



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 2 September 2021

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Thursday 2 September 2021

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

QUESTIONS

JobKeeper - Exemption from Payroll Tax

Ms WHITE question to MINISTER FOR SMALL BUSINESS, Ms HOWLETT

[10.01 a.m.]

Minister, over the past two days, you have given contradictory answers to parliament about whether JobKeeper wages are exempt from payroll tax. We have since heard from a Hobart-owned professional services business that, under the answer you gave on Tuesday, they would have a payroll tax bill of \$56 000, but under the answer you gave yesterday, they will be liable for a bill of \$64 000. Which is it, minister? Are JobKeeper wages exempt from payroll tax or not? Will you now take the opportunity to correct whichever one of your answers was false?

Members interjecting.

Mr SPEAKER - Order. No interjections. The member has the call.

Ms WHITE - They doth protest a bit too much, Mr Speaker. Minister, if the JobKeeper wages are not exempt from payroll tax, as you led hundreds of Tasmanian business owners to believe, what are you going to do about it?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for her question. If the Leader of the Opposition has a lot of constituents who are coming to her, and small businesses, why has she not given me the names or diverted them to the State Revenue Office for help? If you care so much about small business, why have you not provided me with these names?

As a Government, we care about small business. That is why we have acted swiftly to launch a fund for a \$20 million grants program, aimed at providing much needed relief to many small businesses -

Ms WHITE - Point of order, Mr Speaker, relevance, standing order 45. This is about whether JobKeeper is exempt from payroll tax, and which of the answers the minister gave is correct.

Mr SPEAKER - It is not a point of order, Ms White, and you know that. The minister is answering the question. Allow her to continue.

Ms HOWLETT - Thank you, Mr Speaker. As I was saying, we have had more than 650 applications for the border closure grants program and we have provided \$2 million into the banks of those small businesses that need that money right now.

For absolute clarity for the other side, for those who clearly do not seem to understand, I have already indicated that businesses do not pay payroll tax on the proportion of their wages that are attributed to JobKeeper payments. Are you listening? This means that payroll tax is waived on JobKeeper payments; therefore, there is an exemption from the need to pay payroll tax on the proportion of the wage bill -

Members interjecting.

Mr SPEAKER - Order.

Ms HOWLETT - The other side fails to listen; they fail to have a plan. There is no alternative budget. This information has been very clear on the Treasury website for over a year.

Office of Racing Integrity - Request for a Review

Ms WHITE question to MINISTER FOR RACING, Ms HOWLETT

[10.05 a.m.]

I understand the seventh Director of Racing Integrity in five years commences work very shortly. This follows the departure of two directors of racing this year and the loss of more than 20 staff since 2018. You have Acting Chief Stewards in two of the three codes. Race meetings in Launceston and Hobart have had to be cancelled due to poor track management. The Office of Racing Integrity staff say that the office is dysfunctional and morale has hit rock bottom. One staff member said that they have been asked to work 15-hour shifts without a break and perform duties well above their skill set. Tasmanian Racing is under threat under your watch.

Will you accept the advice from the Tasmanian Racing Club, Tasmanian Trotting Club, and the Hobart Greyhound Racing Club and commit to an independent review into the Office of Racing Integrity and TasRacing?

ANSWER

Mr Speaker, I thank the Opposition Leader for her very important question. As the Minister for Racing, I love the racing industry. You and I both know that, as does my shadow. We have been to many meets together.

The Government is a very strong supporter of the Tasmanian racing industry. The racing industry makes a vital contribution to our economy, employment, particularly in regional areas of Tasmania. The racing industry contributes more than \$103 million into economic input into the Tasmanian economy and the majority of these are in rural and regional areas. More than 5500 Tasmanians are indirectly employed in the racing industry.

It is critically important that under the act, which the Director of Racing operates, that it is modern and it is contemporary. That is why I have announced that the Tasmanian Government will commence a review of the Racing Act. The Racing Act 2004 has not been substantially reviewed since its inception. Probity and integrity are critical and very important in the racing industry and underpins confidence in racing codes across the state, through the

thoroughbred, harness and greyhound code. It goes to the heart of sustainability of the industry; therefore, it is timely to review the act with the view to strengthen and enhance integrity functions as well as animal welfare.

The Government will be retaining a separation of integrity functions from Tasracing, while it will also strengthen and enhance integrity functions that govern racing in Tasmania. The review will be undertaken by an independent expert to be announced in due course, together with the terms of reference and a discussion paper to encourage broad engagement, including extensive consultation with the industry and the community.

The independent review into the Racing Act 2004 will include the functions of both the Office of Racing Integrity and Tasracing. This review will be an important step to ensure the Government's and the integrity model in Tasmania is effective in delivering probity and integrity with an appropriate education compliance and enforcement functions that are easily understood by participants in the community.

Office of Racing Integrity - Issues

Ms O'CONNOR question to MINISTER for RACING, Ms HOWLETT

[10.09 a.m.]

The Office of Racing Integrity is in utter disarray. Those of us who care deeply about the welfare of animals in the racing industries are deeply concerned. As we know, about 20 Office of Racing Integrity staff have left since 2018 and the ABC reports many vacancies around the field. Morale is at an all-time low.

The former Acting Racing Integrity and Stewards Manager, Tony Latham, is under investigation over an allegation he sought to have a fine against Tasmania Cup jockey, Reece Nicholson, dropped. Mr Latham's predecessor, John King, stepped aside while facing a professional standards investigation by Tasmania Police. The incoming ORI general manager and director of racing until a few weeks ago was a political adviser to ministers Jaensch and Petrusma. Meanwhile overnight we learn another racing greyhound has died, the seventh this year.

Minister, this utter shamble has happened on your watch. How can anyone within the industry or watching on in horror from the sidelines have any faith in the integrity of racing and upholding of animal welfare standards today? Please do not read out the same answer that you read out before.

ANSWER

Mr Speaker, I thank the Leader of the Greens for her question. The reason why we are having this inquiry into the act, as I said, the act is 2004 and it is old. It does not even have an animal welfare component. That is one of the reasons why we are doing the review.

We understand that there are issues in the Office of Racing Integrity. I note that the CPSU and staff have raised concerns about the leadership and culture within ORI. Importantly, the Department of Primary Industries, Parks, Water and the Environment where ORI sits has acknowledged these concerns and is committed to working with them to respond accordingly.

I am aware of the current vacancies within the Office of Racing Integrity. The secretary of DPIPWE has assured me that recruitment processes for some of these positions have commenced or have already been advertised. I am pleased that the new general manager of ORI has been recruited and will commence today. I have met with Mr Helmich in anticipation of his commencement in the role. He will be meeting with Tasracing, the industry and staff in his first week in the role. I will continue to have regular meetings and updates with the DPIPWE secretary and ensure ORI has the full support that it actually needs.

In relation to the death of the greyhound on Thursday night, I am pleased to say that we take animal welfare extremely seriously. In the year 2019-20 13 greyhounds were euthanised. In the year 2013 it was a lot more. This year we are actually down to three. Last year we had seven. We are doing our absolute best to improve animal welfare.

With the new track design on the north-west coast we have engaged Dr David Eager to help us design that track. It will be one of the safest tracks in Australia.

Ms O'Connor, animal welfare is paramount to the social licence of this industry.

Ms O'Connor - If ORI is dysfunctional you can't uphold that standard.

Ms HOWLETT - That is why we are doing a review.

Budget 2021-22 - Health Investment

Mr ELLIS question to MINISTER for HEALTH, Mr ROCKLIFF

[10.13 a.m.]

Can you outline to the House how the majority Liberal Government is securing Tasmania's future for a record investment in health and can you outline why there are no alternative approaches?

ANSWER

Mr Speaker, I thank you member for Braddon for his question. I know of his considerable interest in this particular matter.

First, to continue to invest heavily in health you need a very strong economy. It was great news to see that Tasmania's economy continues to charge ahead according to positive ABS data released yesterday, with confident locals fuelling our state's economic growth. In fact, state final demand is up a whopping 13.1 per cent for the year. It is the second strongest in the country and a fantastic effort by all Tasmanians, as I am sure the Opposition would agree and support, just like they support 100 per cent of our Budget.

Despite the Labor Opposition not producing an alternative budget or indeed an alternative anything, and despite the fact that many in Tasmania feel let down by Labor, I still think it is important to listen intently to what they have to say. I listened intently to the Labor Leader on Tuesday. You could only conclude, given the lack of alternatives, that they support 100 per cent of our Budget. I thought to myself, could that be right? I listened even more intently to Labor's new shadow minister for mental health and wellbeing where it was

confirmed beyond a doubt that Labor support for our strong plans to secure Tasmania's future, particularly in health.

The shadow health minister, Ms Dow, said they would like to see - wait for it - more funding - tick. The Gutwein Liberal Government is delivering a record \$10.7 billion in health funding over the forward Estimates. That is \$900 million more than last year. Ms Dow said also that she wants a real plan - tick. We have outlined a comprehensive plan to deliver better health care for Tasmanians. Ms Dow also wants the Government to listen to health professionals. That is a big tick. The four-year elective surgery plan has been developed by clinicians - clinician-led and patient-focused.

One of the next steps outlined in our health care future is to co-design a long-term health plan which includes a statewide clinical services planning. This is what clinicians have been asking for. I was really excited when Ms Dow said, 'Health needs to be a budget priority.'. Absolutely. It was almost like she was channelling the Premier. A big tick there as well.

I did keep listening, and I quote, 'We need better alternatives for hospital care, more community care' - well, tick, tick. The Budget includes \$27.5 million over four years to commence a permanent statewide community rapid response service and to pilot other hospital in the home services. Ms Dow said, 'A stronger focus on preventative care to keep people out of hospital in the first place'. I could not agree more, Ms Dow. Indeed, tick. The Budget includes a major investment of \$20 million for prevention and early intervention and to empower Tasmanians to improve their own health.

Ms Dow also mentioned elective surgery as being, I quote, 'absolutely necessary'. Again, I agree. Obviously she agrees with our four-year elective surgery plan led by clinicians that will enable us to deliver 30 000 additional surgeries and endoscopies, reducing the waitlist to a sustainable level and ensure Tasmanians get the surgery within the clinically recommended time frames.

I note Ms Dow also talked about and was concerned about oral health. We are too and that is why the Budget includes \$5 million for an additional 20 000 dental procedures. Hospital beds also came up. Ms Dow, I am pleased to advise you that according to the Australian Institute of Health and Welfare, Tasmania has the second highest rate of public hospital beds per population in the country. Since 2018 -

Members interjecting.

Mr SPEAKER - Order.

Dr Broad - Are they the ones that are open?

Mr ROCKLIFF - We are still opening them, Dr Broad; another 50 beds statewide. Thank you for your concern. Since April 2018, the number of available beds in Tasmania's public hospitals has increased to 1583, I am advised, as of the end of June 2021. That is an increase of 223 beds since 2018 - 16.4 per cent increase. No wonder those opposite, including the Leader and the shadow minister for health, are endorsing our Budget 100 per cent, particularly when it comes to health.

This week, it has become crystal clear that only the Gutwein Liberal Government has a plan to secure Tasmania's future and improve the health of Tasmanians. It is all right there in the Budget and we are delivering on it.

Office of Racing Integrity - Appointment of Christopher Knight

Mr WINTER question to MINISTER for RACING, Ms HOWLETT

[10.19 a.m.]

The Office of Racing Integrity is responsible for maintaining the probity and integrity of the thoroughbred, harness and greyhound racing industry in Tasmania. Christopher Knight was appointed to a position within the Office of Racing Integrity in August last year. This was during his suspension from Tasmania Police following an internal investigation into his conduct, including allegations he had participated in the breach of no contact orders and maintained a relationship with a person after having been directed to cease that relationship.

Why would the Office of Racing Integrity charged with maintaining the probity and integrity of Tasmania Racing appoint a person under investigation for such matters? When did you become aware of this matter? What steps did you take to satisfy yourself that ORI was functioning appropriately?

ANSWER

Mr Speaker, I thank the member for Franklin for his question and for his interest in racing. As you would be aware, any matter regarding employment is a matter for the department. It is inappropriate for me to comment on an individual employee's circumstances and you are aware of that.

Threatened Species Unit

Dr WOODRUFF question to MINISTER for ENVIRONMENT, Mr JAENSCH

Over the last seven years your Government has cut the Threatened Species Unit to a shadow of its former self. Loss of habitat is the prime reason so many of Tasmania's iconic animals are being marched off a cliff. You are actively logging the last of the swift parrot's habitat as you are cynically funding a recovery plan for the bird, hoping to gaslight Tasmanians into believing you are not driving the swift parrot to extinction.

Meanwhile, there are hundreds of Tasmanian listed threatened species that have no recovery plans or direly outdated ones. You have allocated \$300 000 over two years in the Budget for a thorough review of the threatened species strategy but that does not start for another two years, in 2023. Now the Budget shows you are going to stop measuring the department's performance in preventing the decline of threatened species because it is 'not within the control of the department.'

Do you accept it is your own Government's policies that sanction native forest and private land clearing which are killing our native wildlife and rushing so many of them to extinction?

ANSWER

Mr Speaker, I thank the member for her question. I am very proud to be our minister for Tasmania's environment and very pleased that our budget has continued to invest in the protection of threatened species in Tasmania. Our commitment to protection of threatened species is significant, and it is ongoing and its integration in this Budget demonstrates our strong investment. We have reaffirmed our commitment to the Save the Devil program, extending the additional \$450 000 in funding out until 2024-25 on top of approximately \$1 million committed to the program each year. We have also committed \$1 million to progress key actions identified in the Swift Parrot Recovery Plan to support ongoing active management and recovery of the species; \$1 million to continue to invest in that program.

We are actively participating in the review of the National Threatened Species Strategy. We recently committed \$300 000 to undertake a comprehensive review of our own Threatened Species strategy in order to provide a contemporary framework for conserving threatened plants and animals.

We will also continue funding the Raptor Refuge to run a dedicated telephone hotline for reporting injured birds, increasing our contribution towards this important service to \$10 000 per annum over the next four years.

We realise that Tasmania's continuing growth and development is going to put extra risks and threats into our environment. That is why we are investing more into these programs - the threatened species recovery programs for our wedge-tail and white-bellied sea eagles which is also under way with an expert panel appointed and providing advice to us on that.

Our orange-bellied parrot program, which includes investment of \$2.5 million for their new captive breeding facility at Five Mile Beach, is having record results in the number of birds successfully fledged, making their migration successfully and returning to Tasmania. We have a good track record of making a difference in the survival of our threatened species. We continue to invest and we will continue to ensure -

Dr WOODRUFF - Point of order, Mr Speaker - standing order 45 on relevance.

Mr JAENSCH - that budgets like this one invest in their protection.

Ms O'Connor - You cannot run away, because the point of order was called before you finished your answer.

Dr WOODRUFF - I called the point of order while you were on your feet.

Mr SPEAKER - There is a point of order. What was the point of order?

Dr WOODRUFF - Mr Speaker, the minister sat down. He was on his feet and I asked the point of order to draw him to the fact that he has not answered the question about -

Mr SPEAKER - The minister has the right to sit down when he concludes his answer. What is the point of order?

Dr WOODRUFF - Standing order 45, relevance. He did not address the question about the Government's own policies.

Mr SPEAKER - As has been historically pointed out in this Chamber, the Speaker has no ability to tell the ministers how they should answer a question. If you could sit down, please. The point of order was not a point of order. The minister has concluded his answer. He has now sat down and we have another question.

Budget 2021-22 - Supporting and Empowering Women

Ms OGILVIE to MINISTER for SPORT and RECREATION, Ms HOWLETT

Can you update the House on how the majority Liberal Government is securing Tasmania's future by delivering our plan in the 2021-22 State Budget to help more Tasmanians get active as well as supporting and empowering women right across our beautiful state?

ANSWER

Mr Speaker, I thank the member for Clark for her question and her interest in this area. Women make up over half of the Tasmanian population and as Minister for Women, I am extremely proud that our Government is working to ensure women and girls can fully participate in our economic, social, political and community life. We are not just talking about it through our policies and commitments, we are taking action.

There has never been a more important time as we recover from COVID-19. In July 2021 we have seen record female employment of more than 125 000 women - an increase of more than 12 000 women since May 2020. There is much more work to be done. Many of these initiatives outlined in the Budget are about increasing opportunities for women in the workforce including those areas traditionally dominated by men. These commitments include \$35 000 per annum for three years to develop an industry-led approach to enable and empower more women into work; increasing the Women in Leadership scholarship program from \$50 000 per annum to \$100 000 per annum and extending the program to 2024-25; increasing the International Women's Day small grants program to \$20 000 per annum over the next four years; \$75 000 to develop a women in building and construction strategy; and \$25 000 for girls in property pilot program to be delivered in partnership with the property council.

When we came to government we reinstated the Women's portfolio, we developed a Tasmanian women's strategy and in the past three years alone we have committed over \$5 million in funding for specific programs, initiatives and services that will create a more inclusive Tasmania; a Tasmania that empowers and enables women and girls to fully participate in the economy and the community. We will continue to deliver against these priorities set out in the Tasmanian Women's Strategy and we will work on a new strategy due for completion by December this year.

I am extremely proud of the work the Government is doing to empower, support and promote opportunities for women in Tasmania. The Tasmanian Liberal Government is investing significantly into the state's sport and recreation sector. We want more Tasmanians active. We are committed to helping more Tasmanians to get active no matter where they live, what their age is, or their circumstances. Sport is a lifeblood of communities across Tasmania

and the Tasmanian Government's continued investment will provide more opportunities for all Tasmanians to participate in sport and lead an active and healthy lifestyle.

As part of the Budget we will invest more than \$38 million with over 140 sport organisations to deliver programs and infrastructure programs state-wide.

In addition, we are doubling our Ticket to Play voucher from \$100 to \$200. This important program is designed to reduce the costs for children participating in sport. The response to Ticket to Play from the community and activity providers has been overwhelmingly positive.

In 2021-22, the Department of Communities Tasmania will deliver five competitive merit-based grants programs including: the \$10 million improving the Playing Field Grant Program; the \$55 000 National and International Sports Championship Grant Program; the \$150 000 Sporting Competitions Access Fund; the \$1.15 million Sport and Recreation State Grant Program; and the \$1 million Community Support Level Grant Program.

