've been able to significantly accelerate work to close the Ashley Youth Detention Centre. We have appointed a dedicated executive director specifically focused on the new facility, as well as a dedicated specialist project manager.

Site assessments such as Aboriginal cultural heritage, natural values and geotechnical assessments are underway and will not result in any significant impacts to nearby residents. Site fencing work at 466 Brighton Road has been completed.

Consultation with the local community and key stakeholders was undertaken through March to May 2023. Consultation with the local community will recommence when heritage and other assessments on the site are fully completed. It is a priority, too, that the local community are aware about, and engaged with, the development of the new facility.

It is proposed to engage the architectural consultants for the project in the second half of 2024, with planning of early works - that's landscaping; property acquisition; early engagement with service authorities like TasNetworks, TasWater, for example; engagement with the Department of State Growth; roads and transport, landscaping - proposed to commence the second half of 2024.

Key youth justice reform stakeholders will continue to be consulted throughout the design process. This will occur through the establishment of the expert reference panel,

PUBLIC

community advisory group, and Aboriginal heritage reference group and other relevant working groups, as required throughout the project.

The commission recommended closing the Ashley Youth Detention Centre facility as soon as possible, ensuring its proposed new facility is small and home-like and incorporates design features that reflect best practice international youth detention facilities.

Extensive site assessments have been undertaken to ensure the site is suitable for the new detention facility. Planning is underway for the design and function of the facility and a landscape architect is being engaged to commence the design of an early works package to reduce impacts on surrounding properties. Significant infrastructure projects require extensive design, including consultation with stakeholders and construction processes. While DPAC and DECYP will look to fast-track where possible, it is expected that design of the new detention facility will take approximately 12 months followed by a 24-month construction period.

Following construction completion, time must be allowed for commissioning, operational testing, and transitioning to the new facility. I've mentioned the funding of \$50 million as well. I understand that Mr Jaensch updated through correspondence - yes, 12.1 and 12.16 I've been providing information from 12.16 myself, but I clarified that with the committee -

CHAIR - Mr Jaensch will have further information, is that what you are suggesting?

Mr ROCKLIFF - He will, correct. An updated letter provided to the committee last night. Did you receive it?

CHAIR - No.

Mr ROCKLIFF - That was my understanding -

MS WEBB - The committee has not seen it.

CHAIR - I have not seen it.

Mr ROCKLIFF - We'll follow that up then. Thank you.

CHAIR - Maybe a message should go to the minister. Perhaps he could try to forward it before lunchtime.

Mr ROCKLIFF - I will seek some clarification.

CHAIR - I'll go to the questions and if maybe there's some clarity in what the minister might send us but I will check my emails while I go to questions. Meg, you have one on this?

Ms WEBB - Yes, I've got some on this. Thank you. Can I just clarify, in the time lines you just laid out, Premier: you talked about - design will take 12 months and then 24 months for construction after that. Can you clarify when that 12-month period starts? Does it start now for design or are we some portion through that 12 months?

Mr ROCKLIFF - Well, it has commenced in terms of landscaping aspects and others.

PUBLIC

Ms WEBB - So I'm just trying to clarify where we sit in the 12-months timeline.

Mr ROCKLIFF - All right. Courtney?

Ms HURWORTH - Through you Premier. Yes, the design has come in.

Ms WEBB - Do you mind speaking up a little, Courtney?

Ms HURWORTH - Yes. The design phase has commenced. The model of care is in draft, which will be critical to underlying how the new facility works and we've also, as of yesterday, appointed an architect to start putting together visuals and reference materials to help us engage further with the community.

Ms WEBB - Thank you. So where are we in the 12 months that has been allocated as the time it will take to design? Are we in month one? Are we in month six?

Ms LOVELL MP - How many more months do they need?

Ms WEBB - I think that's a pretty clear question.

Mr ROCKLIFF - For the design, it's expected - yes - Minister Jaensch will have further information on that process.

Ms WEBB - I'm very interested in this because we had an announcement from the then premier in 2021 that this facility was going to close in three years, which would be in coming months. We've had a commission report for the last 12 months now saying close it as a matter of urgency and I'm just trying to clarify, are you saying we are yet to commence or maybe at the brink of commencing design work on the new facility?

Mr ROCKLIFF - Well, as Ms Hurworth has said, design has commenced.

Ms HURWORTH - Yes. That's right.

CHAIR - Well, will Minister Jaensch have the answer to these more detailed questions?

Mr ROCKLIFF - I expect so, yes.

CHAIR - Okay. Well, we'll ask specific questions put to him when he's here later.

Ms WEBB - Can I keep asking more questions here on this at all?

CHAIR - Well, let's see how we go, but maybe it's there for minister Jaensch, but let's see how you go.

Ms LOVELL MP - Well, I guess that's the question though. Premier, are you saying that minister Jaensch is responsible for this recommendation rather than you as noted in this document? Do we -

Mr ROCKLIFF - 12.16.

Ms HURWORTH- 12.16.

CHAIR - So minister Jaensch is the lead on that. Okay, that's not - that's contrary to what the information we received was.