Our Government has committed a range of large infrastructure programs, including \$5 million to the Silverdome for netball facility upgrades, \$10 million to Football Tasmania for four upgrades across the state to deliver better facilities for players and \$1 million in funding for new change rooms, extra public toilets, storage and medical facilities at the Launceston City Football Club. Over the next four years, our investment in sport and recreation in Tasmania will exceed \$60 million in an effort to get more Tasmanians involved in physical activity. An equity contribution of \$65 million will be provided to Stadiums Tasmania which will oversee the development and management of stadium assets in the state.

Mr SPEAKER - If you could wind up please, minister.

Ms HOWLETT - An additional \$14.5 million will provide for the operational costs. This will assist in overseeing the development and management of venues to maximise the economic and community benefits for Tasmania.

Our Government is committed to providing safe, fair and inclusive opportunities for all Tasmanians to participate in sport and recreation. All we have from the opposite side, are lots of porky pies. We recognise the importance of sport and recreation to the Tasmanian community and we are committed to supporting all Tasmanians to access sport and recreation opportunities.

LGBTQIA+ - Prohibit Conversion Practices in Tasmania

Ms JOHNSTON - question to **ATTORNEY-GENERAL, Ms ARCHER**.

[10.32 a.m.]

A recent study by the Latrobe University has found that one in 20 LGBTQIA+ youths in Australia have undergone conversion practices. The study also found that those LGBTQIA+ youth who underwent conversion practices are at a higher risk, psychological stress, mental health conditions, self-harm and up to four times more likely to have PTSD and to have attempted suicide, than other LGBTQIA+ youths.

I have met survivors of these practices and have witnessed the harm and trauma caused by these so-called therapy sessions, where an individual is subjected to lengthy periods of pseudo-counselling, formal courses, prayer or even exorcism.

On Sunday 22 August this year, *The Examiner* newspaper reported the experiences of Mark, not his real name, who underwent 21 years of practices which culminated in him suffering a breakdown in his early 50s.

Do you agree that conversion practices cause deep and psychological harm and trauma? If so, will you help save lives and support a legislative ban to prohibit conversion practices in Tasmania?

ANSWER

Mr Speaker, I thank the Independent member for Clark, Ms Johnston for her question. It is deeply concerning to hear these stories. No one in this House would not be concerned when they hear about these stories in our community. I am aware that other jurisdictions have various laws in relation to this matter and that there have been calls for further work to be undertaken at both the state and national level. This is precisely why our Tasmanian Law Reform Institute is currently looking into this matter.

Ms O'Connor - Do you have the report?

Ms ARCHER - No, I do not have the report. I will get to that, Ms O'Connor. They are considering any options and areas that might need review with regard to our Tasmanian laws. I have met with Equality Tasmania.

I am aware from meeting with various parties about these studies as well and as I have stated in the past on numerous occasions in this House, and publicly, we will as always give very careful consideration to any recommendations from the TLRI report. It is important that I do not pre-empt that because I know that they are doing very extensive work in this regard.

It is important that any law reform strikes an appropriate balance to prevent harm and providing appropriate healthcare, which I expect will be a very key consideration of the TLRI in its final report and recommendations.

Acting Director of Racing - Conduct

Mr WINTER question to MINISTER for RACING, Ms HOWLETT

[10.36 a.m.]

Tony Latham was your Acting Director of Racing until last week. Can you confirm Mr Latham is facing a serious investigation about his handling of the Tasmania Cup final and the subsequent deletion of a \$200 fine that stewards had ordered for driver, Reece Nicholson?

When did you become aware of the allegations in relation to Mr Latham's conduct relating to the Tasmania Cup final and what steps did you take to address them? Why was Mr Latham still the Director of Racing at least up until last Thursday? Is Mr Latham still employed by ORI?

ANSWER

Mr Speaker, I thank the member for Franklin for his question. I am aware that matters relating to the conduct have been raised. Allegations of inappropriate conduct are a matter for the secretary of DPIPWE. I am informed that the secretary is taking the appropriate action in relation to these allegations. I understand that these are under investigation. As you know it is not appropriate for me to say anything further on this matter. It has to go through the proper process and this is currently going through an investigation.

Members interjecting.

Mr SPEAKER - Order.

Ms HOWLETT - It is inappropriate for me to comment on these allegations.

Budget 2021-22 - Support for Heritage

Mr STREET question to MINISTER for HERITAGE, Mr JAENSCH

[10.38 a.m.]

Can you please update the House on how the majority Liberal Government is securing Tasmania's future by delivering on our plan in the state Budget to support Tasmania's historical heritage places and help them meet the challenges they have faced throughout COVID-19?

ANSWER

Mr Speaker, I thank the member for Franklin, Mr Street, for his question. Tasmania's historic heritage places tell important stories of Tasmania and they are a key driver of our visitor economy. During the past year many locals have reconnected with Tasmania's past during their holidays at home. COVID-19 restrictions have made it even more important to support these unique assets and the organisations that care for them. They are icons of our state's brand and they will play a key role in our economy recovery as borders reopen.

The state Budget includes funding to support the work of the National Trust in Tasmania, with an additional \$300 000 this financial year, effectively doubling our support. The additional funds will support the trust's management of its significant portfolio of properties, as well as strategic business transformation activities. We look forward to our continuing work with the trust to celebrate, protect and promote the unique built heritage in its care.

Our commitment to our heritage is evident throughout the Budget and right across the state, including \$600 000 over four years for the West Coast Heritage Centre at Zeehan, to continue to manage and maintain its unique collection of mining heritage that help build Tasmania. There is \$250 000 for painting and maintenance of the iconic heritage-listed Currie lighthouse on King Island, which is an integral part of the island's skyline and a great tourist drawcard. We have \$100 000 for the final stage of interpretive signage at Highfield House at Stanley, and \$665 000 to purchase and renovate St Pauls Anglican Church as part of the Stanley discovery museum.

There is \$6.8 million for stage 3 of the Maria Island rediscovered project, which includes heritage building upgrades and revitalisation of the Darlington Precinct, and \$2 million to support the wonderful volunteer-run Don River Railway museum and workshops at Don to develop a rail experience that will drive interstate and international visitors to and along the state's beautiful north-west coast.

In more good news, today I will be visiting the Penitentiary Chapel in Hobart to announce a \$1.25 million funding agreement for the Port Arthur Historic Site Management Authority to lead the development of a convict memorial hub at this important National Trust property. This election commitment has been delivered, as promised, under our 100-day plan, creating another experience to drive visitation to that site and to our state.

I am very proud of PAHSMA's record in managing some of our most important heritage sites, evidenced by last year's budget providing \$20 million in equity contributions over four years to help PAHSMA to respond to the financial impacts of COVID. A further \$3 million was provided to support the construction of a new visitor centre at the Cascades Female Factory in South Hobart, alongside \$2 million from the Australian Government. I thank my colleague, Ms Archer, for her excellent attention to that project over her time in the role of minister.

This Budget recognises that Tasmania's heritage assets tell important stories of our state and we will continue to protect and promote them, looking after our past to help secure Tasmania's future. The Tasmanian Liberal Government, as you know, took a strong plan to the May election to secure Tasmania's future in all areas of the state and this budget confirms we are delivering on our plan as we promised. But, where is Labor's plan?

We have a plan. Even the Greens have a plan, kooky though it may be, but Labor - no plan. No plan, no alternative budget, no policies, not even the ones they took to the last election. This week - budget week - all they want to talk about is small business. Three MPIs in a row and Ms White leading again today with a question on small business which would be great for small business if it meant that Labor had actually finally developed an interest in small business for the first time ever but, sadly, no.

The truth is Labor is talking about small business because it is the least Labor thing that they could think of to talk about this week. The last thing they want anyone talking about this week is anything to do with Labor itself. Its bitter internal war. Its toxic culture. Its body count since the election and its total lack of policies, plans, leadership or an alternative budget.

In Budget week Tasmanians deserve better from their opposition. We will not be distracted and we will not seek to distract Tasmanians from what is important to them in these uncertain times. Stable leadership and unity, a plan to secure Tasmania's future and a budget to deliver it, that is what we are talking about.

Tasmanian Irrigation Scheme - Request for Federal Funding

**Ms FINLAY question to MINISTER for PRIMARY INDUSTRIES and WATER,
Mr BARNETT**

During the recent election campaign you promised to supersize tranche 3 of the Tasmanian Irrigation Scheme. This was a promise to expand the Fingal, Don, Tamar, Sassafras

and Northern Midlands schemes and was to include a further commitment of \$100 million from the federal government.

Yesterday in the Senate it was revealed that on the eve of the early election you sent off a rushed proposal to the then Deputy Prime Minister that failed to include even the basic information about demand, scope, costs and benefits. Then, just days after the election, your request for funding was comprehensively rejected. When were you planning to tell the public that your signature election commitment to Tasmanian farmers had been rejected by the federal government? It will not be delivered now because your funding request was rejected. How are you going to fix it?

ANSWER

Mr Speaker, I thank the member for her question. What we do know is water is liquid gold. We are off to a flying start here and I thank the member for her Dorothy Dix, because the information that she has advised the Chamber today is wrong, wrong, wrong. It is embarrassing for federal Labor and state Labor. They are not on the same page. They do not understand the federal funding process for our water projects when it comes to irrigation.

Members interjecting.

Mr SPEAKER - Order, order. A question has been put to the minister. Allow him to answer it.

Mr BARNETT - What we have done is we have delivered, and we are delivering again in this Budget, \$23.7 million for five of those projects for tranche 3: Don, Sassafras, Fingal, Northern Midlands, Tamar, the five. We have put in our Budget \$23.7 million -

Members interjecting.

Mr BARNETT - In accordance with the due process, under the rules, the national rules, we have written to and I have written to the federal minister because they have already committed \$100 million prior to the last election -

Ms White - And it was rejected.

Mr BARNETT - We have actually requested a further \$100 million, in accordance with due process. This is the thing: you do not understand due process. The new people on the block from the other side, you have got it wrong.

Members interjecting.

Mr SPEAKER - Order, order. Member for Bass, order.

Mr BARNETT - I wrote to the federal minister because water is liquid gold. We have increased demand by our farmers, so we have put funding in our Budget of \$23.3 million. Why would I not ask the federal government -

Ms Finlay - Because of lack of detail. No details.

Mr BARNETT - in accordance with due process, \$2 from the federal government, \$1 from us, \$1 from the farmers and the landowners and the irrigators. That is the process.

We are very proactive with irrigation and getting water on the ground, which is liquid gold, increasing our productive capacity here in Tasmania. That is what we are doing. We are going through due process. There has to be a business case. We go through due process.

Members interjecting.

Mr SPEAKER - Order, member for Braddon. Order, member for Bass. Order. And the member for Franklin, order.

Mr BARNETT - Mr Speaker, it is called good governance and that is something the Labor Party does not understand. If you cannot govern yourselves you cannot govern the state. We know there is toxicity. We know there is division. We know there are porky pies on the other side when it comes to the alternative budget. They are stuck.

The next round of funding proposals is due in January 2022 in the lead-up to the federal budget. It is embarrassing that Labor actually do not understand this. It is very unfortunate that federal Labor and state Labor do not understand the process. Is it not -

Members interjecting.

Mr BARNETT - good, and I will do a little shout-out for Julie Collins, the shadow minister for agriculture. It is one of the first things she has ever said about agriculture since she has been appointed. Congratulations on having a go. I do not hear very much from Julie Collins, the federal Labor member for Franklin you ought to get onside and do a little bit of training. I can offer some mentoring, training, coaching for the Labor Opposition when it comes to knowing about governance and due process. What we do know is that they are divided. If you cannot govern yourselves, you cannot govern the state.

Custodial Inspector - Implementation of Recommendations

Ms HADDAD question to MINISTER for CORRECTIONS, Ms ARCHER

[10.48 a.m.]

Yesterday the Custodial Inspector released another damning report about the state of correctional facilities in this state. The report revealed that the inspector was so concerned that the Department of Justice had been misleading him about whether they were implementing his recommendations that he had his staff audit the accuracy of the department's reporting. His audit found, and I quote, 'That many of the recommendations had not been progressed, despite advice to the contrary,' and that, and I quote again, 'This situation appears to have continued in this reporting period'.

On numerous occasions you have responded to questions about the dangerous conditions in our corrections system by telling parliament that the department is in the process of, or has implemented recommendations made by the inspector. For example, in Estimates in November last year when asked about a report that the inspector had recently released, you said and

I quote, 'Significant progress with respect to many of the matters referred to in the report had already occurred'.

The Custodial Inspector claims that the department had been misleading him about its progress implementing the recommendations. Do you stand by the statements you have previously made to parliament in relation to the recommendations from the Custodial Inspector or have you misled the House?

ANSWER

Mr Speaker, I thank the member for Clark, Ms Haddad for her question. It is a bit rich being asked about misleading the House in relation to the other side with her Leader having regularly done it but, to the question.

I acknowledge and our Government acknowledges the release of the Custodial Inspector's annual report. What the member fails to highlight is the fact that the annual report covers last year's period, 2020-21. Specifically in relation to funding, I want to address some of the issues that were raised in the report and clarified in Mr Connock's media release yesterday:

In this respect, I am pleased to report that in the State Budget delivered late last week additional funding was allocated to my office including additional funding for the inspectorate.

This will greatly enhance the operation inspectorate and will amongst other things fund a new position bringing the matter of permanent officers to three, said Mr Connock.

I mention that because as I have said in this House and at Estimates that the Tasmania Prison Service has set up a specific position that liaises with the Custodial Inspector. They meet regularly. They discuss recommendations, issues and concerns that the Custodial Inspector raises. So, those conversations are occurring. I also quote from the media release yesterday where Mr Connock states:

I am hopeful that the additional funding and resources now available to the inspectorate will provide greater scope and flexibility to address and review these issues of significance in the near future.

We have listened to the issues that the Custodial Inspector has raised specifically in relation to funding to not only allow his office to function better as well communicating better with the Tasmania Prison Service. We have allocated an additional \$3.25 million over four years to the Custodial Inspector as part of his office of the Ombudsman. He carries out a number of functions that will allow them to undertake further auditing of recommendations and to undertake further inspections. Also, in relation to funding, we will continue to provide additional resources to support staff at our prison facilities to do their very difficult job. We have already embarked on an intensive recruitment drive nationally.

These things are happening. These are all matters that the Custodial Inspector has raised in previous reports. I am not sure why the Custodial Inspector has not reported on the activities that have occurred to date. All I can say is that this annual report relates to a period that we are not currently dealing with. The unions are now regularly meeting with Tasmania Prison

Service and my department. Having recently met with the unions we have embarked on quite intensive regular meetings with them. They play a part in this and I thank them for their collaboration on these issues.

We all realise there are issues and there are pressures in the Tasmania Prison Service. That is why in this Budget we have provided \$4 million to respond to existing demand pressures.

As I have said, and as I said to the unions and as Mr Lynch has repeated on radio, funding is not the issue here. We need to deal with the demand pressures. They are assisting with that. We are taking on board union suggestions in relation to recruitment, increasing staff. We have embarked on a national recruitment drive that is highly intensive. There has been interest from some retired correctional officers from South Australia. There is work actively being undertaken.

Ms Haddad, I can assure this House that we are dealing with these issues. My department continues to work with the Custodial Inspector. I personally regularly meet with the Custodial Inspector. We discuss these concerns. I am pleased that his media release corrects the record in relation to the funding aspect. That will enable him to do his work but also to continue to have that very close relationship with Tasmania Prison Service. That is what is needed.

I also note Mr Lynch on radio said someone needs to take responsibility. I take full responsibility and I have done that by meeting with the unions, by instructing the prison service and my department to have regular meetings with the unions and with prison management to sort out some of the issues and to also have that opportunity to raise their concerns so that the Tasmania Prison Service can address those concerns. In doing so, they are actively responding to his recommendations.

Ogilvie High School and New Town High School - Proposed Merger

Ms HADDAD question to MINISTER for EDUCATION, Ms COURTNEY

[10.56 a.m.]

Of the hundreds of community members who participated in good faith in the consultation on the merger of Ogilvie and New Town high schools, more than 60 per cent of people felt the name should be Hobart City High School but the names Ogilvie and New Town be retained as campus names.

An announcement on the new name was expected some time ago but it seems to have been significantly delayed. Can you confirm that a decision on the name has been held back because your colleague, Madeleine Ogilvie, has said the name of Ogilvie High would be changed only over her dead body and that she would wreak havoc on your Government if she does not get her way?

Ms OGILVIE - Point of order, Mr Speaker. I have been verballled. I have never said such things. It is completely inappropriate to come into this place and make a statement as if it is a quote. I request that it be withdrawn because I am personally offended.

Mr SPEAKER - Ms Ogilvie, you can make a personal statement post-question time in other formal business.

ANSWER

Mr Speaker, I thank the member for this question. It is an important question with regard to the Hobart city partner schools. I commend the staff, the students, the associations and the broader community of Ogilvie High School, New Town High School and Elizabeth College who have been working together for some time on this shared vision. I also thank my predecessor, Jeremy Rockliff, for the work that commenced under him.

This is a really exciting opportunity for this community and for the younger Tasmanians who will have this pathway available for them. This is part of a process where we have had extensive consultation. The department has engaged specialists to lead some of this consultation with the community. The consultation, as alluded to by Ms Haddad, looks at a range of things around school identity, school name, logo and branding. I thank the community for the proactive engagement in that area.

The engagement that I have had, particularly with the school associations, shows an enormous amount of goodwill. I understand that the school communities are very keen that this progresses in a timely way. I am pleased to advise the House that I will have more to say on this in the very near future.

Budget 2021-22 - Productive Industries

Mr TUCKER question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[10.59 a.m.]

Can you update the House on how the majority Liberal Government is securing Tasmania's future by delivering our plan in this year's Budget for our productive industries? Is the minister aware of any alternatives?

ANSWER

Mr Speaker, I thank the member for his question and his strong support of our productive industries in Tasmania. It is our productive industries - fishing, farming, mining, forestry and our renewable energy sector - that are the backbone of our economy. We are privileged in that the Tasmania we live in today has been built on the back of these productive industries -

Members interjecting.

Mr SPEAKER - One moment, to the members on my left, I am sick of the mumbling that is going in. If you want to interject, interject so that I can then refer to you rather than mumble amongst yourselves. If you do not mind, interject so that it is actually an interjection rather than mumbling across the House.

Ms O'Connor - You are inciting interjections, Mr Speaker.

Mr SPEAKER - Although interjections are not permitted, of course.

Mr BARNETT - Thank you, Mr Speaker, I am glad you have brought them to order across the other side of the Chamber.

The Tasmania we have today is built on the back of our productive industries. We are proud of them; decade in and decade out, they are growing. We are backing them to the hilt in this Budget. With regard to agriculture and the \$50 million in our Budget, it is comprehensive and visionary. We have \$30 million in there for water. Water is liquid gold and we are backing it in. \$23.7 million for our irrigation projects. Do you want to have French fries and a shake with that? We are supersizing agriculture because the farmers want more water. It is liquid gold, it is delivering and producing our premium Tasmanian products. They are delivering it and we are responding with an extra \$23.7 million. It is an absolute ripper.

Yes, Don, Sassafras, Wesley Vale, Northern Midlands, Fingal and Tamar, they are all on the drawing boards. We have \$5 million to do a business case for the south-west integration. Tasmania is an exciting place to be with regard to agriculture and water. We are backing agriculture and water. \$1.5 million for our rural water use strategy. We have \$3 million for the wild fisheries action plan, helping them with new markets, developing new skills, fleet innovation, processing and product development. Funding for forestry is \$11.7 million, and \$10 million for value adding downstream processing; more jobs. Forestry was decimated under the Opposition and we will come to that.

With regard to mining, we have the popular exploration drilling grants of \$1.5 million, \$2 million for geoscience and we have an extra \$3 million from the federal government to match it. We have the diversity action plan, as we heard earlier from the Minister for Women, in the mining sector, in the forestry sector and it is in the Budget so the money is there.

We acknowledge the Greens' alternative budget and we acknowledge, like my colleague, minister Jaensch said earlier, it was a cookie alternative budget -

Members interjecting.

Mr SPEAKER - Order.

Mr BARNETT - You can say cookie or kooky, what is it? The bottom line is, that alternative budget would have taken the productive industries to their knees. Cookie or kooky, either way, they want to tax the productive industries and we are not for that. We want Tasmanians to go to work and have that opportunity. We want Labor to be backing in our workplace protection legislation. The time is coming when they will need to make that decision, whether they will support our resources sector, our productive industries, not only forestry, mining, agriculture, aquaculture; it is all there for you to support.

Dr Broad - Why don't you wait until the day before the election again? Sit it on the books for a full year.

Mr SPEAKER - Order, Dr Broad.

Mr BARNETT - Will you join in together with the Greens, the anti-jobs, anti-development, anti-business Greens? For the last seven years you voted against it -

Mr SPEAKER - Order, you are mumbling Dr Broad.

Mr BARNETT - The Tasmanian people have sent a message. They want the support to protect their right to work and their right to operate.

There is \$6 million for trade to support our advocates in Singapore, in Japan and in the USA on top of China. We are backing in our exporters. Exports mean jobs. Our renewable energy powerhouse of Australia.

Ms O'CONNOR - Point of order, Mr Speaker, standing order 48. The minister has had sufficient time and he has not said anything of substance. Maybe you could wind him up.

Mr SPEAKER - If you could wind up, minister.

Mr BARNETT - Thank you, Mr Speaker. I was thinking of the 90 000 Tasmanians as the Leader stood up -

Ms O'CONNOR - Point of order, Mr Speaker. I asked you for a ruling there by raising that point of order and the minister has just proceeded to speak.

Mr SPEAKER - Again, I control the amount of time that the minister has. I have asked the minister to start winding up and that is what he is doing.

Mr BARNETT - That is right, Mr Speaker, and as the Leader for the Greens stood up, I was thinking of the 90 000 Tasmanians who have \$12 million of support for the \$125 winter supplement. We are backing in those Tasmanians who are doing it tough. Power prices went down, down, down. Not up, up, up, as under the previous Labor government.

I was asked if there is an alternative, I will finish with this: well, no policies, no plans, no alternative budget, just a side serving of misleading and deceptive porky pies.

Mr SPEAKER - Question time is now concluded.

I call the member for Clark. As members should be aware there is an opportunity to correct the record and so for a short statement to correct the record, it means that there is no debate. It is about specifically correcting the record.

PERSONAL EXPLANATION

Member for Clark - Ms Ogilvie

Ms OGILVIE (Clark) - Mr Speaker, I was quite disappointed to hear a made-up statement attributed to me. Ms Haddad, you would know that making statements in this House that are attributed to be a direct quote ought to be supported by some evidence of that. It has not been said. In fact, it is not a phrase that I use. I believe you misrepresented me and I would like you to apologise and withdraw the statement.

SITTING DATES

[11.08 a.m.]

Mr FERGUSON (Bass - Leader of the House) (by leave) - Mr Speaker, I move that the House at its rising adjourn until Tuesday 14 September next at 10 a.m.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

Office of Racing Integrity

[11.09 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I move -

That the House take note of the following matter: the Office of Racing Integrity.

It is pretty clear to the casual observer and to the Greens that the Office of Racing Integrity is broken and it has been broken on the Liberal Government's watch. This is the body that people who are concerned about animal welfare look to, to uphold animal welfare standards across the three codes in the racing industry but what we know is that the Office of Racing Integrity is in utter disarray and all of us who care about animals are really worried about this. Twenty, or thereabouts, Office of Racing Integrity staff have resigned since 2018. Many of those positions have yet to be filled. According to the CPSU and staff who have blown the whistle, morale at ORI is at an all-time low.

What we have now is a whole lot of questions about the administration of ORI, its interaction with Tasracing, its oversight by DPIPWE and, ultimately about the minister's role in the decline of ORI. We have the former acting racing integrity and steward's manager, Mr Tony Latham, under investigation over a shocking race that happened at the Tasmania Cup. We asked questions about this incident last year: on a Saturday night when a harness racer won race 7 in the Tasmanian Cup, after whipping his horse heavily for the duration and using a cruel practice called hocking where he kicked the horse repeatedly in its Achilles throughout the race. The last 400 metres of the race on the night made for really shocking viewing. The harness racer was fined \$3000 for his actions, but walked away with around \$45 000 in prize money. The second and third place getters appealed the win, but this was dismissed. At the same time you had this double standard. Another harness racer who I have spoken to, Gavin Kelly, was fined for refusing to have the whip. He was being fined for not being cruel, for refusing to be cruel, by stewards at the Office of Racing Integrity.

As a consequence, obviously of the concerns raised around that Tasmania Cup win and a fine that was then laid on the jockey, the rider, Reece Nicholson, it is alleged that Tony Latham sought to have the record of that fine removed. We understand this matter is now under investigation. I do not want to prejudice the investigation, but it sure does point to some issues within the Office of Racing Integrity. We also know Mr Latham's predecessor in the position, John King, has stepped aside while facing a professional standards investigation by Tasmania Police. It does not get any better smelling, because the new general manager and head of ORI and director of racing until a few weeks ago was a political adviser to two Liberal Government

ministers, ministers Jaensch and Petrusma, and this new general manager apparently is starting this week. We would like to know what the selection process was, for example, to fill this important position given a high level of disfunction at the Office of Racing Integrity.

While all this is happening, animals are dying on the track or near the track as a result of the cruelty inherent in the racing industries. It has just been reported that the seventh beautiful greyhound has died this year, the seventh. We have here an integrity body in which the Greens can no longer have confidence. We believe there is now a high level of distrust within the community about the way the Office of the Racing Integrity is being run and has been run down.

We understand it is Labor's position to defend the racing industry and that is fine, but for the Greens it is all and only about animal welfare. Of course, we have huge issues with the horse racing and the greyhound racing industries because of the abject cruelty that underpins the industry. This is despite the fact that we know there are plenty of trainers, owners and riders who absolutely love their animals and treat them with enormous respect and care. But at the heart of this industry, animals are ultimately made disposable. When the minister talks about greyhounds being euthanised, it is not euthanasia because it is not a good death. It is a premature death. Those greyhounds have been killed because they are part of this industry.

There were questions that were not answered this morning by the minister, because she hid behind the secretary of the Department of Primary Industries, Parks, Water and the Environment, Tim Baker. We want to understand what is happening with the DPIPWE investigation; why the minister is not taking personal responsibility for what is happening at the Office of Racing Integrity; and how long the minister and the secretary of DPIPWE have known about the issues staff have been raising about the level of dysfunction there.

We did not get an answer to a question asked this morning by Mr Winter about whether Mr Latham is still either at ORI or Tasracing or in DPIPWE. There is no clarity around that whatsoever, and that is highly unsatisfactory. There needs to be transparency about this. It is a government-funded agency. The people who are working for it are paid for by the taxpayers. Their job is to uphold integrity in the industry and we are not seeing integrity being upheld. That drags everyone in the industry down, and it only heightens our concerns about the stewards' capacity and ORI's capacity to uphold animal welfare standards as the community expects them to do.

Time expired.

[11.16 a.m.]

Mr WINTER (Franklin) - Thank you to Ms O'Connor for bringing on this matter of public importance this morning. The racing industry in Tasmania at the moment is haemorrhaging. It is haemorrhaging people not only within the Office of Racing Integrity but it is haemorrhaging good people who are leaving the industry. Those who are left in the industry are feeling concerned for its future. It has been a really difficult 12 months to 15 months for the industry, particularly since it was shut down last year during the COVID-19 outbreak. That made things very difficult for the industry.

I know that in the thoroughbred code we lost Craig Newitt, perhaps one of Tasmania's best-ever jockeys. We lost Needs Further, when the renowned sire left the state during that

period of time. Across the codes, in fact, people have been hurt by the lack of certainty, by the shutdown, and by the lack of confidence in the integrity of the industry.

Ms O'Connor says that the Greens do not have confidence in the Office of Racing Integrity and my perception from speaking to participants is that they are losing, if they have not already lost, confidence, as well. That is a huge issue when the participants do not have confidence not only in the Office of Racing Integrity but in the integrity of the industry, and of the ability for the industry to function correctly and for it to grow.

The minister correctly points out that there are 5500 people either directly or indirectly employed by this industry in Tasmania. It is very important. It is particularly important in regional Tasmania. There are stables across the north-west coast, in places like Longford, Brighton, and Seven Mile Beach. These are important regional communities. Those racing communities and their trainers rely on the industry to provide employment and they need certainty and confidence in the industry in order to do that.

This morning we asked questions of the minister, Ms Howlett and it was important for us to listen to the answers that she gave. However, I do not think any observer would consider that the answers the minister gave this morning to be comprehensive or at all reassuring to the industry that is desperately asking for her help. One of them wrote me a message last night with words to the effect of, 'I really like minister Howlett but I wish she would do something'. It is time for her to do something. No-one could argue the minister does not love the industry; it is clear that she does, but it is time for the minister to act.

We have had a number of racing ministers over the seven years of this Government, and it is clear that issues have continued to grow. Now, pre-emptively, I presume, because the minister knew that some of these stories were coming out, we had the announcement that there would be a review into the Racing Regulation Act 2004 because it was due for a review, or some reason like that. I am not sure it is a good enough reason to suddenly say, 'We will review it because it is 17 years old'.

Ms O'Connor - How does a review of the act fix things, though?

Mr WINTER - Ms O'Connor is quite correct to ask, how does it fix things? The only thing we did glean this morning is that this appears to be dressed up as a review of the act, but it is actually a review into ORI and into Tasracing as well. I look forward to seeing the terms of reference of this review, and to seeing who is appointed and whether it is going to be an independent review.

It is not only the participants. It is even the staff within ORI who are raising the alarm bells: the comments in the ABC reporting this morning about the culture, about the work practices, about 15 hours straight, and being expected to work well above your skills. These are serious issues within that office. Over 20 people have left since 2018, and today we have the third new Director of Racing starting in 12 months. That is a very important role. The recruitment of the amazingly -

Ms O'Connor - Well connected.

Mr WINTER - It appears that it is quite a common thing that people from advisers' offices get roles; but let us hope that this appointment has the correct skills and can fix up

things. I genuinely mean that, because the industry desperately needs someone to clean up the mess that has been left in ORI and in Tasracing.

In Tasracing we also know that there were reports only recently where the Launceston Greyhound Club made a complaint to the minister, Ms Howlett, about a meeting between Mr Erickson, the CEO of Tasracing and the Launceston Greyhound Club, with the investigation partially upholding the complaint that Mr Erickson had addressed one of the representatives in a manner that can only be described as inappropriate and unprofessional. He has been directed to undertake some communications training. However, I understand there is still a huge rift between Tasracing and particularly that club, but also other clubs in Tasmania. The southern-based clubs yesterday put out a release begging the minister to not just review the act but also to review ORI and Tasracing because this is a serious issue.

It appeared again in the answer; I will need to review the *Hansard*, but the minister said that the separation between ORI and Tasracing will be maintained. The industry participants tell me very strongly that they believe that should be reviewed as well and that some of those functions could be joined together. I do not know if that is a good solution, but I believe it should be included in the scope of the review. It should not be ruled out before the review occurs.

There are serious questions about the probity and integrity of thoroughbred harness and greyhound racing in Tasmania. It has now been exposed for all to see. It is not a particularly big secret in the racing industry. You talk to participants and they have been raising these concerns for some time. However, the minister has been there a while now, and has announced a review into the act. I hope it is a proper review and that it is right into these issues. I want to see the terms of reference and I want to see this done properly and independently.

Time expired.

[11.23 a.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Speaker, I am pleased to speak on this matter of public importance and to say there is no stronger supporter of the Tasmanian racing industry than Government.

Mr Winter - No, there literally is. There really is. It is on this side of the House.

Mr SPEAKER - Order.

Mr BARNETT - Let me be very clear that the minister, Jane Howlett, is one of the hardest working and most dedicated Racing ministers you could ever imagine. All the feedback I receive around rural and regional Tasmania is positive about her dedication, her level of professionalism, and her level of interest in the racing industry. She goes to racing meets. I am pleased that the shadow minister has at least acknowledged that he likes the minister and acknowledges -

Mr Winter - I said the industry likes the minister.

Mr BARNETT - Yes, the industry likes the minister and I am -

Mr Winter - I meant that but they want her to do something.

Mr BARNETT - I acknowledge that. In terms of that commitment, it is 100 per cent. Her dedication to supporting the industry is fantastic, but I call on the shadow minister to account for using words like the industry is 'haemorrhaging'. I call into question the merit of using the word 'haemorrhaging' because the industry is worth \$103 million to our economy, based on the advice I have, and more than 5500 jobs, particularly in those rural and regional areas.

When you talk down an industry like that, when you are negative and critical like that, I call that into question. I ask you to reconsider because I do not think there is merit in talking down the industry that is so important, particularly in rural and regional areas and in my Lyons electorate especially.

That is what we do know. It is vitally important to Tasmania's economy, the rural and regional areas, those employed in the industry or its direct participants. The Government support for the industry has been unwavering. We want to give it confidence to continue to grow. It is critically important that the act, under which the Director of Racing and the Office of Racing Integrity operates is modern and contemporary. That is why the minister has announced that the Tasmanian Government will commence a review of the Racing Regulation Act 2004 which has not been substantially reviewed since its inception. I believe that is acknowledged and it should be acknowledged. The Leader of the Greens said, 'How will it fix things?' You have to have the review. Please consider the merit of the review. It is 2004 so it is nearly 20 years - it is less than that. There needs to be a comprehensive review and I have no doubt that it will be.

I know that probity and integrity are critically important in the racing industry. They underpin confidence in racing across all three codes in the state - thoroughbred, harness and greyhounds. It goes to the heart of the sustainability of the racing industry in Tasmania.

There is merit in that review. We do take it seriously. The minister takes it seriously and our Government takes it seriously. Therefore, it is timely to review the act with the view to strengthening and enhancing integrity functions as well as animal welfare. We do take this very seriously. To suggest otherwise is totally inappropriate, unfair and uncalled for.

The Government will be retaining a separation of integrity functions from TasRacing while also strengthening and enhancing integrity functions that govern racing. I am advised the review will be undertaken by an independent expert to be announced in due course along with the terms of reference and a discussion paper to encourage broad engagement, including extensive consultation with the industry and the community. That is appropriate. Get the feedback, get the comments, engage, consult. We want continuous improvement and it is time that there was a review. The independent review into the Racing Regulation Act 2004 will include the functions of both the Office of Racing Integrity and TasRacing.

The review will be an important step to ensure that the governance and integrity model in Tasmania is effective in delivering probity and integrity with appropriate education, compliance and enforcement functions that are easily understood by participants and the community.

With respect to some of the allegations that were made, particularly on integrity issues, let us be very clear that the Government is aware that matters relating to conduct have been raised. Allegations of inappropriate conduct are a matter for the secretary of the department.

The minister has said that in answering a question earlier today in question time. She made the process very clear. It needs to go through due process. I am advised that the secretary is taking appropriate action in relation to these matters.

These matters are under investigation and it is not appropriate to say anything further. I am trained lawyer but we should all understand the importance of natural justice and due process. To be asking questions, trying to find out information about a particular investigation, is pushing the boundaries. I know there is parliamentary privilege in this place but you are pushing the boundaries. There is an investigation and the advice I have is that these matters are under investigation. I certainly will not be running a comment on it and I encourage other members to consider the merit of doing the same.

ORI is responsible for maintaining the probity and integrity of the thoroughbred, harness and greyhound racing in Tasmania. Importantly, the Department of Primary Industries, Parks, Water and Environment has acknowledged these concerns and is committed to working with them to respond appropriately. We are also aware of current vacancies within the Office of Racing Integrity. The new general manager of ORI has been recruited and will commence this week. That is the advice I have and the minister certainly made that clear in question time. The minister made her position very clear. I commend the minister on her leadership and her dedication to the racing industry.

Time expired.

[11.30 a.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, one of the learning experiences I have had as a member of parliament over the last six years is that unfortunately nothing seems to change in the Office of Racing Integrity. The voices of people who are deeply distressed and concerned about the animal welfare issues continue to get louder. I thank all those people who have stood by the animal welfare concerns for horses and greyhounds who have been and continue to be so badly treated. Their work is so important. They continue to do everything possible to protect animals who through no agency of their own are cruelly treated.

We heard what the minister said this morning. We heard her speak the words of concern about animal welfare not being properly addressed in the review of the racing act. There is no doubt that is a flagrant and disgraceful absence. However, the review of the racing act will not solve the problems that are evident in ORI. The Office of Racing Integrity has had a succession of people stampeding from the office. It is pretty clear that there is, in the words of one staff member who resigned 'a toxic culture, a place where team morale is very low'. This person saw several staff resign because of the way that they had been treated.