Ms MORGAN-WICKS - Apologies. So, through the Premier, my understanding, Chair, was that an update was to come to committee to note that 12.1 and 12.16 were the responsibility for the Minister for Children and Youth.

CHAIR - Well, we'll leave that to him, then. Hopefully that will arrive with the committee because it hasn't arrived before -

Ms MORGAN-WICKS - Yes. My apologies if that has not occurred, but the Premier's provided an overview in relation to that work because we've certainly kept the Premier briefed and noting that the youth justice taskforce, including the work to create the new facility, but importantly the model of care that underlines that facility, has transferred to the Department of Premier and Cabinet in the last month.

So that team is absolutely actively engaged. The design process includes the finalisation of the model of care which has been underway for some months. So the department of education, children and youth have been working in relation to that model of care. So we have picked that up and that will then further inform the design for the new facility.

Ms WEBB - Can I clarify there, Chair? Minister Jaensch is responsible for this area, but it sits within DPAC in terms of being implemented. So, when minister Jaensch comes back to us this afternoon, will we have a DPAC support here to help him with any answers to questions on these matters? I just don't want to have the minister in front of us this afternoon and -

CHAIR - I understand, yeah -

Ms WEBB - Yes. So, they will?

Ms MORGAN-WICKS - So, through the Premier - we have been briefing minister Jaensch in greater detail because he is the minister responsible for the current operating facility and the new facility that will be opened. We've obviously also briefed the Premier, but we've spent, you know, considerable time with the minister who would like to have that opportunity to inform the committee in relation to this design.

Ms WEBB - So, he'll have the people with him this afternoon; he may need to answer our questions is what I was clarifying.

Mr ROCKLIFF - Courtney?

CHAIR - I think he'll come expecting to answer questions, will he?

Ms MORGAN-WICKS - I will be here all day.

CHAIR - Sure.

PUBLIC

Ms MORGAN-WICKS - And Courtney will be here all day and we'll provide support to the minister at the table.

Ms WEBB - Thank you. That's what I wanted to clarify, so I appreciate that.

Ms HURWORTH - If I could just -

CHAIR - We might move -

Ms MORGAN-WICKS - Courtney's just trying to add something.

CHAIR - Sorry.

Ms HURWORTH - If I could just add, firstly the confusion with the table is as a result of what you just described, which is when the taskforce was created, it was created within DPAC and so often it's assumed that if something is in DPAC, it will be the responsibility of the Premier. Minister Jaensch is very clear that these and other Chapter 12 related recommendations are his.

CHAIR - That includes 12.13, the diversionary framework?

Ms HURWORTH - 13, 16, 18, 24, 27, 28, 29, and 38. So, all the Chapter 12 are his, and he's been fully briefed and is ready to come and speak to the committee on those matters, along with myself and Kath.

CHAIR - That being said, we might move to the ones that - I just need to see where we're up to, sorry. We'll leave all those for him this afternoon. So, 12.27 as well?

Ms HURWORTH - Yes.

CHAIR - Yes. Can you tell me where your next one is then, Premier, I'm trying to find it?

Mr ROCKLIFF - I have 18.1.

CHAIR - I have 18.1.

Ms WEBB - It's 18.1.

Mr ROCKLIFF - Which is Advocacy for Prevention Resources, Chair.

Ms WEBB - Can you just give us a minute to get to that?

CHAIR - Just give us a moment -

Ms WEBB - Page 76.

CHAIR - Yeah, page 76 on the report. Yes. Okay, over to you, Premier, on this one. Do you want to make any comment - update further on that? That is a phase 3, I accept, so it's over way out.

Mr ROCKLIFF - Yes, thank you, Chair. The phase 3 recommendation is that the Tasmanian government should continue to advocate for Tasmania to receive the full benefit of the Australian Government prevention strategies, including under the National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030.

Now, the Tasmanian government is a signatory to the National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030, and is a member of the relevant national governance committees for strategy. Various agencies are involved in the national governance mechanisms for the national strategy. This includes representatives from the Department of Children, Education and Young People, the Department of Justice and the Department of Police, Fire and Emergency Management. The Department of Premier and Cabinet, through the Keeping Children Safe reform lead, regularly liaises with the National Centre for Action on Child Sexual Abuse and the National Office for Child Safety. The draft child sexual abuse reform strategy and action plan change for children includes mapping of related strategies, action plans, frameworks, policies and reports.

The next steps, Chair, will be that Department of Premier and Cabinet will continue to advocate for Tasmania through building strong relationships with the national centre and the national office, and DPAC will continue to advocate for Tasmania at relevant interjurisdictional forums including National Cabinet, my responsibility, and the Council for the Australian Federation, of which premiers and chief ministers sit on.

CHAIR - Okay. Is there any specific - Bec?

Ms WHITE - A lot of non-government organisations deliver the types of services that vulnerable people interact with. In particular, Laurel House and SASS have provided information in the past about how short-term contracts make the delivery of their work very difficult. Whilst it's not specifically relevant to this recommendation about advocacy for federal funding, I'd like to understand at a state level whether your government is considering providing five-year contracts for those NGOs so they can do their work with a little bit more certainty.

Mr ROCKLIFF - Yes, thank you, Ms White. It's a good question, and one that I've engaged with TasCOSS on at a recent TasCOSS -

CHAIR - Forum?

Mr ROCKLIFF - Forum, or opportunity for TasCOSS to present to their respective members, and for me to respond. The five-year contract was a matter that came up. Ms Forrest, you were there, weren't you?

CHAIR - Yes. I heard what you said, there, so -

Mr ROCKLIFF - Thank you. And so, yes, we are committed to five-year contracts and understanding why that is because of the workforce development needs, the certainty that provides for employees working within these very important organisations. My understanding is that work has started and commenced, and it'll probably take some time to roll out fully in terms of those five-year contracts. And of course, acknowledging as well that the indexing to support those organisations is also very important, and the budget will deliver our commitment

of over 12 per cent over the next three years, if my memory serves me correctly, in that increase in indexation.

In 2023, last year, we committed to longer-term funding agreements by the end of 2024. Longer-term agreements, where appropriate, will provide certainty for community service organisations and assist with the recruitment and retention of staff. We're on track to deliver on this commitment, and I have clear parameters about when a five-year agreement can be entered into.

Alongside the agreements, we will be implementing an outcome framework that will link to the new Tasmanian wellbeing indicators being developed. The outcomes framework will be developed in partnership with the sector. This answer aligns with my earlier comments about commencement, and the end of 2024 was clearly our aim with respect to that matter. I'm not sure if there's any further advice I can have for the committee?

CHAIR - Will that commitment be reflected in this year's budget, Premier?

Mr ROCKLIFF - When it comes to the indexation, we will certainly be committed, but I'm sure that this will come up through Budget Estimates and those forums - and the commitments will be restated regarding five-year contracts.

CHAIR - When you say 'longer-term', you mean five years?

Mr ROCKLIFF - I do.

CHAIR - Because four is longer than three and three is longer than two.

Mr ROCKLIFF - Yes, and as minister for Mental Health and Wellbeing I attended a number of round tables with the Mental Health Council of Tasmania, the first of those a number of years ago. At that time there were just 12-month contracts with some organisations, and I believe we addressed the extension of that to three years. To the best of my knowledge, that has come through. I stand to be corrected, but that was the very clear message that I received at that time. To extend those further to five years, I know, would be very welcomed by the community services sector.

CHAIR - Have we got anything else on this, or can we go to the next one? The next one being recommendation 18.4.

Mr ROCKLIFF - This recommendation involves the Tasmanian government in implementing the *Child and Youth Safe Organisations Act 2023*.

- Ensuring that the functions of the independent regulator and deputy independent regulator under the act are embedded within the new commission for children and young people.
- The commission is sufficiently resourced to enable it to effectively perform these regulatory functions.
- The commission has access to government data systems such as those held by Tasmania Police, child safety services and the Registrar of the Registration to Work With Vulnerable People scheme to enable

systematic and proactive monitoring and that those or agencies have access to the commission's data where appropriate.

The commission for children and young people bill 2024 will give effect to part A of this recommendation, embedding the functions of the independent regulator and the deputy independent regulator within the new commission, as an example, and I can go to recommendation 18.6 for further information.

CHAIR - Recommendation 19.5 relates to this too. Is there anything further on the child safe organisations act? That's the review requirement.

Mr ROCKLIFF - The Department of Justice led the implementation of the Child and Youth Safe Organisations Framework and administers the *Child and Youth Safe Organisations Act 2023*. As part of its administration of the act, the Department of Justice is developing a monitoring and evaluation plan for the framework which will inform the three-year review. Mapping is underway to determine key elements of the monitoring and evaluation project, and the act specifies that the three-year review must be commenced by 1 July 2026 and be completed within 12 months. The Department of Premier and Cabinet will ensure that the terms of reference for the independent review reflect the specific considerations identified by the commission, including resourcing, collaboration, impact and the need for any further legislative change, as well as being informed by the Department of Justice's work on the monitoring and evaluation plan.

Ms WEBB - It might not entirely fit here and not sure it fits somewhere else either. Given that the act being developed will, I imagine, cover obligations about reporting, one of the concerning things is a lack of consistency across various departmental websites about making reports. Has there been any auditing of how that is made consistent across different departmental websites. I'll give you an example.

Mr ROCKLIFF - Visual or wording?

Ms WEBB - Wording, for example, when it talks about who to call if you're concerned about the safety and well-being of a child, it's not always immediately clear if you suspect at all that a child is being sexually abused, you must, in the first instance, call the police. The Department of Health website states that very clearly, but other websites don't necessarily state that as clearly. Has there been an auditing process to harmonise and make sure that everyone is up to absolute clarity in how they communicate responsibilities?

Mr ROCKLIFF - It is a very important question for consistency to ensure that people who access the websites for information get that consistent information across agencies. You have highlighted a very good point. My understanding is work is underway on providing that consistency and harmonising, if that's the correct terminology, across departmental information. Is that correct?