These are serious allegations but unfortunately, they are not new. This has all been known to the Liberals in government for the last seven years. They have consistently chosen not to act to appoint appropriate people to be in positions of leadership. We have an appalling record in ORI. The former Racing Integrity and Stewards manager, Tony Latham, is currently under investigation over allegations that he sought to have a fine against a Tasmanian Cup jockey, Reece Nicholson, dropped after the Tasmanian Cup final.

The person before Mr Latham was Mr John King who stepped aside because of a professional standards investigation from Tasmania Police. It does not give us confidence that

the newly appointed General Manager and Director of Racing in ORI was until just a couple of weeks ago the political adviser for two ministers, Mr Jaensch and Mrs Petrusma.

This does not speak of the independence that this industry desperately needs. It does not speak of a person who feels empowered to make the strong statements and to demand the direction that the racing industry in Tasmania clearly has to take to protect the animal welfare of horses and greyhounds and to provide safe working conditions for their staff. Having had 20 people resign since 2018 speaks volumes of a system which is in utter disarray.

It is tragic that these are real horses and real greyhounds that are being damaged because of persistent inaction from this Government to stand up for them. It is the job of this Government to have an Office of Racing Integrity that is totally at arm's length, from not just the influence of government but from the influence of the industry.

If we want to have an industry which is sustainable it has to put animal welfare first, and the staff who work in very hard conditions have to be put first too. We cannot be talking about the jobs that are created and the money - the rivers of money that flow to people who gamble - without looking at the real cost behind those jobs and rivers of money.

The Greens stand with unions and we stand with the CPSU and the animal rights welfare groups. We do not condone an industry which functions on the basis of animal cruelty and does not put workers' safety first. We cannot justify that just because of the alleged number of jobs they produce, and I do question the minister's figures. It is ludicrous to imagine that number of jobs come from the industry.

The fact is we should be putting, first and foremost, people and animals first and that means tidying up the Office of Racing Integrity. If the minister is serious, the review of the act is one thing, but fundamentally the real priority here is an independent inquiry into Tasracing and the Office of Racing Integrity, and a commitment and demonstrated actions to provide transparency to everything that ORI does. It is no longer good enough - it never has been good enough - for ORI to hide behind commercial in-confidence and to refuse to provide information that ought to be in the public domain.

We will keep pushing for the animals and for the workers for an independent inquiry into Tasracing and ORI.

[11.38 a.m.]

Ms BUTLER (Lyons) - Mr Speaker, I thank Ms O'Connor today for bringing this matter on for debate. It is estimated that the Tasmanian racing industry is worth more than \$103 million to the Tasmanian economy and a lot of that money flows into regional parts, especially the electorate which Mr Barnett and I, and you, look after, Lyons. It is vitally important to the Tasmanian economy. It employs more than 5500 people indirectly and directly. We know that it is not functioning in the way it should be functioning. Opening up the ABC report this morning was very distressing, because we need to be better than this. The industry needs to be better than this.

It is unbelievable that a group that is meant to maintain integrity is, at the moment, having its integrity questioned, and that is a governing group that is actually meant to oversee integrity within the industry. We need this industry to be dynamic. It is too important to the economy. We know that the Government does not have the same amount of interest in this industry,

otherwise they would have kept it open during COVID-19, where we were the only state that did not have a racing industry up and running but we know how important it is.

If you look at the investment that is going into Longford, you look how important that racetrack is to the people of Longford and the north of Tasmania. It has been operating continuously since 1845. If you think about the New Year's Day celebrations that we have there at that racecourse. If you think about Brighton. If you think about St Marys. This industry is very important to the people of Tasmania. The minister needs to step up and take responsibility for it. The minister needs to get this right. If the minister does not get this right, by undertaking this review and making sure those terms of reference actually have some proper insight into where the problems are, if you are appointing people without any due diligence, if there is no proper governance in the way in which you go about investigating complaints, if you have people asking for fines to vanish: there are so many problems here.

We need to make sure the minister is capable and able to step up to ensure this investigation is going to be properly conducted. We need this industry to be as good as it possibly can be.

These are only the stories that we know about. These are the stories that are out in the public arena. From the communication we are receiving from constituents and people from within the industry, they want their industry to be as good as it can be. It is their livelihood and it is so important to Tasmania.

[11.40 a.m.]

Mr STREET (Franklin) - Thank you, Ms Butler for cutting your contribution short so that I can make a contribution as well. I appreciate it.

I place on the record that I have been an active participant in the racing industry through owning shares in racehorses. Every person I come into contact with in the industry has been focused on animal welfare and the outcomes from animal welfare. I do not own any shares in racehorses now. That is only because I have found more profitable things to invest my money in; it certainly was not an issue about animal welfare.

I do not particularly like the term 'social licence' because it gets bandied about too easily, but it is important that people who are outside the industry, or who only have a passing interest in the industry, have confidence that animal welfare is one of the things that the industry is focused on. The Office of Racing Integrity is very focused on animal welfare. Whilst there is continuous improvement needed in these areas, most of the statistics for the Tasmanian racing industry would show that animal welfare outcomes are getting better rather than getting worse.

It is very easy to gloss over the economic impact that racing makes to this state, but it is worth more than \$100 million in economic activity, and it is economic activity in areas of the state where it is difficult at times to generate economic outcomes and to generate employment. The fact that we have 5500 people either directly or indirectly employed in the industry is important to Tasmania, and it is important that this industry is supported and that it has a future.

Animal welfare is a high priority for this Government and for the Office of Racing Integrity. The Office of Racing Integrity conducts property inspections throughout the state, making sure that racing animals are properly cared for and that licensed participants are complying with animal welfare legislation.

Those opposite have chosen to bring up the fact that the racing industry was shut down for a time due to COVID-19. It was shut down for very good reasons. It did not stop the Opposition, at the time, from politicising it after saying that they supported the Government during the pandemic and the actions we were taking. We then saw the shadow minister outside Elwick Racecourse politicising the fact that we had to shut the industry for a time. This Government is a strong supporter of the racing industry -

Mr Winter - No other state did. There was racing right through the Victorian lockdown.

Mr STREET - And how is Victoria going, Mr Winter? Please do not throw New South Wales and Victoria at this Government as examples of how to deal with COVID-19. You have to shake your head sometimes, Mr Speaker, at the interjections that come across the Chamber.

There were 4249 racing animals and humans participating across the three racing codes tested for prohibited substances from 1 July 2020 to 30 June 2021 by the Office of Racing Integrity. Racing greyhound euthanasia rates have been steadily decreasing over a number of years because of the work of ORI as well. On-track greyhound deaths have been steadily decreasing. We are now funding a scheme to help with the rehabilitation and repair of injuries to greyhounds to avoid euthanasia.

The point that needs to be made with the Greens as well is that their alternative budget yesterday abolishes Tasracing. It would not matter what ORI or Tasracing did, the Greens do not support the industry.

Time expired.

Matter noted.

APPROPRIATION BILL (No. 1) 2021 (No. 36)

Second Reading

Continued from 1 September 2021 (page 100).

[11.45 a.m.]

Mr ELLIS (Braddon) - Mr Deputy Speaker, as I was saying, one of the transformative parts of this Budget - which is really that intergenerational growth that we want to see - is the Tasmanian Irrigation Tranche Three program. Its commitments provide Tasmanian Irrigation with an additional \$23.7 million in funding over four years, as well as \$5 million to develop the business case for the South East Extension Scheme. The reason we are backing irrigation in this state - the reason why 16 of the last 20 irrigations in the country have been built right here in little old Tasmania - is because we know the impact that it has on farming communities right around Tasmania.

In my neck of the woods - Sassafras and Wesley Vale - it has been transformative over the last two decades for the farmers and people there. An enormous amount of future intergenerational assets, equity and wealth are produced by something so simple as water. Irrigation schemes are not built for the forward Estimates; they are built to last at least 100 years. That is why we are investing in them, and that is why we are happy to have this

kind of intergenerational growth, rather than the intergenerational decline and fear of going into these large long-term investments that we saw from the previous government.

There is also \$15 million for a Tasmanian agricultural precinct for research skills and development in the industry. I know farmers in my neck of the woods are very plugged-in to the latest research at the Tasmanian Institute of Agriculture at Forth and Elliot. They really value the latest cutting-edge science in agriculture because it helps them to make a dollar and really sets their families and our districts up for future prosperity.

An enormous amount of money is also going into roads right around the state. I know that truckies in the north-west and the businesses that they support really appreciate being able to drive safely on the Midland Highway now. They are looking forward to the bottleneck - the missing link at Bridgewater Bridge - being replaced under this Government, after previous governments have abjectly failed to deliver.

I also want to talk about health and education. We know an enormous amount of investment is going into new doctors, nurses, ambulance drivers, teachers and the like, but I want to speak particularly about the kind of intergenerational investments that are going to set Tasmania up for the future.

We are talking new hospitals in the north-west, a new mental health precinct, new ambulance stations, and schools that are being upgraded that have been neglected for decades. I want to give a huge shout-out to the Montello Primary School community in Burnie. The Minister for Infrastructure mentioned spending time there in his childhood. People really appreciate the love and support that happens in that school community but they know that school has not received the investment it has needed over many decades.

That is why we are so committed to this kind of intergenerational growth that we are seeing in the Budget because investing in school communities is not a question of whether it is going to benefit kids over the forward Estimates. This is about setting those kids up to learn in a comfortable, safe, warm, clean environment with modern facilities so that they can get down to doing what they know how to do best, which is learning, and teachers can do what they do best, which is teaching.

In this Budget, an enormous amount of investment is going into the areas of health and education, infrastructure and investment. I will not speak in too much detail, because many of my colleagues have covered this before, but in terms of new investment and infrastructure, I did want to mention the second linear accelerator in Burnie. There is \$80 million to help operate that vital piece of cancer-curing equipment. We all know Tasmanians who have a cancer story. It is a terrible disease and a part of life that, unless you have been through it, you cannot really understand. That is why, through the help of the federal government, as well as many philanthropic people who support health care in the north-west, we have this second linear accelerator. When the North West Regional Hospital was upgraded, a room was set aside so we could put a future second linear accelerator in there because we are building for the future and we understand the new technology coming on line in the healthcare space. Again, it is not just about investing for today and the forward Estimates, it is about setting up Tasmania for intergenerational growth.

Finally, in the education space, one thing I took particular heart in was an investment - and it is only a small one of \$100 000 in three years across the forward Estimates - in partnering

with Volunteering Tasmania to build a youth volunteer army. A similar model to the Student Volunteer Army in New Zealand will be adopted to encourage a new generation of lifelong volunteers by working with community groups and schools to showcase the importance and benefits of volunteering to young Tasmanians.

This pilot program, I believe, could be the start of something enormous in Tasmania. The spirit of the volunteer is something I believe passionately about. It is what drives rural, regional and remote communities in my neck of the woods, and right around the state. The Tasmanian people volunteer at a higher rate than anywhere else in the country. One of the missing pieces to that is our young people, and there are so many who are too busy or not informed well enough about the needs in their community to step up into volunteering. There are some fantastic volunteers of a young age, but we want to make sure every young Tasmanian has that opportunity and can take part in it.

Around the world we have seen some amazing innovations happening in this space, such as the National Citizen Service in the United Kingdom, and the Service Year Alliance in the United States, which is looking to plug in AmeriCorps Seniors and the Peace Corps. All these volunteer groups do an enormous amount of good in those communities, whether it is helping the aged and infirm, or being a teacher's assistant in some of the most remote corners of those countries, or fixing weeds and environmental challenges, building tracks in our parks - all those kinds of things that for all the money and love in the world could not get done unless there is the commitment of volunteers, particularly hardy young people who want that opportunity.

We have spoken over decades about a lack of a national service culture which has inspired previous generations in wartime. It should not take a war to bring us all together to fight and work for common goals. I believe this could be the core that starts something truly extraordinary, the spark that starts a fire. I encourage all young people to take time to volunteer in their communities. If there is a way we can formalise this for the future and make it a huge part of our state psyche and national psyche, then we are really setting ourselves up for the future.

I will quickly touch on a few key parts of the Tasmanian way of life I am very passionate about, as someone who was not blessed to be born in Tasmania, but is very blessed to live here. It is something I believe very strongly in.

There will be \$10 million towards a program to provide new and improved recreational driving opportunities across the west coast. That will be in the Arthur Pieman area, and south as well, I hope, because we want to make sure that all those people from right across Tasmania and, in fact, around the world, can see this beautiful part of the country. They can go fishing, abalone diving, cray diving, and camping out with their families. We know how important it is to get kids off screens and into the bush, really enjoying our beautiful part of the state, and being able to set up that area so that more people can enjoy it - people from all walks of life and all parts of the state. They can go camping in better facilities, they can go driving on better tracks and, hopefully, we can connect them up because I see enormous strategic benefits for our tourism industry but also for our people who just want to get out in the bush and enjoy that beautiful Tasmanian way of life.

We will spend \$17 million as part of Tasmania's \$20 million next iconic walk at the Tyndall Range. It is a range I know very well; the first time I ever slept up high was on the Tyndall Range. It is an incredible bit of country on the west coast. It is really going to be a

big driver to what is becoming one of the major hubs of the tourism industry in Tasmania, as we have seen with mountain biking on Mount Owen, the Gordon River cruises, and various different activities that can be done on the west coast. I think the missing link is this bushwalk. It is very hardy, scrubby and difficult country in many parts. To be able to link it up with something that is a little more accessible for people would be a major drawcard, not just for Tasmanians or mainland Australians, but from people around the world.

There is also a huge amount of investment in recreational fishing. Recreational sea fishing and facilities, a 10-year recreational sea fishing strategy, and a recreational fishing improved boat and trailer parking initiative.

Time expired.

[11.55 a.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I acknowledge the first peoples of this land, lutruwita/Tasmania, the palawa pakana. For many tens of thousands of years they have shaped the landscape, living intimately connected with the natural world through ice ages and huge shifts in vegetation. Our ancient coastal middens, button grass plains and half woody hills tell the story of hundreds of generations of lives lived. When colonists arrived, there was no recognition of that ownership and no peaceful cohabitation. Invasion was brutal and the domination of this island's first people by colonists was rapid.

The Greens are committed to truth telling and to justice, including through a treaty and the return of lands. We welcome the treaty process that is underway and are committed to listening and learning from aboriginal people and to funding the implementation of what is agreed.

I am proud to speak to the Tasmanian Greens fully costed, long-term vision for Tasmania, our alternative budget 2021-22. The Leader of the Tasmanian Greens, Cassy O'Connor, presented the budget in full yesterday. I will outline the details of my portfolio areas.

Our vision is for a future that is a healthy, resilient and prosperous Tasmania, where our natural environment is restored and protected and every citizen feels included and respected. The latest IPCC sixth assessment report did not pull any punches. We are facing massive and irreversible changes to all natural systems, threatening humans and all life. The UN Secretary-General calls it a 'code red for humanity'. Importantly, it is still possible to limit temperature rises below catastrophic levels but only if all governments, businesses and societies take immediate and ambitious actions. Every tonne of carbon released into the atmosphere matters. Every chance to act that is ignored by government matters.

The Liberals refused to vote in support of our motion to declare a climate emergency last week. They are on the wrong side of history. The Greens will not be deterred. We did not just attend the school climate strikes and wring our hands. We listened to the children who spoke at them, we heard their concern and agreed with their calls for action.

The Premier has accused us of scaring children but we will not be gaslit. We are standing with them, firmly grounded in the reality of our challenge and a desire to work collectively to make urgent meaningful changes. The Liberal Government has spent the last seven years dragging its heels on taking real climate action to drive down the state's emissions. As

Peter Boyer said, 'Instead of leading the world in cutting emissions, Tasmania's efforts are actually nothing special'.

Our emissions have been rising across transport, agriculture, industry and waste since 1990 and the logging and burning of our mighty forest carbon banks is accelerating. It is only because of the Tasmanian Forests Agreement and tricky carbon counting conventions that we can use the carbon stored in our growing native forests to offset the mounting emissions from our other sectors.

The reality is that this Government is doing precious little to cut emissions in transport, industrial processes, agriculture, manufacturing, waste and construction. Our Safe Climate Bill 2021 sets out a clear achievable path for a safer Tasmania. We fund the work of an independent safe climate commission to work with businesses and the community to bring down rising emissions from all sectors and to prepare for a hotter future.

We fund the statewide community adaptation planning with local government. We fund planning for future insecurity, including food risk, the protection of strategic agricultural lands and importantly, the critical issue of coastal management for erosion. We have also invested \$12 million towards greening our towns and cities to make them safer in heatwaves.

We have to fast track the electrification of our transport system and we have provided consumer incentives for electric vehicles, including trucks and we mandate that all new government cars are electric. We invest in grant programs to assist farmers to transition to practices that will reduce enteric emissions from livestock and develop climate-friendly farming practices and produce and we fund the discount of transmission costs for on-farm renewable energy transmission.

All industries will need targets and incentives to reduce emissions and we fund the investigation of alternative production methods for cement and the commercial feasibility of an alternative cement industry in Tasmania. We also invest in a machinery and equipment grant program for ferrous metal smelters, to help them transition to hydrogen-based or other low-emissions refinement.

UTAS and the rest of the world's fire modellers keep warning about the accelerating risk of catastrophic bushfires. The 2020 summer's explosive fires on the mainland have erased whole communities and natural systems, leaving people in the eastern states reeling with emotional loss and re-build costs and they are facing the looming threat of mass species extinctions. The 2019 summer fires in Tasmania destroyed homes and more than 200 000 hectares of the TWWHA. That is what an increase of only 1.1 degrees in temperature looks like, let alone 1.5 degrees or 2 degrees, or the current global track of 3 degrees or more.

The scientists and the national fire service chiefs are clear. We cannot always control the power of the intense bushfires that our ever-warming world is producing. The Greens are listening to the scientists and the fire chiefs. Every tonne of carbon we emit today makes a huge difference and as well as reminding us that governments need to cut emissions across all sectors, the sixth IPCC report is crystal clear that deforestation everywhere on the planet has to end.