Ms MORGAN-WICKS - That is correct. Complaints management has been identified in our strategy as one of the key themes. As part of complaints management, is the process in actually making a complaint and/or making a report. I am very familiar with the Department of Health's website, its new complaint management process and the very clear guidance that's provided to employees on how to make a report of suspected child sexual abuse. We are

working across - as the secretaries board together, all of the information that's on our websites about how to make those reports, noting that some agencies are more child facing than others.

Department of Education Children and Young People having very clear information, procedures and processes within schools and Youth Justice Services. Health, also being child facing and making sure that information is then shared with other departments. For example, Natural Resources with rangers working with children in national parks. We are working to achieve that consistency; it was also a clear recommendation from the commission to achieve that.

Ms WEBB - To clarify that, you are looking to make sure there's consistency across the departments. Will that include ensuring the communication on various websites is consistent?

Ms MORGAN-WICKS - Yes, we have included that in our review and noting that these are also all organisations that have to be consistent and complying with the CYSO legislation, child and youth safe organisations.

CHAIR - We will go to 18.6.

Mr ROCKLIFF - The recommendation in regards to the Tasmanian government establishing a statutory commission for children and young people, which includes the following roles, each appointed for a term of five years, a Commissioner for Children and Young People, a commissioner for Aboriginal children and young people and a child advocate. I have referenced some of these matters earlier.

The Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse and Institutional Settings found that significant reform is required to ensure the Tasmanian children and young people are protected from abuse and harm in the organisations that care for them.

In response to the recommendation, the Tasmanian government is establishing a commission for children and young people. The new commission will be a key part of the foundation of our new oversight system to improve the safety of children in Tasmania, acting as a strong and fearless advocate for children's rights, and monitoring child-safe practices in organisations. As recommended, the commission will include a Commissioner for Children and Young People, a commissioner for Aboriginal children and young people, and a child advocate. The independent regulator and the deputy regulator of the child and youth safe organisations framework will also be embedded in the new commission.

As suggested in the commission of inquiry's report, the independent regulator role will ultimately be undertaken by the Commissioner for Children and Young People following a transition period. There are more than 15 commission of inquiry recommendations that relate directly to the establishment or operation of the new commission and its role, function, and powers. It is complex in terms of the suite of recommendations requiring significant reform to our existing systems and processes. We need to take the time to get this right, as you would well appreciate, to ensure the best possible outcomes for the children of Tasmania.

DPAC has worked in cabinet, collaborating with the Department of Justice, the Department of Education, Children and Young People, the independent regulator, and the acting Commissioner for Children and Young People to co-design the new commission and

PUBLIC

develop the enabling legislation. The independent regulator, the acting commissioner, the former commissioner, and representatives of Aboriginal communities have all urged the government to postpone the introduction of legislation to allow for genuine consultation and engagement.

CHAIR - Do you have a new time line for this? I am assuming you have acceded to that request.

Mr ROCKLIFF - Yes, thank you for that, Chair, and I will come to that matter. A key message from the commission of inquiry was that we need to listen to the voices of children and those with lived experience. We will, therefore, be running four current engagement processes around the bill. That includes engagement with children and young people; working with the commission for children and young people and other stakeholders; engagement with Aboriginal communities, working with the TAC, TRACA, and other stakeholders; engagement with people with lived experience of sexual abuse; and, general consultation with the community, including members of parliament. It is expected that a consultation draft of the commission for children and young people bill 2024 will be released to parliament in September, marking the start of a 12-week public consultation period. The final bill will be introduced into parliament in the first session of 2025, as I believe I have already said.

CHAIR - Can I just clarify the additional consultation, perhaps it was requested that it particularly involve speaking with young children and people about it.

Mr ROCKLIFF - Correct.

CHAIR - Is that happening now before the draft bill is tabled in parliament, or is that part of the process after -

Mr ROCKLIFF - Leading up to it.

CHAIR - Leading up to it.

Mr ROCKLIFF - Thank you. Mr Healey, who has been to the table before, is managing the legislation or the bill. Thank you, Matt.

Mr HEALEY - Through you, Premier, we have been working really closely with the acting commissioner and other stakeholders to try to get the policy setting around this first bill, the draft bill, right, so we can run an engaging process and start to inform people genuinely on how this may be progressed.

We are, as the Premier pointed out, also talking with those stakeholders about how we design an engagement process following the drafting of the bill. We have not specifically engaged with children and young people yet, but we will. Both the commissioner and I understand that we will engage with children and young people, and we will -

CHAIR - So is the time line to table it in September still likely?

Mr HEALEY - Yes.

CHAIR - It is?

Mr HEALEY - Yes.

CHAIR - It is only a couple of days away, assuming it is September this year.

Mr HEALEY - Yes.

CHAIR - Alright.

Ms WHITE - Can I just clarify that, Chair, was it tabling or releasing publicly?