In Tasmania we must end the logging of native forests. This will keep our existing forest carbon dioxide stores intact and it will also, importantly, keep bushfire risk to neighbouring

communities lower. It is clear now that intact native forest can be a lower bushfire risk than native plantations, or regrowth forests. Community resilience to the more extreme bushfires, floods and sea level rise and the wind events mean that we need to continue to invest highly in this area. Our budget provides \$20 million into community resilience hubs across regional Tasmania, modelled on the outcomes of the royal commission into the New South Wales bushfires. We fund more support for the people who are there whenever we need them in an emergency, including by recruiting 30 rapid-response remote area firefighters and providing resources and extra staff to improve volunteer training and wellbeing in the SES and TFS.

A few weeks ago US meteorologists from Greenland reported several hours of drenching rain fell in the coldest place in the northern hemisphere - a place where rain has never before recorded, only snow. This is very bad news. Along with the deadly summer heat and flooding, it is an undeniable sign of a planet heating far too fast. Greenland might feel far away for Tasmanians but we share the same heat-trapping atmosphere and the same heat-storing oceans. Animal and plant scientists, birdwatchers and marine biologists in Tasmania are all recording dramatic pressures on all species. Those that are threatened are becoming more precarious with the accelerated rate of heating, but it is not just global heating that is pushing our globally special biodiversity to struggle for their survival.

The actions of this Government have been cheered on by Labor and the clear-felling of threatened forest communities impact upon the very habitat that we have to protect to save the swift parrot, the wedge-tailed eagle, the masked owl, the Tasmanian devil, the grey goshawk, the giant blue lobster and so many other wonders, from extinction.

The UN Convention on Biological Diversity has called for a transformation in society's relationship with biodiversity. Their draft 2030 milestones for all countries include retaining existing, intact and wilderness areas. In our budget we support environmental carers and fund the vital conservation work of Wildcare, Coastcare and Landcare volunteers. We fund a review of the Tasmanian reserve estate to upgrade the status of appropriate areas to national park. That would include the future reserve forests identified through the Tasmanian Forests Agreement as well as all areas of existing or proposed World Heritage listing.

We also fund the review of the World Heritage Area Management Plan which the government refused to conduct and invest in establishing World Heritage recognition for the globally important wilderness areas in Tasmania that must be protected including the takayna, the Spero-Wanderer wilderness, the West Coast Range, the Vale River Catchment, Granite Tor conservation area and Recherche Bay.

You cannot protect what you do not know exists. We fund the department of Environment to undertake ongoing data collection for our state of environment reporting obligations and we restore the shameful removal of resources from DPIWES threatened species unit and provide \$8.4 million towards updating threatened species recovery plans and tracking individual species population of movement.

The UN Convention's working group calls for at least 30 per cent of land and sea areas globally, to be conserved. We fund \$12 million into the private land conservation program and provide incentives for farmers and other landowners to expand the important private land reserve estate. We fund a marine protected area strategy, setting an early target of 10 per cent of Tasmanian waters becoming 'no-take' reserves. The MPAs prioritise existing marine conservation areas and make sure that all eight bioregions and habitat types are represented in

no-take reserves. All new fish farms will operate as closed-loop land-based farms, and licences for coastal farms will not be renewed as they expire. We fund an immediate review and update of allowable stocking levels and environmental licence conditions for existing fish farms and we include stronger controls on marine debris.

The Environmental Protection Authority is Tasmania's most critical environmental regulator. Under the Liberals, supported by Labor, the EPA has been cowed into allowing environmental pollution and degradation to occur unpunished or handing out ineffectual penalties. The Liberal Government's policy is to double the size of the salmon industry and it instructs the EPA to facilitate affluence and productivity for businesses. We have a serious problem. At the moment we have gross environmental pollution still being unmanaged in Van Dairys farms in the north and we are facing the prospect of the international Brazilian meat pariahs, JBS, who are waiting to Hoover-up and control our already marine-polluting salmon farm company. We desperately need an environmental watchdog with teeth. We would amend the Environmental Management Pollution Control Act to make the EPA truly independent from government and industry influence. We fund \$8 million for increased monitoring and enforcement activities.

We desperately need and we fund in this budget, a standalone environment department and a coastal management unit in DPIPWE. The government and Crown lands cannot continue to have a hands-off response to the serious coastal erosion that is occurring around Tasmania. We are only a few extreme rain and tide events away: some roads and houses in places around the state, such as Lauderdale, Sisters Beach and across the Huon, are at risk of being seriously undermined.

The Government's recent health dashboard update paints an alarming picture of a hospital system in continual decline. Tasmania's emergency departments are at record lows. In July only 40 per cent of patients in category three with potentially life-threatening conditions were seen on time. That is nearly half the national standard of 75 per cent and sadly July was not a blip. The 12-month average for these and most other key health measures in emergency departments around the state have been declining everywhere compared to the previous year.

This is shocking but it unfortunately rings true for anyone who has had the misfortune of needing to be placed on a public health elective surgery waiting list or who has visited an emergency department. Despite these numbers that hide the reality of thousands of Tasmanians living in pain and anxiety, the government failed to dedicate money into increasing and maintaining staffing levels in our hospitals and that is a sincere shame.

Doctors, nurses and other staff are working incredibly hard and doing a fantastic job under enormous pressure. Every day they are looking after Tasmanians and I want to stress that the worst thing about this public health system is the time it takes for people to get access to a hospital or to healthcare but I never have people contacting my office with complaints about the care they received. Invariably the comment is always 'it took us such a long time to get there but gee it was fantastic. Gee they were caring, gee they did a fantastic job.'

During the election campaign we talked very intensively with working nurses, doctors and paramedics and our budget prioritises investment in recruiting training and holding on to 600 new graduate nurses, an extra 120 permanent pool staff nurses and midwives, an extra 10 psychiatric emergency nurses, an extra 25 clinical educators, and an extra 50 clinical coaches.

When you most need them, often out of the blue, Ambulance Tasmania staff are there to help you. They have been working under intolerable pressure for too many years and on behalf of the Greens I want to thank them for continuing to turn up to support us. Our budget backs them to the hilt. We fund 224 extra full-time Ambulance Tasmania staff including non-operational support staff and a stand-alone rostering unit. We also back Tasmanians living in regional communities and fund 27 new ambulances, seven new light fleet vehicles and build new ambulance stations in Rokeby, the Channel, Ouse and Legana.

A properly functioning health system should be front-loading investment in keeping people well and out of hospitals. Community health centres across regional Tasmania have to be better staffed to do that and we invest 50 allied health professionals into the areas of critical need. We have also committed to establishing and operating two urgent care centres in the north and the south of the state to ease those avoidable pressures on emergency departments.

The Greens know that prevention is worth far more than cure both for the patient and the health budget. There are many health-focused non-government organisations across the state doing excellent low-cost community preventive health work so we funded a \$12 million grant scheme to support that work. We also help people recovering from addiction and have substantially invested \$65 million for 23 extra withdrawal-management beds and 70 new rehabilitation beds.

Despite the government's focus on building more roads in the Budget, the government has failed to invest in the infrastructure that most Tasmanians would prioritise. Building hospitals in advance of the inevitable increases our larger and older population will make on hospital visitations is essential. Over the budget period we have committed \$260 million towards building a new Royal Hobart Hospital campus at the Repatriation site and \$60 million towards kickstarting the new LGH build. These are critical pieces of future infrastructure and we are proud of the planning and commitments that we make in these areas.

Mr Deputy Speaker, democracy is a core pillar for the Greens and justice is its pigeon pair. We have at the moment in Tasmania a prison system that is in disarray. There are inhumane standards and the minister, through her inactions or actions, is contravening UN commitments. This is a situation that the Greens would reset. We make some very strong commitments in this budget to both democracy and justice.

We fund \$12 million towards restorative justice policies and programs, including towards a programs unit and therapeutic services, and to establish a restorative justice programs and policies division in the Department of Justice. That division will develop and deliver programs and policies, and monitor the outcomes, with the objective of reducing the amount of reoffending and making sure that inmates have every opportunity to successfully reintegrate into society.

We also fund \$30 million towards a drug and alcohol court, to establish the court and to expand the court-mandated diversion program, which is currently underfunded by the Department of Justice. That would include alcohol-related offending, and removing the program participant cap which is still in place.

We also spend \$18 million over the forward Estimates to establish and operate a bail hostel, so that defendants who do not have stable housing, and who are being imprisoned on

remand just because they do not have stable housing, will have somewhere to go. They can be bailed to that place and not be unfairly incarcerated.

Importantly, a strong commitment that the Greens have funded in this budget finds the money to defund the northern prison. We have no support for either the idea of the need for a northern prison, or the diversion of money away from programs that ought to be used for restorative justice practices, and that ought to go into establishing and funding humane conditions within the existing Risdon Prison. We also fundamentally reject the site that the Government has selected. Without any transparency or accountability, and with no sense at all, they have chosen a place that is part of a Tasmanian Reserve Estate, and which must be declared a conservation area to reflect the values that it has. We fund that money in the forward Estimates. We will remove that from the Budget and find savings elsewhere.

Finally, I want to talk about the importance of planning. The Greens have long supported the need for amendments to the statewide planning scheme to make it fairer, and to make greater protections of local character, and greater opportunities for communities to have a meaningful say into the planning decisions that are taken in their council areas. We would fund changing the Department of State Growth to become the Department of State Planning.

We want that department to be focused on the future, and planning for the future. This Liberal Government has had real antibodies to taking any action towards future planning over the seven years it has been in government.

There has been silence on the planning policies that are needed and have been promised. It seems the Government is very good at paying lip service to things and ticking boxes from a public relations point of view, but when it comes to grappling with the serious issues that are confronting us as a state, they are not prepared to do the hard work and actually make enforceable statewide policies.

We would fund the establishment of a Queensland-style tribunal for appeals to planning decisions. That would adopt much more informal processes than currently occurs in the Resource Management and Planning Appeal Tribunal. It would deliver decisions that are in plain English, and it would prohibit legal representation, except in exceptional circumstances, or if both parties agree to waive that right.

It is critical that people have the opportunity to access justice on planning, as in every other part of the system, and it is increasingly becoming something outside the average ratepayer's ability.

The Tasmanian Planning Commission is a key pillar of the state's planning justice system, and we would return decision-making, policy-making and advisory powers to the commission. They are so important, and coming into the future, we need them more than ever to be strong and independent and expert.

We would fund the biodiversity mapping that the Tasmanian Planning Commission recommended the Liberals do as part of the statewide planning system. The Premier - who was the planning minister in 2015 - rejected that recommendation, and shamefully did not undertake the comprehensive biodiversity monitoring that the Planning Commission said is needed.

The Greens know we need this now more than ever. We are facing a global biodiversity crisis. We need not only the information to go in there, but the funding to maintain critical biodiversity overlays so that these can inform planning decisions at the local council level.

Mr Deputy Speaker, we have an opportunity to make a real difference for our children's futures, and for people who are living today in crushing hardship without access to the basics of life, such as housing and health services. It is up to the Greens to show leadership and we have a proud history of gifting evidence-based, sensible, visionary policy for Tasmania.

This Government has rubbished us from the sidelines but we have seen them, year after year, silently picking up the initiatives we have proposed in our alternative budget.

On behalf of the Greens and all the people who put their faith in us at this election, I sincerely hope the Government adopts even more of the good programs that we have funded in this year's alternative budget. If they do, it will be all the better for Tasmania.

[12.24 p.m.]

Mr FERGUSON (Bass - Minister for Finance) - Mr Deputy Speaker, I stand in my role today as Acting Treasurer, speaking to wrap up the debate and to acknowledge everybody who has contributed to the debate, in particular my party leader and our Premier, Peter Gutwein, who is doing a fantastic job leading our Government, and indeed leading our state, and who brought down his eighth budget just last week - a Budget that has been widely lauded across the community.

I will turn to some political remarks during the course of my summing up, but I point out that while the Greens have provided an alternative budget, and have had the courage of their convictions to put actual numbers to their policies and to cost them, I think there is a giant black hole in one of them in particular. At least they actually have done the work. Every year they have produced an alternative budget, together with a description of their policies and how they should be reflected in the numbers.

The same cannot be said for the official Opposition. The laziness of the Labor Party knows no bounds. The unofficial leader of the opposition, Ms O'Connor, has run rings around Ms White this week.

This Budget delivers on the commitments made by this Government at the election and were strongly endorsed by the Tasmanian people. It is based on strong foundations on the success of a financial and economic management over the past seven years and, importantly, our success in facing the challenges of the COVID-19. The commitments that are funded in this Budget will keep us safe and deliver better hospitals and schools, provide more houses for those in need and support better education and training outcomes.

We will see more investment in community infrastructure. It will support our large and small businesses through initiatives to attract investment to grow jobs and harness our competitive advantages. Under the leadership of our Premier, we have not hesitated to act. It has been swift and decisive. It has been a point in time. In some cases, he has been ahead of his peers. His action has kept Tasmania in a very safe position guided by public health advice but also the Premier's own knack for seeing what is on the horizon and following his gut.

We have also used that island advantage with public health advice to leverage our strong balance sheet to provide the largest economic and support package as a proportion of our economy. That has kept Tasmanian businesses and communities safe and secure. There were times last year, where Tasmanian businesses were very concerned about what tomorrow would bring. I remember in particular, around mid- to late-March, before JobKeeper was even announced, businesses were managing through what was then not only an unprecedented time but an unscripted time. There was no go-to manual to know how to look after your staff and to protect your business security going forward. We were so pleased in that last weekend in March - it might have been a Sunday - where the Prime Minister announced JobKeeper. It was an incredible and refreshing announcement that took a lot of the pressure off a lot of family businesses.

The Government and I are very pleased that last year not only did our economy survive, it continued to grow, albeit, below expectations from the outset. Since that time, our economy has come roaring back to strength and even with the current challenges facing New South Wales and Victoria, Tasmanians are in the main, confident. There are now more than 263 000 people employed in Tasmania. That is a record for the state. Our unemployment rate at 4.5 per cent is well below the national average. Confidence is up, jobs are up and, importantly, the unemployment rate is down.

Unfortunately, you would not realise this if you had listened only to the speech from the Leader of the Opposition. It was pure doom and gloom loaded with far too much deception. That is all we get from today's split Labor Party. There is no vision and there is no plan. There is certainly no alternative budget. There is no team and there is no leadership.

It is very regrettable that the Leader of the Opposition has been unable to break her habit of saying things in this Chamber and out of this Chamber that are simply not true. Not only do the statements not have evidence or foundation, they have been made up. The Leader of the Opposition misled this House with claims of skyrocketing costs which, in many cases, proved to be lower under this Government. Look no further than the costs of registering a family car. It was blatantly incorrect to say that car registrations have skyrocketed. In 2013, registration for a four-cylinder car, the most common car type, the renewal cost was \$566.16. It is now nearly \$2 cheaper seven years later. Not only has it kept below CPI, it has gone backwards, modestly in that time. She cannot continue to make this stuff up and not be challenged for it. She gets very offended when these things are pointed out but never is there a correction of the record.

Those days are over and those misleading claims will be challenged. Additionally, yesterday, the shadow spokesperson for women Ms O'Byrne used quotes from almost a year ago from an economist to describe this year's Budget. That of course had nothing to do with this year's Budget. They had to later embarrassingly correct the record but not until it had been pointed out to them.

If that is not a deliberate attempt to conflate and deflect from their own lack of a plan or alternative budget I do not know what is. Fair enough in a contest of ideas, put forward your policies, argue their merits or otherwise but do not come in here and make stuff up. Tasmanians are rejecting that. They despise that. It is a pretty poor show if that is all you have got to bring to a debate.

Unfortunately, the shadow treasurer, just weeks into the job, already stooped to a new low in questioning the integrity of the Treasury by calling the Budget speech deceptive.

Dr Broad - Rubbish.

Mr FERGUSON - It is not rubbish. The speech was carefully reviewed by Treasury. Dr Broad was pulled up the very next day by Mr Winter who said, 'Treasury is beyond reproach'. But it did not take long for him to then tear into the State Revenue Office with their payroll tax waiver fact sheet. He tore into them, again. Labor is divided. They are deceptive. Labor have not provided a skerrick of an alternative approach. That means that despite their whingeing, tut-tutting, moaning and negative rhetoric, they 100 per cent endorse our plan and our Budget. The Leader of the Opposition, Ms White, should now be known as the leader of the confirmation, confirming our Budget because there is no alternative.

I am pleased again that the Budget does deliver on our plan to secure Tasmania's future and faithful to our word, it funds our 2021 election commitments. It also provides funding for many new initiatives that will help to meet increasing demand for important services, especially health as well as supporting vulnerable Tasmanians. Given the uncertainty of COVID-19, the Budget also provides the necessary flexibility to ensure that we can continue to respond to the impacts of the pandemic.

Over the course of the Budget and forward Estimates period our infrastructure program and other job-creating initiatives are expected to support more than 28 000 jobs and through sound economic management and a disciplined approach, the Budget does return to a cash operating surplus of \$368.8 million in 2022-23. In 2023-24 we return to a modest but nonetheless net operating surplus of \$39.4 million increasing in the 2024-25 year to a net operating surplus of \$126.8 million. That is the pathway to surplus. If Dr Broad wants to challenge that, he needs to jump on the phone and talk to S&P Global Ratings, if they will take his call.

We are taking the health budget to more than \$10 billion for the first time in the state's history. The increase of \$900 million over the Budget and forward Estimates will see an investment of in fact \$10.7 billion which will make an enormous difference to our health system and the health and wellbeing of Tasmanians; additional funding to meet increasing demand and pressures being faced by our major hospitals including even more elective surgeries and more beds in our hospitals.

Under our Government our hospitals will be supported by additional investment and paramedics and ambulances as well as new ambulances and equipment. More than 180 staff statewide are expected to support our increase in elective surgeries including more than 112 nurses, 10 doctors and 16 allied health staff as well as more than 40 hospital support staff - a comprehensive and well managed plan.

We have also announced a suite of initiatives to support Tasmanians most in need of getting on with the job of redeveloping our major hospitals. The Government is committed to helping more Tasmanians into homes by boosting the supply of new dwellings, supporting home ownership initiatives and putting down the pressure on rents where we can. We are rolling out the most comprehensive affordable housing strategy ever undertaken in this state. We want to work with the sectors that work in home services and homelessness services and

we want to work with the private sector which is part of the solution here. We want to do more. That is why we are also making an unprecedented investment in housing supply.