Mr HEALEY - It is being made available to parliament. We're not tabling it formally into parliament for debate, just making it available to demonstrate the progress in understanding how the commission may work and the sorts of issues you raised before. Using that as a really solid foundation to engage with stakeholders, not just on the specific provisions of the bill, but also their hopes and aspirations in terms of how a commission or a commissioner for Aboriginal children or a child advocate would work to keep children safe in Tasmania.

CHAIR - We will go to Sarah. Have you got other questions?

Ms LOVELL MP - Given the process that's underway and that this was a phase 1 recommendation, which was supposed to be implemented this year, when do you anticipate, or aim to have the commission established and up and running, given what needs to happen between now and then?

Mr ROCKLIFF - Thank you for the question. Bill going through parliament, assuming and expecting the first session of parliament in 2025 and the parliamentary processes will take its course and from then proclamation and implementation.

Ms LOVELL MP - What time line are - is it going to be delayed by 12 months? Are we looking at July? When are you aiming to have the commission actually established and up and running?

Mr ROCKLIFF - Thank you. I understand the question because the interest in getting this established as soon as possible and the very thorough scrutiny that will be applied through the parliament and in the Legislative Council itself, but as soon as possible after that process.

Ms LOVELL MP - Just going then to this obviously crosses over with 18.7, the process for appointing future commissioners and deputy commissioners for children and young people. Given that you're going to be appointing a new Commissioner for Children and Young People in mid October, what will the length of that appointment be if we don't know when the commission will be established? Because that appointment can only be until the establishment of the commission.

Mr ROCKLIFF - Yes, I understand that and the finer details of the recruitment processes for the principal Commissioner for Children and Young People and indeed the child advocate, deputy commissioner and the commissioner for Aboriginal children and young people are being considered as part of the legislative development process, which as we say is currently underway. Noting that not all roles will necessarily commence at once.

PUBLIC

Ms LOVELL MP - So, what term will that appointment be?

Mr HEALEY - Through you, Premier. As the premier pointed out the bill will be introduced early next year. We can do some of the design of the process for engaging the Commissioner for Children and Young People in parallel with the progress of the bill and we hope that the recruitment process would follow the proclamation of the bill within months.

Ms LOVELL MP - You are anticipating you'll be appointing a commissioner in mid October for nine months, maybe less than a year, you'd expect?

Mr HEALEY - Through you, Premier. That is entirely a matter of the minister. My hesitation is that it would be the minister's call.

Ms LOVELL MP - Minister for Children and Young People? Okay. On that, do you anticipate - I would expect, given all of this, that is going to be a fairly short appointment compared to what you would normally expect for a position like a commissioner of children and young people. Do you anticipate that that will present some problems in or challenges in attracting a suitably qualified and experienced person to fill that role for a short period of time and what steps are you taking to overcome that?

Mr ROCKLIFF - Thank you for the question. First, the time frame as outlined before is not unreasonable as you've articulated that. Regarding recruitment and the attractiveness of the position-

Mr HEALEY - Interim arrangements need to be put in place, that's clear. That is an issue for the minister to make sure that those interim arrangements are in place. It's really hard to comment on those questions without them being directed to the minister.

Ms LOVELL MP - Well, we can come back to him this afternoon. I just had one more question and perhaps this is for the minister too, although it is the responsibility of the Premier on recommendation 18.7. The process for appointing future commissioners and deputy commissioners is quite different under this recommendation and this was also a phase 1 recommendation for this year. Is that process in place and will that process be used to appoint the commissioner in October?

Mr ROCKLIFF - I can speak to 18.7 and elaborate if you would like, Chair.

CHAIR - Yes, maybe we might come to that then. Sarah, can we just stick with 18.6 at the moment? We'll come back to that one.

Ms LOVELL MP - Yes.

CHAIR - Meg, you had -

Ms WEBB - Mine is more on 18.7, too, in a similar vein.

Ms WHITE - I had one on 18.6, thank you.

Is there an allocation in the budget next month for the establishment of the new office of the commissioner, given that it may commence before the end of the financial year?

Mr ROCKLIFF - Naturally, we have provided for significant investment - as we should - when it comes to the implementation of the recommendations and the budget will be delivered on 12 September.

Ms WHITE - I'm looking forward to it, Premier.

CHAIR - I'm not sure he is.

Mr ROCKLIFF - We've already made very clear commitments when it comes to our investment and very necessary investment implementing the recommendations. Last year's budget was an example of that and this year's will be as well.

Ms WHITE - That's not really an answer, but -

Ms LOVELL MP - Wait and see.

Ms WHITE - Wait and see.

CHAIR - Budget Estimates.

Ms WHITE - Yes, Chair.

CHAIR - The list is growing.

Ms WHITE - Yes, it is, Chair.

CHAIR - We'll go to 18.7. I'll go back to you, Premier, then we'll take questions on it. Did you want to add anything in 18.7?