On top of the successful initiatives the Government is already undertaking to underpin new building activity and affordable home ownership, through the new strategy we will formulate further ability to deliver sustainable outcomes for all Tasmanians, including extending rental assistance programs. This is what we want to consider, a build-to-rent program, housing options for workers in critical industries and regions and commercial property conversions.

We are providing a record \$8 billion for education, training and skills to enable our people to get the jobs that will support them and drive our economy forward. Our record funding enables us to continue investing in 358 more staff including 250 additional teachers and 80 additional teacher assistants. It also funds more school health nurses which we brought back into schools, funding to support students impacted by trauma - an initiative I am particularly close to - and funding to provide free access to speech pathologists, psychologists and social workers in Child and Family Learning Centres.

We are getting on with the job of building new and better schools, improving classrooms and essential facilities. We are committed to ensuring Tasmanians can get the training, apprenticeships and jobs so they can secure their futures here in Tasmania, unlike the bad old days where our young people felt so often they had to leave the state to get ahead and find their way forward -

Ms O'Connor - You know they still are, do you not?

Mr FERGUSON - We do support the PESRAC recommendation -

Ms O'Connor - You live in an alternate reality.

Mr FERGUSON - Ms O'Connor, I will take the interjection. The point here is that in the Labor-Greens years people had to leave the state. Under our Government -

Ms O'Connor - Do you know that was happening for decades before the global financial crisis? You do know that, do you not?

Mr FERGUSON - Under our Government if people want to leave the state to pursue education or employment or even travel then they can make that decision but we are not forcing them out. The opportunities here are much different from the way it was before. Have a look at the vacancy rate, have a look at the unemployment rate, and you will see that it is a complete turnaround. We support -

Ms O'Connor - Have a look at the youth unemployment rate then.

Mr FERGUSON - The youth unemployment rate has also been coming down under our Government. We support the PESRAC recommendation to transform TasTAFE into a government business to ensure that Tasmanians will be able to receive the training and skills that they need to get the opportunities available in our fast-growing economy. People voted for this and it was a very clear recommendation from PESRAC that this government accepted.

We are acting on that, despite all the lies and dishonesty of the election campaign from members opposite.

We are investing additional support of almost \$100 million over the next four years and funding for 100 extra TasTAFE teachers, setting it up for the future, a bright future. As the Premier has often said, ensuring that TAFE is more like the businesses that it should be there to support so that it is better able to support industry to grow training opportunities and to improve economic and employment outcomes.

The Premier is also the minister responsible for climate policy. In this Budget we have announced the creation of Government Renewables, Climate and Future Industries Tasmania which is being established as we speak. It should be in place by October. Renewables, Climate and Future Industries Tas will take a whole-of-government view to strategically capturing the opportunities that jobs and investment that our unique renewable energy and emissions position provides.

It will be a centre of excellence and focus on the Government's approach towards a range of initiatives including Battery of the Nation and Project Marinus, green hydrogen, supporting industries to reduce emissions and adapt, capitalising on our carbon stores, monitoring and reducing government's own emissions and, importantly, complementing our Tasmanian brand.

The Budget also includes initiatives to build Tasmania's circular economy including a container refund scheme, a consistent statewide waste levy, support for commercial composting and phasing out single-use and problem plastics from government and council facilities and events.

These initiatives will enhance innovation and, in many cases, provide that gap in funding that is missing or that is stopping that innovation to occur, boosting economic growth, creating jobs and securing the future of Tasmania's unique environment - strongly supported by stakeholders right around the state. In my own mind I am thinking principally of the Northern Tasmanian Development Corporation which has been a leading voice in encouraging this policy development and frankly an economic pivot that we can do really well here and deal with our problems at the same time.

To secure our future we must have a strong economy and we do understand that government plays an important role in supporting business. That is why we have provided a \$20 million business support package, in partnership with our friends, the Australian Government, to support businesses affected by the current interstate lockdowns that are having flow-on affects here. As we have said on the record, we are in a position to even enhance that. It is why we are helping our small businesses with a range of supports including:

- funding for a new small business incubator and accelerator pilot program;
- funding to support businesses by resolving in problems and reducing barriers;
- funding for our regional chambers of commerce to support their small business members in the regions;
- the Tasmanian Small Business Council to advocate for its members; and

- the TCCI for an expanded survey of business expectations to even better help informed decision-making as we continue our strong economic recovery.

We do not just talk about supporting our large industries, we really support our large industries because it is very easy to talk-the-talk, but it is what you do that counts. Our resources sector, our primary industries, advanced manufacturing, our tourism, hospitality, arts and events sectors; we know that by investing in these foundation industries it helps to attract investment. Investment follows confidence and investment leads to jobs and that will provide flow-on benefits to small business and support more jobs, for young and old.

Infrastructure provides vital support to the delivery of services in our hospitals, schools and communities. It connects communities, supports jobs and enables us to deliver our goods and services to the market and through sporting, cultural and recreational infrastructure it supports our way of life, the Tasmanian way of life. That is why the Budget includes a \$4.6 billion infrastructure program, including a \$3.8 billion investment in infrastructure projects in the general government sector and around \$800 million in equity injections to support infrastructure investment by government businesses and related entities.

In addition, there is more than \$1 billion in further investment by government businesses in hydro-generation and ports infrastructure, especially on the north-west coast. We understand that the implementation of a strong infrastructure program, not just over the term of this Budget in forward Estimates, but indeed beyond that, is vital for creating greater confidence and enhancing certainty, particularly for our industry partners.

We are taking action to keep our state safe and our people secure. We are investing to keep them safe from the impact of fire and other natural disasters, including through emergency services personnel and our treasured volunteers. During the course of the pandemic we, as a government, did support our communities and this strong focus continues in the Budget with significant extra funding for neighbourhood houses, the School Lunch Program and funding for supporting youth housing initiatives.

There is an additional \$12 million for energy concessions to those most in need of support, as I say, as we continue to recover from the pandemic. We are delivering on our commitments to strengthen the fabric of our communities, especially those in rural and regional areas, by supporting community associations and sporting clubs so that they can improve their facilities and their infrastructure.

We strongly believe that all women and girls should feel safe in our community, not just be safe, but to feel safe and that they should have access to the same opportunities as others that our state can provide. We are committed to removing barriers to participation wherever we can find them; in education, business, sport or elsewhere and the 2021-22 Budget includes a broad range of initiatives that deliver support and opportunity to women and girls. The minister, Ms Howlett, in question time this morning, outlined our plan extremely strongly.

For children and young Tasmanians their wellbeing is critical, not just for their own lives and their families, but for our state. To support our children and young people, \$100 million has been allocated by this government to implement the Child and Youth Wellbeing Strategy. It is our first long-term whole-of-government strategy and it has been informed by a comprehensive consultation process. I am advised of more than 3500 contributions from children and young people, mums and dads, carers, grandparents, advocates and service

providers. We are very grateful for the way they have engaged with the government in this process. Our government has listened to those views and we are taking action: that is an important contribution to the future success of our most treasured generation and our most vulnerable and our most trusting, and they deserve our full support.

Taxes will always be lower under a Liberal government. Over the past seven years the government has implemented a number of important tax reforms, including payroll tax relief for apprentices and trainees, and stamp duty relief for first home purchasers and retirees downsizing and we are implementing our commitments made at the May election. We are implementing important changes to land tax, including a foreign investor land tax surcharge on residential properties, which will come into effect next year.

In the 2021-22 Budget we are delivering a number of new tax changes, including a reset of land tax thresholds, which will mean that more than 4000 taxpayers will now pay no land tax and more than 70 000 will receive reduced bills of up to \$613 per year. In total that amounts to nearly \$60 million reprieve for property owners over the next four years. As I say, taxes will always be lower under a Liberal government compared to a Labor-Greens government. The Commissioner of State Revenue will also now accept the payment of land tax in three instalments for those bills that are over \$500 and there will be a 50 per cent reduction in the premium component of the interest rate charged on unpaid tax.

We are increasing from \$400 000 to \$500 000 the value threshold for the first home buyer duty concession and the same for pensioners as well, and that means savings of up to \$9000. Vehicle registration fees will now be able to be paid quarterly and that takes pressure off household budgets. Not only is the four-cylinder family car cheaper to register compared to when we came to office, it is now an easier way for people on limited budgets to be able to manage those bills. I am excited about this and the people in State Growth have worked very hard on this initiative to make it work, and to work with MAIB to make it work, and it is already taking place. It is very good and it should be welcomed.

There will also be a two-year waiver on duty on the purchase of new and second-hand electric vehicles to incentivise the uptake of these by reducing upfront costs, expected to be around \$2000 on average.

Ms O'Connor - Hear, hear.

Mr FERGUSON - Thank you, Ms O'Connor. It is a good one to encourage and my feedback is that it is working. I will conclude with the point that at least the Greens did their job, just the two of them with limited staff but they did their job, they put their convictions into an alternative budget and had the courage of their convictions to come in here and debate it.

It is certainly a reflection on the Labor Party today, which is toxic, split, divided and has no plan, which has, more than three times more members, probably four or five times more members, in fact, when you count their upper House, yet they fail to deliver anything. Not a single initiative. Yet, when asked at the weekend if they would be bringing down an alternative budget, they said 'We have already done that. That was in the election campaign, that was our alternative budget,' said Ms White.

Ms O'Connor has a legitimate claim on you to be the real opposition. If you are serious in saying that your election policies which, by the way, you did not submit to Treasury for

costing, a mere \$7 million worth of community grant promises were the substance of your costings to Treasury and guess what they got costed at by the way, those \$7 million in grants? They were costed at \$7 million but their key policies were not submitted to Treasury and yet they made promises amounting, I think, to \$3.4 billion.

Labor would have the Tasmanian people believe that is their alternative budget. If that is their alternative budget, a very rudimentary run of the calculations would indicate that their alternative net debt is \$2 billion more. While Ms White wants people to believe she will spend more, Dr Broad is having people worried about net debt with his puerile lines on net debt, which S&P Global have made very clear is affordable, and among the lowest in comparable jurisdictions.

We know the Labor Party is toxic. You say it yourselves and everyone says it. It is true. You are also divided. Even though you are toxic and divided, you could still have done the work. You still could have produced your election policies, thrown them into a spreadsheet and said, this is the courage of our convictions and these are the numbers that we would have brought down, had we been elected to government with the Greens. You could have done that but you chose not to do it. It is lazy and it is nothing new, only more of the same. It is not good enough and the Tasmanian people can see straight through it.

For what it is worth, we will take it as 100 per cent acceptance of the Gutwein Liberal Government's Budget. A 10 out of 10, 100 per cent, an A-plus, a high distinction.

Labor are not doing their job. They barely deserve the title of Opposition, and they have been utterly exposed for their failure and laziness by their friends the Greens, who with much smaller numbers, and much smaller resources, have at least been prepared to put the courage of their convictions in writing and produce an alternative budget.

I will conclude now, Mr Deputy Speaker. Thank you to everybody. Every single member has contributed to this debate. We are grateful for the support we have received. We are at a defining point in our history. This is an important budget, a vital stage, and it delivers on our plan to help our state to grab the opportunities that are in front of us to secure our state's future. We are a nation-leading economy. We have nation-leading vaccination rates. The 2021 Budget delivers on our plan to secure Tasmania's future and fully funds our 2021 election commitments.

On behalf of the Treasurer, I thank the House.

Bill read the second time.

APPROPRIATION BILL (No. 2) 2021 (No. 37)

Second Reading

[12.53 p.m.]

Mr FERGUSON (Bass - Acting Treasurer - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

The second Appropriation Bill recognises the unique role of parliament and independent statutory offices in Tasmania's parliamentary and democratic system. This bill appropriates \$40.141 million from the public account in 2021-22. I commend the bill to the House.

[12.53 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I rise to give a brief contribution to Appropriation Bill (No. 2). It funds a whole bunch of statutory bodies, including the operations of this parliament.

We are fully in support. It is a money bill and we will not be opposing it otherwise we will not get paid; I have a conflict of interest on this one. However, we obviously do need to fund the House of Assembly, the Integrity Commission, the Legislative Council, the Legislature General, Office of the Director of Public Prosecutions, the Governor, the Office of the Ombudsman and the Tasmanian Audit Office.

The total appropriation is a little over \$40 million. All in all, having a democracy is well worth \$40 million, and Labor will not stand in between it.

[12.54 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I made a number of comments that encompassed Appropriation Bill (No. 2) in my second reading speech on Appropriation Bill (No. 1). However, I will raise with the House the Custodial Inspector's report.

As we know, the Custodial Inspector, although an independent statutory entity, is also the Ombudsman. While I listened carefully to the corrections minister's answer to the Greens' question this morning, there is a very significant resourcing issue for the Custodial Inspector, identified by the Custodial Inspector himself, where there are effectively two people undertaking this vital work across our corrections system. There is no apparent increase in resourcing to the Custodial Inspector to accommodate very grave concerns that have been raised by that body. It needs to be placed on the record that this role is manifestly underfunded.

I also bring to the House's attention that we have followed up on the issue we raised with the Speaker concerning the access that non-government members, and indeed, Government backbenchers, have to the Office of Parliamentary Counsel, because have had a most unsatisfactory response from the Speaker to date. The Greens still maintain that this House has been robbed of around \$300 000 in funding that was allocated to provide drafting support to non-government members - money that sat untapped for the first year, and then was moved into the Department of Premier and Cabinet, into the Office of Parliamentary Counsel.

That was money that was promised to members of this House. It was money that the Greens negotiated with the previous Speaker to make sure there is high-quality drafting for non-government members who wish to bring bills forward. Yet here we are, still in exactly the same position we were in three years ago. Unlike most state parliaments around the country - and indeed, across the Westminster world - members in this place cannot access the OPC, which means a couple of things.

It means we are not getting quality legislation initiated and drafted by the Opposition at the moment because they do not have the drafting capacity that we do internally. It also means that when you are debating a bill and you want to draft amendments that are appropriately

worded, the support is not there. This basically means that this Government, through its underhand act in taking that \$300 000 away from non-government members, is quite happy for shoddy legislation with average amendments to leave this place and go upstairs.

As I have said before, we are not fighting this fight for the Greens because we have drafting capacity within our office, as is evidenced by the number of high-quality, well-drafted bills we have laid on the table. We raise this for democracy, for good governance, for quality legislation, and so that every member of this place who is not in the Government party room or in Cabinet can have some access to a very specialised area of the law.

We have not had a satisfactory response from the minister. It has been utterly underhand, the way in which \$300 000 was taken away from the Legislature General, and we have not yet had a satisfactory response from the Speaker, who wants to be the gatekeeper between members and parliamentary counsel, should a member in this place want some support in having legislation or amendments drafted. It is a disgrace. We think it is underhand and an act of theft from this place.

[12.59 p.m.]

Mr FERGUSON (Bass - Minister for Finance) - Mr Deputy Speaker, I thank members for their contributions to the debate. I will defend the Speaker's honour and say that those comments are entirely unfounded and incorrect. Far from being a gatekeeper, the role of the Speaker in relation to access to the OPC is more of a doorway, not a gatekeeper.

I commend the bill to the House. I encourage members to take their questions on all of these portfolio areas through the Estimates Committee.

Bill read the second time.

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

CHILDREN, YOUNG PERSONS AND THEIR FAMILIES AMENDMENT BILL 2021 (No. 3)

Second Reading

Continued from 25 August 2021 (page 50).

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, in conclusion, the Greens support the children and young persons amendment bill. We recognise that it improves data connections that hopefully will lead to better outcomes for children and young people but we would encourage the minister to look at those broader reforms to the children and young people's act and also look at the Victorian model that are embodied in the Commissioner for Children.

[2.32 p.m.]

Mr TUCKER (Lyons) - Mr Speaker, I rise today to commend this bill to the House. As a father of four children, there is nothing more important than the safety and wellbeing of my children. This bill will enhance our ability to keep children safe. It will allow for faster and more reliable information sharing between child safety agencies across jurisdictions and ultimately it will result in better outcomes for children and young people.

This Government is clearly committed to improving outcomes for children and young people. Since 2014 the Tasmanian Liberal Government has taken strong action to fix the child safety system and improve outcomes for children, young people and families at risk. Our most important achievement has been the implementation of our \$51 million child safety redesign, Strong Families Safe Kids. Under our redesign we have introduced the advice and referral line as the redesign front door to Tasmania's family support and child safety services. We have also introduced intensive family engagement services to help families on the brink of entering the statutory service system to enable children to remain safely in the family home.

We also launched the Tasmanian Child and Youth Wellbeing Framework, which promotes a shared understanding of child wellbeing to support a consistent approach across the sector in the community.

We are now seeing more support for families at risk than ever before. Fewer cases are referred for statutory child safety intervention and there is a decrease in the rate of children and young people entering out-of-home care. This is a significant achievement. Along with our redesign, this Government has also ensured that there are greater staffing resources in child safety, stronger independent oversight and review mechanisms and more opportunities for children and young people to contribute their views.

In 2016 we established the Commissioner for Children under the Commissioner for Children and Young People Act 2016, giving independent and statutory powers to the Commissioner including a monitoring function specific to children in out-of-care home care.

In 2017 we established the Serious Event Review Team to examine serious incidents for children known to child safety. We were the last state to put a review mechanism in place. It was the Liberal Government who took action. In 2018 we invested \$24 million for the recruitment of 25 additional child safety officers and other frontline staff. This has brought our child safety services establishment to over 250 full-time equivalent staff. Together with the new resource under our redesign this represents a 20 per cent increase in child safety front line staff since the beginning of this Government in 2014.

In 2018 we established the Tasmanian Child Advocate to provide a greater voice for children in out-of-home care regarding the quality of care and the decisions made about them. In 2019 the Child Advocate established the Youth Changemakers, a consultative panel of young people with experience of out-of-home care to provide their input on service system changes. In 2020 we reintroduced Aboriginal liaison officers into the advice and referral line to facilitate increased participation of Tasmanian Aboriginal people in child safety decision-making.

Importantly, we now have a new plan to build on our achievements, consolidate the changes we have made and embed the intent of our reforms in new key areas. The Strong Families Safe Kids - Next Steps Action Plan outlines what we will achieve in the coming years as we continue to redesign our system. We are now turning our attention to the statutory child safety service where we will improve how we engage with parents and families and build stronger oversight of our out-of-home care system. We will promote permanency and stability for children and young people in out-of-home care and better outcomes for Aboriginal children and young people.