Mr ROCKLIFF - I wanted to make sure that I was answering Ms Lovell's questions and to reiterate the phase 1 recommendation requiring the Tasmanian government to ensure the process for appointing future commissioners and deputy commissioners for children and young people adopts very important measures. Future commissioners and deputy commissioners be appointed following an externally advertised merit-based selection process to ensure they have all relevant professional qualifications and substantive experience in matters affecting vulnerable children. The recruitment process for these roles include a non-partisan adult selection panel, that there is at least one member external to the Tasmanian State Service and a separate children's selection panel.

The adult and children's selection panels for the role of the commissioner for Aboriginal children and young people have a majority of Aboriginal members. Before making a recommendation to the Governor for an appointment to the Commission for Children and Young People, the minister be required to consult with the leader of any political party with at least two members in parliament. The head of the State Service has committed to ensuring all future commissioners be appointed via a full and open merit-based process.

Again, work is underway on the legislative and administrative arrangements to establish the new commission and its statutory roles. And as we've said before, provisions will be included in the commission for children and young people bill 2024 that specify the process

PUBLIC

that must be undertaken when appointing commissioners or deputy commissioners, consistent with the commission of inquiry recommendation -

Ms LOVELL MP - That won't be in place for the appointment in October. Presuming there's legislative changes required that will be delayed until the same time frame as the establishment of the commission?

Mr HEALEY - Clearly, the Commissioner for Children and Young People, referenced in the commission of inquiry's recommendations and more broadly, is quite a different role to the existing Commissioner for Children.

Ms LOVELL MP - It's safe to assume they were aligned because of that reason, because it was meant to be implemented at the same time.

Mr HEALEY - The commissioner under the new legislative framework will eventually take responsibility for the regulation under the *Commissioner for Children and Young People Act*. They'll also take responsibility for oversight of the child advocate as deputy commissioner in implementing a community business. That role itself is quite different to the scope of the existing commissioner. That process is in place and will be absolutely in place to appoint the Commissioner for Children and Young People who will take on this commission.

Ms LOVELL MP - Under the commission?

Mr HEALEY - Yes.

Ms LOVELL MP - Thank you, that answers my question.

Mr HEALEY - The process for the appointment in an interim period is a matter for the minister.

Ms LOVELL MP - Thank you.

CHAIR - We've only got 10 minutes left and we have quite a few to get through.

Ms WEBB - We're unlikely to get through them all today.

CHAIR - Anyway, let's get on with the question.

Ms WEBB - Thank you. The recommendation, as you read out in full, Premier, has detailed requirements about who's to be involved and what processes are to be involved in the recruitment of the future commissioner under the new model.

In the update though in 18.7 it does say - and you stated this - that the head of State Service is committed to ensuring future commissioners will be appointed via a full and open merit-based process.

Now, a full and open merit-based process while laudable is one thing, but what's laid out here in 18.7 is well above that. I'm just really getting absolute confirmation we are following every aspect of the recommendation here for the recruitment of the commissioner under the

PUBLIC

new model - not the interim appointment, but under the new model that full recommendation will be given effect to.

Mr ROCKLIFF - The answer to your question is yes and that will be included in the bill.

Ms WEBB - Thank you.

CHAIR - Okay. That's it for that one?

Ms WEBB - Yes.

CHAIR - Okay, we'll move then to 18.8.

Mr ROCKLIFF - Thank you, Chair, and this phase 2 recommendation requires the Tasmanian government ensure the commission for children and young people is separately and directly funded, rather than through the Department for Education, Children and Young People. Any funding arrangements or conditions should be structured to ensure the commissioner's power to control its budget and staffing.

There are provisions in the draft commission for children and young people bill 2024 establishing the commission as an agency for the purposes of the *Financial Management Act 2016*. The draft bill also includes consequential amendments to the *State Service Act 2000*, establishing the commission as a state agency under the act. In doing so, the commission's head of agency will have the ability to appoint staff directly, and funding to support the establishment and ongoing operations of the commission is being considered through the 2024-25 State Budget process.

CHAIR - So I would have presumed, then, the people heading up this commission would be able to be called into Budget Estimates separately without the minister present?

Mr ROCKLIFF - With or without the minister?

CHAIR - I would presume without, if it's to be separate and independent?

Mr ROCKLIFF - Yes, and we've got committees that are established for people can present and seek and answer your questions that you have, like we're doing today.

CHAIR - Sure, 18.9, if no-one else has anything there.

Mr ROCKLIFF - Thank you, and the recommendation is that a joint standing committee of the Tasmanian parliament should oversee the performance and proper execution of functions of the commission for children and young people. If my memory serves me correctly, I've spoken to Ms White and Ms Lovell about these matters a little while ago. Work is underway to understand the most appropriate way to establish the joint standing committee, noting it is ultimately the decision of parliament how committees of this nature are established, and it is possible to establish the committee in legislation, similar to the Joint Standing Committee on Integrity in the *Integrity Commission Act 2009*.

The Department of Premier and Cabinet, and indeed the Department of Justice, have discussed including provisions to establish the committee in the draft bill, with the intention to consult with parliamentary staff and parliamentarians as part of the engagement process. Our drafting is underway to include provisions to establish a joint standing committee in the draft bill to establish the commission for children and young people. Engagement with parliament staff and members of parliament will occur once the draft bill is released for consultation.

CHAIR - Okay. Any other questions on that? No, okay.

It's 19.1 next, if I'm correct.

Mr ROCKLIFF - That is correct.

CHAIR - Yes, if you could go - I'd urge not to read this one out, Premier. I know it's very long.

Mr ROCKLIFF - Alright, okay. The actions taken, Chair, to date in developing a child sexual abuse reform strategy and through the Appropriation (Supplementary Appropriation for 2023-24) Bill, \$2.5 million dollars in funding was allocated in 2023-24 to implement recommendation 19.1 to develop a child sexual abuse strategy and action plan.

On 27 June 2024, the draft *Change for Children - Tasmania's 10-year strategy for upholding the rights of children by preventing, identifying and responding to child sexual abuse*, was released for a period of three months of public feedback to 30 September. The draft strategy and first two-year action plan, Collaborating for Change, which I've mentioned, outlines a vision and the guiding principles for a child safe system which are underpinned by the Child and Youth Safe standards. Change for Children outlines a 10-year plan to achieve change for children. This goes beyond the six-year program of work detailed in the commission's report, commission of inquiry report. Of course, our government is open to feedback on the strategy and action plan, including from the Joint Select Committee or its members, and a final strategy and action plan will be released during National Children's Week in October this year.

Ms WEBB - Sorry, can you just repeat that last bit?

Mr ROCKLIFF - Yes. A final strategy and action plan will be released during National Children's Week in October this year.

Ms WEBB - Thank you for confirming that. So the consultation period ends on 30 September and then you're expecting to complete and finalise and make public by National Children's Week, which is late-ish October. So the period between closing the consultation and having the opportunity to take into account everything that's heard and learnt through the consultation is a period of maybe not quite three weeks. So I'm just concerned about whether that indicates that proper consideration is being given to what is heard through consultation.

Mr ROCKLIFF - Yes and I appreciate the reason for the question and it's a very good one and what is important is that the Strategy and Action Plan are informed by the voices of children and young people - as I'm sure you would appreciate - and indeed victim/survivors. I can advise that the draft Strategy and Action Plan has been informed by targeted consultation with more than 400 contributors, including victim/survivors and their supporters, children and

young people, researchers and subject matter experts and key sector partners. A number of companion documents which informed the development of the draft have been released alongside Change for Children, of course, which we mentioned, and are publicly available on the Keeping Children Safe website, and I have some further -

Ms MORGAN-WICKS - We're receiving submissions now and working through them.

Mr ROCKLIFF - Yes, I'm advised by Ms Morgan-Wicks, we are receiving submissions now and are working through those submissions as they come in.

Ms WEBB - I'm still concerned on that because the reality is you'll receive a raft of submissions close to the final date - 30 September - and then presumably you'll have probably a two-week period to turn around and then still have a week or so to format everything up and finally print it and things like that. So two weeks doesn't sound like a very long time to review and analyse the feedback provided in good faith.

So if I was putting in a submission and submitting it prior to the deadline - just the end of September, what would I expect from the department in terms of analysing and genuinely considering my feedback, given it's such a short time frame? What should I expect will be given to that in terms of consideration?

Mr ROCKLIFF - Thank you. If I may just expand on the consultation to date, which might help inform the committee and indeed through my answer and other feedback and consultation to inform, the Strategy and Action Plan has included members of the Lived Experience Advisory Group convened by the Department of Justice. The Lived Experience Advisory Group members previewed the strategy in advance of the strategies released for broader public consultations, just the strategy - Laurel House Youth Advisory Group workshop attendees; DPAC held-workshops with the victim/survivors, children, young people and adults living with disability from LGBTIQ+ communities and from culturally and linguistically diverse backgrounds; Relationships Australia-Tasmania, a trauma-informed therapy workshop with victim/survivors; Courageous Conversations Towards Collective Action, a two-day event hosted by Sexual Assault Support Service and Laurel House to bring together leading therapeutic, academic policy and lived expertise to work towards a Tasmania free from child sexual abuse. Further information to Ms Webb's question -

Ms WEBB - If I could restate my question, because what you've provided to me doesn't go to my question. There are two different stages here. Just for clarity, I appreciate it's consulted prior in order to inform the draft and that's a wide range of people. What we also know though is that you put a draft out for consultation. No doubt, many of those same people will make submissions and involve themselves in that consultation on the draft because there will be things about the draft that they feel need to be tweaked or improved, expanded or whatever, and if they've done that in good faith by 30 September and you've released a strategy 3 weeks later, how can they understand that you have given proper consideration to the submissions they made? All those groups you listed may well be making submissions in good faith right now to your consultation process. I am asking about the consideration. What does it look like for the two weeks you have to do it? What's it going to look like in terms of considering input?

Mr ROCKLIFF - Thank you. It's been a very collaborative consultation period to date and that will continue through the time period that you speak of, Ms Webb. Kath, would you like to add any value to the answer?