The successful implementation of this information-sharing system will mark another key action, number 25, off that plan as we continue to improve our whole system and build greater safety for Tasmanian children.

Our new election commitments will also continue to enhance our response to the needs of children and young people, particularly those who are most vulnerable or at risk. We want all Tasmanian children and young people to be happy, to thrive and to reach their full potential. The future prosperity of our state depends on this endeavour.

Our headline commitment to children and young people is the development of our state's first-ever comprehensive long-term whole-of-government Child and Youth Wellbeing Strategy. The Tasmanian Government will invest \$100 million across the next four years on an action plan to deliver Tasmania's new strategy which was announced by the Premier on 22 August 2021.

Investing in the wellbeing of children and young Tasmanians is critical for our state's future and the action plan includes 65 initiatives, along with the timelines for implementation, a clear governance framework and reporting and measuring outcomes. We will report annually on the progress of the strategy's actions. This strategy will provide the blueprint we need to deliver the services and supports that children, young people and their families need so they and our state can thrive in the future.

I draw your attention to a couple of key new initiatives under the strategy relevant to vulnerable children and young people. We are investing in the Bringing Baby Home program, which further supports the intent of our Strong Families Safe Kids redesign of the child safety system. The program is designed to provide intensive pre- and post-birth support to parents whose babies are at imminent risk of being removed and placed in out-of-home care. The program will provide 24/7 residential support, designed to remove the immediate risk for the baby while keeping them with their parents and building capacity in parents to care for their children's safety.

Kids care clinics is another important program which will see better outcomes for our vulnerable children. The kids care clinics is a multidisciplinary statewide community paediatric service model, co-designed by the departments of Communities, Health and Education. These paediatric clinics are specifically designed for vulnerable children and young people who will be able to access a range of assessments and care in one location by a consistent team of medical professionals.

This Government has also made significant commitments to respond to the needs of our more vulnerable children and young people. We are providing \$5 million over four years to support new, stable, permanent family placements for children, in out-of-home care where children and young people can belong and thrive. We are extending support for informal Kinship Carers, with an additional \$2.25 million over four years. Informal Kinship Carers play a crucial role in the lives of many Tasmanian children who are unable to live with their parents and we are providing greater support for these arrangements. We are also providing children and young people who are in out-of-home care with priority access to government services, supports and concessions with an investment of \$2 million for the Sure Start Initiative over four years.

We have committed to a comprehensive review of the Children and Young Persons and Their Families Act 1997. We want to ensure the act is contemporary and aligns with our new nation-leading approach to child safety under our Strong Family, Safe Kids redesign. As part of our election commitments we are also progressing two key initiatives to further embed the Aboriginal Child Placement Principle for children in out-of-home care. We will work with Aboriginal community organisations to develop an Aboriginal-led case management service model for Aboriginal children in out-of-home care and we will identify and build capacity for Aboriginal family group conference facilitators to oversee those conferences that relate to Aboriginal children and young people.

We are also significantly enhancing our response to young people at risk of homelessness. Our initiatives include:

- \$10 million for a three-year Under 16 Lighthouse Pilot Project, to assist young people under 16 who are unable to live at home.
- \$4.3 million to supply a new modular transitional housing for young people, including young people leaving AYDC, out-of-home care, or youth shelters.
- \$1 million over four years to provide a dispersed Youth Foyer Initiative, to assist young people to share Housing Tasmania properties.

The Tasmanian Liberal Government is unwavering in its commitment to the safety and wellbeing of our children and young people. This bill is an important part of the suite of initiatives progressed by this government to further enhance safety and wellbeing for Tasmania's children and young people. I commend this initiative and this bill to the House.

[2.43 p.m.]

Ms COURTNEY (Bass - Minister for Children and Youth) - Mr Speaker, I thank the members for their contribution and in particular Ms White and Ms O'Connor who I thought gave quite helpful contributions and I will work through now perhaps in chronological order the things that were raised by each of the members.

The first matter raised by Ms White was around the funding. The Commonwealth Government has already committed the \$3.8 million for the establishment in the first two years of operations. It is expected that we will not need to contribute until 2022-23 and it is anticipated that the cost for Tasmania will only be around \$20 000 per annum and that will be absorbed by the agency. Just for your own awareness, staff have already undergone training and the mechanisms that link the systems are all in place already. Ultimately, we just need to press the button, legally, to be able to do it.

With regard to the definition of 'relevant person,' it is designed to capture all individuals who have regular contact with the child. This is important so that assessments can be undertaken in terms of the safety and wellbeing and what support or intervention might be required. The information that is uploaded is only people who have come in contact with, or come to the notice of, state and territory child protection agencies. This is not about people who are necessarily guilty; this is about people they have awareness of. It may even end up being family members who are supportive family members and have a strong relationship. That means the child safety system is aware that the aunt has a strong relationship.

Although ultimately it is about child safety, it is much broader than that in regard to being able to paint a picture. The important thing is that the only data that is uploaded is identity. The provisions around what information can be shared and how it can be shared is still as it is at the moment. The challenge is, and correct me if I am wrong, that this is done manually at moment. The person from Child Safety in Tasmania quite literally rings every state and territory and they key it into their system on the other end of the phone.

This is not about new information or it going wider than scope. My understanding and particularly from speaking to team members, is that this is the information that is already in our system. It is about the fact that there might be family members who have a meaningful relationship or maybe have a relationship that might not be a helpful relationship but the information regarding the context of the nature of the relationship - except for the fact that there is one - none of that information is uploaded, so it will not have context around it. That still needs to be done in the way that it is now, between child safety organisations or child safety officers under the provisions of which they currently share information. With regard to the way it was drafted, it was on OPC advice the way all the names came out.

The next question, and Ms O'Connor also asked this, was around the review of the act. This was announced by my predecessor earlier in the year, 25 March. This has commenced and we have established a project team with the department of Communities. We are currently directing our efforts towards the development of the actual consultation strategy and discussion paper. One of the things we are keen to do in the development of that is not only the development of the discussion paper but how we are actually going to have engagement with stakeholders on this. I am very aware of wanting to get really meaningful input from a range of people who interact with the Children and Young Persons and Their Families act. That is a big part of the work that we are thinking about now as to how we do that, particularly engaging with young people.

That engagement strategy with that is part of it and I am expecting that we will have that paper ready later this year. My expectation is, because of that need and desire to have a meaningful engagement, although I do not have a finite decision on this, we will try to have a reasonably longish consultation period so that people do have that opportunity. I will not pre-empt how that will come back but I expect the Government will be in the position to make a decision with regard to drafting either amendments or new legislation some time next year. Until the review comes back and we know the quantum of what that is, it is hard to be more specific on those longer time frames.

With regard to the dashboard, I have already asked prior to this debate, the department of Communities to consider how that data can be produced and provided more frequently. That work is under way at the moment and I expect to be in a position to be able to do that on a more regular one as with my colleague, minister Ferguson. We have not been able to get that to happen yet. That is my expectation that we should be able to do that in the very near future.

Ms White - The last data was from March, so why hasn't the June data been uploaded?

Ms COURTNEY - There is always a lag with regard to the data being uploaded. I will find out when the data will be ready for providing for the next one, but my expectation is that the systems will be in place to do it on the monthly basis that my colleague, Mr Ferguson, is doing at the moment. From my perspective and my understanding, it is quite a different data system to which Mr Ferguson uploads his. Work is under way and I will see if I can find some

more information on when it will come up. I have been told it will be uploaded at the end of September but we will confirm that and I will come back to you.

You talked a bit about the children in transition within the system. As you would be aware, my predecessors underwent a redesign in how we actually respond, and the way the front door works for families and others in important positions to be able to come forward. When people come through, they come through the advice and referral line, who are in a position to work out the best course of action for each phone call that effectively comes in. In all cases, if a child is assessed as being in immediate danger, they are categorised and seen within 24 hours. That happens at the moment; it is my understanding that it continues to be the case. Where it is safe to do so, our priority is to intervene early through support for families, and not necessarily go through to the statutory system.

One of your questions was also around the model of having the NGOs as well as government in it. I will go to that now, so I can answer both questions at the same time.

In 2009, the community-based intake service known as the Gateway Service was established. It had the same providers as we have at the moment: Baptcare and Mission Australia. My understanding is that effectively, what we have done is merge the two front doors that used to be there. There was the front door through the Gateway Services for those families who perhaps did not have acute child safety concerns. By bringing those two together, it creates one front door, which means that wherever anyone is on the scale of need, they can be assessed, and then they have the whole suite of back-end solutions on the other side that they can go into.

In terms of the engagement with NGOs, being able to bring what already existed under the Gateway Services with what was existing then into one model, we think is stronger. We think it means that we do not need to have escalation, and we can actually wrap around families more. It is my understanding that, historically, if there were concerns about a child who might not have been a child safety concern, if people went through the child safety system, they were kind of left. By having everything all together, it means we can look at the other support services that are available to them.

We believe it is working very well. We believe it is building much stronger links with the broader Child and Family Centres, so we can have a more integrated response to a family who comes in, or to a person who supports them; they have that wraparound service. Within the ARL, we still have that provision to be able to be assessed to go through to child safety. That is obviously one of the paths but it is only one component of that.

An independent evaluation of the first 12 months of the ARL found the services meeting its objectives. Specifically, the amount of advice and support provided to callers has gradually increased since the service went live in December 2018. Matters referred to other services for help have increased considerably - effectively, helping people earlier.

There was an overall decrease in matters requiring a child safety response. The rate of the continuing rise in the number of children in out-of-home care has halved.

It is our intention to continue with this model, having visited the site. The team seems to be working well together. As this then continues to embed, and the advice and referral line continues to be promoted as a gateway for a range of different services, I expect we will

continue to see call volumes go up, which shows we are providing more and more support for pathways for families, before they have escalated into a child safety risk category.

Ms White - Have you had concerns raised with you, though, about the statutory obligations that public servants have, compared with those who work in the non-government sector, and whether or not that is a problem when we are dealing with children at risk? It has certainly been raised with us.

Ms COURTNEY - Ultimately, if a family comes in and there is deemed to be a risk, the family undergoes an assessment, and then, through that, there is a pathway into child safety. I will see if I can get some further information about that specific problem.

In 2009, the act was changed; the scope of the statutory offices was actually broadened to capture the staff who are working at these NGOs so that already exists. That was a provision from 2009. They are all co-located on one floor; the government offices are there on site for the government staff to be able to take a lead role where that is appropriate. They can seek advice from each other, and they do work as teams.

As the minister responsible, I think staffing is a really important topic. We need to ensure we are well resourced because, ultimately, we have people on the front line caring for young people in really challenging circumstances. Since 2014, frontline staffing has increased by 20 per cent, and we have been working to strengthen the capability of the staff, as well as the structures of support. I am very open to continuing to engage with stakeholders and unions on how we can further strengthen support.

In 2018-19 we invested \$24 million on recruiting 25 additional child safety officers. That brought the establishment to 250, and these staff are working either on the front line or directly supporting child safety officers. There are now over 160 child safety officers supported by team leaders, clinical practice consultants and educators, child safety liaison officers, support workers, unit coordinators, court coordinators, and staff safety and wellbeing officers. As a result of our redesign, which is focused on early intervention, we are seeing fewer families involved with the statutory child safety system, which is a good thing.

We know we have a vacancy rate. It is low and stable, but we do have that, so one of our other initiatives is to approve an additional 10 full-time positions to support the frontline child safety services. These are relief positions intended to offset the impact of vacancy at any time, and our recruitment is more efficient than it has ever been.

The average time frame for jobs advertised has now reduced a lot further. We are looking at how we can make sure we have a pool of people to offset the vacancy. I am working to make sure that when we do have vacancy, we recruit. We have a larger establishment and we are looking at how we can further invest support. I accept the fact that this is a really challenging area of work. We will continue to do some of the work, particularly with information that we are now able to get from the ARL - how that information goes through, look at how we can further look at the structure of the establishment and things like that. It is important that staff are supported. I understand it has been a long-standing challenge.

Ms White - Have you gone out to recruit for those 10 positions that you spoke about?

Ms COURTNEY - Yes.

Ms White - And it sounds like they have been filled?

Ms COURTNEY - Yes. It has already been established. At this point, we are effectively rolling recruitment at all times because of the nature of the turnover. The next question you asked was around, Ms White, the redesign. I have been breaking the processes up for my own benefit, as they happened under Mrs Petrusma and then Mr Jaensch. In 2014 under Mrs Petrusma, we started the first leg of reforms which saw the implementation of the child safety redesign of Strong Families Safe Kids, which was \$51 million. That delivered a range of outcomes and we are seeing improvements in the data. We are seeing more support for families, we are seeing fewer cases referred to the statutory system and we are seeing a decrease in the rate of children and young people entering out-of-home care.

What we need to do now is look at the next steps and the Next Steps Action Plan. In late 2019, over Christmas and into early 2020, the University of Tasmania undertook an external evaluation of the redesign, which found a system in the process of major cultural change. The evaluation described the redesign as an ambitious project successfully begun. It also gave a number of recommendations for ongoing efforts to continue to realise the Strong Families Safe Kids reforms.

UTAS completed a summary evaluation report that was released in March 2021 and my predecessor, Mr Jaensch, released that along with the Strong Families Safe Kids progress report. We have also developed, for those next parts, the Strong Families Safe Kids Next Steps Action Plan which incorporates the recommendations of that evaluation that was undertaken so we can look at those next steps. That was released in March 2021 and is continuing. That action plan has a two-year time horizon so we are monitoring that. Obviously, that is only about six months in at the moment and we are continuing to progress those. I have the document that was released for the action plan. That is what we are undertaking at the moment.

You would have seen a range of initiatives funded in this year's Budget that will help support their provision as well as the Children and Young People Wellbeing Plan further steps, particularly for very young children, Bringing Baby Home in particular, which my predecessor would have felt very strongly about, as do I. We are really trying to work with families so that they are further empowered and further supported so that they can safely keep their kids at home. There have been a lot of positive steps taken so far. The team in Communities has done a really good job and people on the ground have done an exceptional job. There is more to do but I am really pleased, particularly with the Children and Young People Wellbeing Plan and because it is so comprehensive and will have such strong oversight across government, puts it in a really good stead to progress them.

I believe they were all the questions I had from Ms White so I might move onto Ms O'Connor's.

Ms O'Connor asked about the class of person. I think she was thinking about young people so with regards to clause 111C (11) - what class a person may be authorised to access information:

The Secretary may authorise a class of persons to access the database. The class of persons contemplated in the legislation are statutory child safety officers. The interjurisdictional governance group for connected for safety...

The thing we are talking about:

...has established clear access in order for requirements for the system. Only Australian state and territory child protection agencies provide data to the connect for safety system and are authorised as permitted users to use the connect for safety for the purpose of child protection through their statutory child protection officers.

All other authorised statutory child protection officers who are given access to connect for safety must meet the prerequisites for the access including national criminal record check clearance, working with children check verification or equivalent and completion of user training.

I think also Ms O'Connor's concerns are similar to Ms White's questions. This is not about enhancing the amount of information that is shared; it is about alerting you to the fact that there may be information there that may be there in a more timely way. The breadth of what is shared and the way that it is shared already exists currently. This is simply to alert you to the fact that you do need to phone the other state.

Another question from Ms O'Connor about clause 111C (2) and (3) see clarity on how this is applied. Are there circumstances of a secretary who could authorise the use of information for the purposes of another act?

The interjurisdictional governance group has established governance arrangements for the connect for safety system. Under these arrangements the applicable legislation in each jurisdiction are there child protection laws? Information shared under the provisions of section 111C is shared between the participating jurisdictions only. A participating jurisdiction under section 111C (1) means that Commonwealth, State or Territory if that jurisdiction has provided information to be stored in the national database or access to information that is stored in the national database.

Ms O'Connor also asked about some of the reform processes and staffing which I think I have covered in Ms White's comments. In her contribution today, Ms O'Connor went to further legislation and child safety organisations and child safety community. I have met with the Victorian Children's Commissioner to understand what they have done. There seems to be a very comprehensive approach. I am not going to talk in detail about the Child Safe Organisation's Bill because it is not my bill. It is the Attorney-General's bill.

A draft bill was released in 2020 that proposed to create a standalone piece of legislation to establish the principles for the safety and wellbeing of children and child safe standards and was released for public consultation between 22 December 2020 and 19 February 2021. That draft bill outlines the proposed approach to implementing key recommendations for the Royal Commission into Institutional Child Safety Abuse by establishing the principles of the safety and wellbeing of children and child safe standards.

We have met with the Victorian Children's Commissioner and I think I can speak for the Attorney-General, it was a very informative discussion for both of us.

Ms Archer - We are still considering making further changes.

Ms COURTNEY - Yes, and I am not going to pre-empt. By interjection from the Attorney-General we are still considering a range of feedback from that process and -

Ms Archer - And our own Commission of Inquiry will inform it.

Ms COURTNEY - And also, as has been outlined just by interjection from the Attorney, I am conscious that we do have a Commission of Inquiry under way at the moment as well. We will be thinking about timing and how we do this. I think there was great value and merit in a lot of the things that Victoria is looking at doing and we would have to again, not pre-empting it, see how outcomes of the Commission of Inquiry that we have here look at the difference in our jurisdiction and how we would frame up the different roles. In particular, there were some in terms of audit regarding education for community organisations. There were a lot of really good things raised. I am really grateful for that meeting because it was very informative.

I think that encompasses all the matters raised during the second reading debate. In closing I would like to thank members for the debate on this bill. I thought it was a really useful opportunity to be able to update the House on a number of matters. As I said in my second reading speech, this is not about providing a greater breadth of information, this is about making sure we can match that information much more quickly, which ultimately will have better child safety outcomes and that is ultimately why we are here and why I am here as minister. The fact that we are able to get this through this week and then hopefully through the other place quickly as well is also helpful because other jurisdictions are already linked up to this system. Understandably, we are very keen to press 'go' on this as quickly as possible because it will have benefits for children around Tasmania and indeed Australia. I commend this bill to the House.

Bill read the second time.

Bill read the third time.

DEFAMATION AMENDMENT BILL 2021 (No. 34)

Second Reading

[3.13 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Deputy Speaker, I move that the bill now be read the second time.

Together with all other states and territories, Tasmania has committed to introducing reforms to the model defamation provisions to ensure ongoing national uniformity. The Defamation Amendment Bill 2021 (No. 34) will amend Tasmania's Defamation Act 2005 to fulfil this commitment.