Ms MORGAN-WICKS - We're not waiting until the end of September but noting that people may put in one right on the last day and we are going to review every single submission that we receive on the strategy. We are nearly in a co-production way working with members of the community. We are actively working with SASS and Laurel House and not waiting until the end of September to try to get their feedback and submissions that they're receiving. We have a session with the team and the community sector organisations plan to work together on reviewing the feedback and incorporating that into the strategy.

The Premier has outlined our hope that we could have it ready in time for National Children's Week. If we receive a large number of submissions right in that last week that require further work and active consideration, I'll provide that advice to the Premier about the time that will be required to incorporate that into the strategy. I think what the Premier has alluded to in many of the answers today is about trying to get this right and trying to make sure that we are including all the voices of community in this. This is a long-term change. We're not attempting to rush it but at the same time we're here in scrutiny to answer questions about why we have not done something on a particular date or not. We're trying to balance that to make sure we are getting the voices of the community included.

Ms WEBB - I appreciate that. I think people will be reassured to hear some of those comments. Thank you for that. Can I ask why the draft that's currently out for consultation doesn't have clear measurable targets or timeframes or data points to evaluate progress? It's interesting to me. Do we expect to be able to robustly monitor and evaluate this framework going forward in a clear and independent way if we don't have those clear measurable targets, timeframes and data points that are part of it?

Mr ROCKLIFF - Thanks, Ms Webb. Perhaps I can hand over to Courtney as you speak of the independent monitor and some of those matters.

Ms HURWORTH - First, the feedback about not having clear accountability measures is one we've already been given through the consultation. I want to be clear that we're already looking at that. We've been given a whole range of feedback that we're considering. The independent monitor will have a very important role in the process of monitoring the strategy and action plan and the independent monitor will develop an evaluation and monitoring framework about the strategy and action plan. We're aware of working across what that important regulatory oversight function will do and what we need to have in the strategy and action plan.

Ms MORGAN-WICKS - I note that many of the items are phased, falling within phase two and phase three and require significant development. As they are each developed, we will be able to then set outcomes and measures and provide that also through to the independent monitor. I cannot sit right at the beginning and say this is the way in which the 191 recommendations can be evaluated, for example, in five-years' time as we are designing and developing many of the responses to the recommendations.

Ms WEBB - I'm talking about evaluating this strategy rather than the [inaudible 11.34.39 a.m.].

CHAIR - Are there any pressing questions on 19.1?

Ms WEBB - I know another criticism of the draft strategy that's there at the moment for consultation is its lack of focus on prevention, the lack of focus on the things that are drivers of child sexual abuse. It doesn't necessarily have a public health approach that would be in that prevention space that we would expect. Was that a deliberate policy decision in terms of the strategy? It would seem to be at odds with the intent?

Mr ROCKLIFF - I might invite Mellissa Gray to the table to cover Ms Webb's question.

CHAIR - I'm conscious of the time, Premier. We may have to come back another time to finish off. We have a number of other recommendations to get through.

Mr ROCKLIFF - We can pick up on that, Chair.

CHAIR - In fairness to you, you've committed to 11.30 a.m.

Ms WEBB - It might be better to ask that question when we have a final strategy, because there might be changes in that area between there and then.

Ms MORGAN-WICKS - We appreciate the feedback.

Mr ROCKLIFF - I am conscious of the fact we have 26 more recommendations relating directly to my portfolio from 19.2 to 22.1. I'm at the will of the Committee. I can come back at any time, which I'm sure you'll invite me to, or I can write to the Committee with respect to the information pertaining to each recommendation to date. I'll leave that in the Committee's hands.

CHAIR - We will probably do that in the first instance, Premier, and determine whether we need to call you back. It may be that we do. Noting that some of these recommendations, some of it was covered in the earlier information you provided. If we could agree that we'll write to you and ask you to provide updates on those ones we haven't yet heard from you. We may need to issue a further invitation.

Mr ROCKLIFF - Thank you, Chair, I may have referenced correspondence before regarding updated tables.

CHAIR - Here they are, thank you.

Mr ROCKLIFF - Our apologies it wasn't sent.

CHAIR - Thank you for providing it now.

Mr ROCKLIFF - Ms Webb, I believe you might have asked a question about an RTI being removed from the website. Was that you?

Ms WEBB - Yes.

Mr ROCKLIFF - The RTI relevant to the commission of inquiry was published on 17 May 2024. However, it was erroneously removed from the website on 20 June 2024 when another matter was being uploaded. This was an administrative error. This has been rectified today and has been republished. It is now publicly available on the Department of Premier and Cabinet's website. Thank you for the question.

PUBLIC

CHAIR - Thank you, Premier and your team. I appreciate there's a lot of work that goes into this and we do thank you for your time today. We will write to you with some of those follow up questions that have been foreshadowed and also ask for further information related to a recommendation we didn't get to, and we'll take it from there. Thanks for your time today.

Mr ROCKLIFF - Thank you, Chair, very much. I thank Committee members for their interest in this very important matter and wish you well for your work.

CHAIR - Thank you.

The witnesses withdrew.

The Committee suspended at 11.38 am.