The bill before parliament today is the result of a statutory review of the uniform defamation laws and the development of Model Defamation Amendment Provisions. At the outset I want to acknowledge the significant work by all jurisdictions, in particular New South Wales, who let the national Defamation Working Party in delivering these important reforms.

The media landscape has changed rapidly since the model defamation provisions were first enacted in 2005 and the review identified a range of reforms to modernise and improve the uniform laws. The product of the review was the drafting of the Model Defamation Amendment Provisions 2020. The model amendments seek to ensure that defamation law continues to strike an appropriate balance between providing fair remedies for a person whose reputation is harmed by a publication and avoiding unreasonable limits on freedom of expression, particularly about matters of public interest.

The model amendments also seek to promote prompt and non-litigious dispute resolution. The bill introduces new provisions in the Defamation Act 2005 while clarifying and refining existing provisions to ensure that the act operates to meet its original objectives in an environment that has seen the rise of digital platforms and online publications. Updating the model defamation laws will provide greater clarity to the courts, the community and the media.

Achieving and maintaining the uniformity of defamation law is important for many reasons. Uniformity is particularly beneficial, given that it is common for the same matter to be published in more than one Australian jurisdiction. Other benefits include ensuring that individual and corporate publishers will not need the potential impact of different state and territory defamation laws before deciding whether to publish material, as well as limiting the circumstances or potential for 'forum shopping' to favour a party's claim or defence.

The amendments in the bill have been proposed after considerable consultation with the public, legal and academic experts and stakeholders. This includes an extensive review process undertaken by the defamation working party and multi-jurisdictional working group of officials overseen by the Meeting of Attorneys-General or MAG as it is now called, which is better than it was previously - Council of Attorneys-General or CAG.

Led by New South Wales, the defamation working party carried out a two-year review involving two rounds of public consultation, four stakeholder round tables and the engagement of an expert panel comprised of judges, academics, defamation practitioners and the New South Wales Solicitor-General. Public and targeted stakeholder consultation was also undertaken on a draft version of this bill by the department of Justice in Tasmania. Differing views were expressed by stakeholders and carefully considered by the defamation working party during the review process. The model amendments reflect the former council of Attorneys-General settled position which takes into consideration all submissions received and aims to reflect a fairer balance between freedom of expression and the protection of reputation against harm.

The bill closely mirrors the model defamation amendment provisions as agreed. Some of the more significant model amendments in the bill include the introduction of a serious harm element, a single publication rule, changes to the pre-litigation processes, new defences relating to public interest journalism and peer-reviewed material published in academic or scientific journals and clarification of an award of damages for non-economic loss and an award of aggravated damages.

I turn to the key provisions of the bill before the House. Clause 6 of the bill inserts section 10 from the original 2005 model defamation provisions. Section 10 provides that there is no course of action to defamation for, or against, deceased persons, whether or not the defamation occurred before or after the person's death.

Section 10 was previously agreed to by all of the Australian jurisdictions but does not currently form part of the Tasmanian Defamation Act 2005 as it was not passed by the parliament in 2005, due to an amendment in the Legislative Council. The House of Assembly subsequently approved the amendment on an understanding the amendment had little relevance as the Common Law position applies in any event. A review of this issue identified that it is time to clarify Tasmania's position, consistent with other jurisdictions. The Common Law does not allow the dead to sue or be sued in defamation as a person's reputation is regarded as so personal an attribute, an action for defamation does not survive a death of a party for the benefit of the plaintiff's estate.

Section 27 of the Administration and Probate Act 1935 has the effect of varying the Common Law position. Section 27 subsection 1 of the act provides that causes of actions generally subsist against or vest in the deceased estate. Section 27 applies where the deceased person was defamed by another person or had defamed another person before the death of the deceased and acts to continue any cause of action for defamation in respect of the deceased person.

Tasmania is the only jurisdiction where a deceased person's defamation action may survive their death. Inserting section 10 into the Defamation Act 2005 will override the general operations section 27 of the Administration and Probate Act with respect to defamation causes of action, codify the general law of defamation with respect to deceased persons and bring Tasmania's Defamation Act 2005 in line with other jurisdictions.

A significant new provision in the bill is the introduction of a serious harm threshold as an additional element of the cause of action for defamation. The insertion of section 10(A) in the Defamation Act 2005 will place the onus on the plaintiff to establish that the publication of an allegedly defamatory matter has caused, or is likely to cause, serious harm to their reputation. If the plaintiff is a corporation, it must prove that serious financial loss has been caused, or is likely to be caused, by the publication.

This important reform will operate to prevent trivial, minor or insignificant defamation claims at the outset, reducing the cost and stress of unwarranted defamation litigation on businesses, individuals and the courts. It may also encourage early resolution of claims, as it allows a party or a judicial officer to determine this threshold issue early in proceedings. As a result of the introduction of the serious harm element, the defence of triviality - which provides a defence if the defendant proves that the circumstances of the publication of defamatory material was such that the plaintiff was unlikely to sustain any harm - will be repealed.

The bill also proposes to modify pre-litigation processes to encourage early resolution of defamation disputes. The bill will make it mandatory for an aggrieved person to issue a written concerns notice, with adequate particulars of the complaint, to the publisher before commencing defamation proceedings. The enhanced concerns notice process provided for by these new sections will encourage the aggrieved person to turn their mind to the serious harm threshold at the time of preparing the concerns notice, and will also provide the publisher with sufficient information on which to make a reasonable offer of amends.

The 'offer to make amends' procedure will be refined. The bill modifies the timing and content of offers to make amends, including that the offer must be made as soon as reasonably practicable after a receipt of a concerns notice, and the offer must remain open for at least 28 days from the date it is made. These reforms will help encourage parties to resolve disputes,

without resorting to litigation, easing the burden on courts, and reducing the cost and time taken for individuals to resolve defamation disputes.

Mr Deputy Speaker, another provision of the bill that modernises defamation law for the digital age is the introduction of the single publication rule. The insertion of this rule in the new section 20 AB will ensure that the limitation period for defamation proceedings is consistent in its application to digital and non-digital publications. The single publication rule will apply if a person publishes, uploads, or sends a statement to the public - the first publication - and subsequently publishes or uploads that statement, or a statement which is substantially the same. In practice, the one new limitation period will commence from the date the first publication is uploaded for access or is sent to a recipient, instead of restarting each time the material is downloaded by a third party, as is currently the case.

Under new section 20 AC, the court will be empowered to extend the limitation period to three years from the alleged publication date, if the plaintiff satisfies the court that it is just and reasonable to do so in all of the circumstances of the case.

The bill also introduces new defences to provide protection for public interest, journalism and academics. Currently, the defence of qualified privilege contained in section 30 of the Defamation Act 2005 protects situations where there is a legal, social or moral duty to make what otherwise might be defamatory statements - for example, employment references and reporting suspected crimes to the police. The conduct of the defendant in publishing must be reasonable in the circumstances, and in determining reasonableness, a court may consider various matters, including that the matter was in the public interest.

During consultation, the defence of qualified privilege was criticised by some stakeholders for not generally applying to publications by media organisations, because it is difficult to prove that the broad readership has an interest in knowing the subject information. In order to guard against the potential 'chilling effect' that defamation laws have on debates of matters of legitimate public interest, and to protect reasonable public interest journalism, the bill introduces a new public interest defence at Section 29A. This defence applies where the defendant can prove that the statement complained of was, or formed part of, a statement on a matter of public interest, and the defendant reasonably believed that publishing the statement was in the public interest.

The insertion of a dedicated public interest defence protects the ability of journalists and media organisations to publish on matters of public concern without fear of defamation litigation. This new defence recognises that reporting on, and discussion of, matters of public interest is critical to our democracy.

Section 29A specifies a non-exhaustive list of factors that the court may take into account when considering the defence. These include the seriousness of the defamatory imputation, whether the matter published relates to the performance of the public functions or activities of the person, and the importance of freedom of expression in the discussion of issues of public interest.

The bill also inserts section 30A, introducing a new defence of peer-reviewed statements and assessments published in a scientific or academic journal. This defence recognises the importance of academic and scientific dialogue in a free and open society. This defence applies to the publication of a defamatory statement which relates to a scientific or academic issue, and

where an independent review of the statement's merit has been undertaken by an editor or related expert. The defence also extends to assessments in the same journal about the defamatory statements and fair reports of the statements. The defence can be defeated if the plaintiff proves that the statement or assessment was not published honestly for the information of the public or the advancement of education.

Section 35 of the Defamation Act 2005 currently provides for the maximum amount of damages that may be awarded for non-economic loss in defamation proceedings. Damages for non-economic loss are aimed at providing compensatory damages to cover intangible matters such as consolation for hurt feelings, damage to reputation, and the vindication of a plaintiff's reputation. A court may order a greater amount than the maximum where the court is satisfied that the circumstances of the publication warrant an award of aggravated damages.

Submissions to the statutory review indicated that this provision has been applied by the courts in conflicting ways.

The original intent of section 35 was to specify a range or scale of damages, with the maximum amount to be awarded only in the most serious case. However, some courts have interpreted section 35 as a cap that can be set aside if aggravated damages are warranted, leading to excessive awards of damages for non-economic loss.

Accordingly, the bill amends section 35 of the Defamation Act 2005 to confirm the original intent that the maximum amount sets a scale or range, with the maximum amount to be awarded only in the most serious case. The amendments also provide that awards for aggravated damages are to be made separately to damages for non-economic loss.

Mr Deputy Speaker, the bill includes amendments to clarify and refine the operation of other existing provisions, to ensure that they operate as intended. At clause 19, amendments to the section 26 defence of contextual truth corrects a technical pleading issue, while the section 31 honest opinion defence is amended by clause 23 to clarify what constitutes proper material on which to base an opinion in the age of digital publications.

Finally, the bill amends the definition of employee at section 9 of the Defamation Act 2005 to include all individuals involved in the day-to-day operation of a corporation, including independent contractors, to preserve the policy intent that larger corporations should not have an action in defamation. Enacting the model amendments will conclude stage one of the national review into defamation law.

Stage two of the review commenced with the release of a discussion paper during April and May this year. Stage two focuses on the liabilities and responsibilities of digital platforms for defamatory content published online, and will consider, amongst other issues, take-down procedures for defamatory content published online, and the extension of privilege to statements made to employers about allegations of unlawful conduct. I look forward to continuing to work with my state and territory counterparts to progress these ongoing reforms, and improve the effective operation and uniformity of defamation laws throughout Australia.

Mr Deputy Speaker, this is an important bill. The bill implements the nationally agreed model defamation amendments by MAG [Meeting of Attorneys-General] in July 2020, and fulfils Tasmania's commitment to the other states and territories. This bill modernises

Tasmania's Defamation Act 2005 and ensures continued uniformity with defamation legislation around Australia, 16 years after implementation of the original model laws.

I commend the bill to the House.

[3.30 p.m.]

Ms HADDAD (Clark) - Thank you, Mr Deputy Speaker, for the opportunity to contribute to the debate on the Defamation Amendment Bill 2021 on behalf of the Labor Opposition. I can indicate we will be supporting the bill.

As members would know, the last time that defamation laws were comprehensively reviewed in Australia was in 2005, which was the last time there was model law introduced through the Council of Attorneys-General. We have just heard from the Attorney-General they now have a new acronym of MAG. Back then I think it was SCAG.

That model law reform in 2005 was driven by that national committee and implemented in each state and territory. It sought to strike a balance between protecting individuals from reputational damage and from defamatory publications while also ensuring that freedom of expression was not unduly curtailed and that information in the public interest was released.

That was a significant body of work that occurred in 2005, which does not feel like terribly long ago but in the context of defamation law, and in with the continuing advancements in digital technology, it is important that these laws are updated and reviewed to accommodate changes in the way that information is shared online in particular but in other forms of publication and sharing of information as well.

One of the reasons that it is important for there to be model law in particular for defamation action is to prevent people from forum shopping around different jurisdictions. I believe that used to happen quite a bit more routinely before the 2005 models were introduced. This has been supported by many stakeholders notwithstanding that there have been some concerns raised in each of the jurisdictions that have already implemented their model law changes from this tranche.

By and large, people also recognise the importance of there being national consistency in particular for defamation law and in particular as I said in terms of so much information now being published and available online.

I note, though, that as we heard in the Attorney-General's second reading contribution, the second stage of this model law will look more specifically at digital technologies including social media. I acknowledge that that will be a huge task for those working groups working to the Attorney-General's committee under COAG. That is an incredibly fast paced and changing environment for information sharing and I am in no doubt as to how significant that next tranche of changes will be in terms of changing our laws around Australia.

As we heard from the Attorney-General, the Council of Attorneys-General commissioned a discussion paper to look at those 2005 model laws and look at updating them for the modern age. In doing so they noted that defamation in Australia is regulated by both statute and the common law, and the purpose of defamation law is to protect people's reputation as well as providing dispute resolution frameworks to vindicate a defamed person's reputation.

They said Australia had abolished the distinction between libel, which was defamation in a permanent form such as written communication, and slander, which was defamation in an impermanent form such as speech. Both are now commonly referred to in Australia as defamation. The model defamation provisions provide the statutory legal framework for balancing freedom of expression and freedom to publish information in the public interest, or for one publication and the right to remedies for such publications on the other hand.

Since the model defamation provisions were developed, the manner in which information is published and transmitted has changed significantly, particularly with the exponential growth and reliance on digital publications and communications, interactive online forums and blogs. Information flows are even less bound by territorial borders than they were when the model defamation provisions were adopted back in 2005. That continues to grow, which is indeed one of the reasons why national consistency is important.

A number of provisions were put forward for consultation in each of the states and territories. We heard from the Attorney-General that the work was led by New South Wales' Department of Justice. They wanted to get stakeholders' views on the existing model's provisions that had been introduced in 2005, whether they needed to be broadened or narrowed, whether the model provisions should be amended to include a single publication rule, or whether they should be amended to clarify other components of those 2005 laws.

The result of that has been implementation in several states and territories and in Tasmania, this bill today.

I want to touch on three of the main changes that have been made in this legislation today. First of all, clause 13 which deals with the single publication rule. That is based on the United Kingdom Defamation Act 2013 which introduced a single publication rule for determining when the limitation period commences for multiple publications including subsequent publications of substantially the same matter by certain associates of the first publisher such as employees and contractors, as well as to subsequent publications by the same publisher.

The effect of the introduction of a single publication rule is that the date of the first publication of the defamatory matter will be treated as the start date for the limitation period for all publications of the same matter except if the manner of a subsequent publication is materially different from the first publication. Prior to this change, each time an article, for example, an article in the newspaper was read online or accessed online, the 12 months limitation period would commence from the accessing of that information which the consultation on the discussion paper nationwide identified as unfair situation that adversely affected publishers. It is one of the things that we discussed at the briefing that I received.

I take the opportunity now to thank the Attorney-General for arranging a briefing from her office from Sam, Bruce and Michael on Monday of this week. Thank you for speaking to me about the bill. I expressed some concern about that change simply because 12 months is a very short time frame and I anticipate that there might be occasions where somebody might have been defamed in a publication online and not actually be aware of it until, for example, 13 months after the publication had occurred in which case they would be statute barred from taking the defamation action about that. It could nonetheless be very detrimental to that person's reputation and career.

It was explained that section 28B does allow for an extension of that period for up to three years. I will seek some assurance from the Attorney-General that, notwithstanding that there are not significant numbers of defamation actions that occur in Tasmania, in time the state might consider looking at whether there have been any unfair results from that 12-month single publication rule in the way that I have described. Basically, there is potential that somebody could stumble across a piece of defamatory content that has not been republished so it does not constitute the material difference element of the section, but they would be statute barred from taking action. I anticipate there would not be a lot of that but it is not impossible that that scenario could occur.

The next main changes are the serious harm elements that is being introduced in clause 6 which is introducing the new section 10 and 10A. They deal with no cause for action for defamation of or against a deceased persons from the 2005 model defamation provisions to codify the common law position that there is no cause for action for defamation of or against deceased persons. Section 10 was previously agreed to by all jurisdictions but does not currently form part of the principal act. It also inserts section 10(2) which clarifies that a court is not prevented from determining the question of costs for defamation proceedings discontinued due to the death of a party. Similar to the approach taken in the United Kingdom, the insertion of 10A to the act creates a serious harm element with a cause of action for defamation under section 10A, the plaintiff would be required to prove the publication of defamatory matter has caused, or is likely to cause, serious harm to the reputation of the plaintiff. It sets out a procedure for the court to determine whether serious harm element is established.

There was some criticism of that change from the Tasmanian Law Reform Institute in their submission to the community consultation, which I will get to in a minute. They express some concern about there not being a definition of what constitutes serious harm. I wonder whether, as has been the case in the changes around the public interest journalism defence it might have been possible - whether it was considered by that working party nationally to have a non-exhaustive list of the kinds of things that the court might consider when making a determination about whether something constituted serious harm in the way that the bill does for the public interest reporting defence.

Moving to that public interest reporting defence, that is a new section 29A which is created in clause 20. It creates a new defence of publication of matter concerning an issue of public interest again based on the approach in the UK. Under that new section once enacted, it will be a defence to the publication of defamatory matter if the defendant, usually a publisher, could prove that both the matter concerns an issue of public interest and that the defendant reasonably believes the publication of the matter was in the public interest.

As I said, in determining whether the defence is established, a court must take into account all the circumstances of the case. There is a list of factors provided in the bill that the court could take into account in assessing the defence. The factors are intended to provide a non-exhaustive guide to the court. The reason I raise that is to compare it to the serious harm provisions of the bill for which the court is not provided a similar list to guide their determination of what constitutes serious harm in a defamation proceeding, whereas for the public interest reporting defence, they are provided with a non-exhaustive list of factors that they could consider in determining whether something is in the public interest.

Section 29A being inserted by clause 10 provides that non-exhaustive list of how the court is to determine if something is in the public interest: things like the seriousness of any defamatory imputation carried by the matter published; the extent to which the matter published distinguishes between suspicions, allegations and proving facts; the extent to which the matter published relates to the performance of the public functions or activities of the person; whether it is in the public interest in the circumstances for the matter to be published expeditiously; the sources of the information in the matter published including the integrity of the sources; if the source of information in the matter published is a person whose identity is being kept confidential, whether there is good reason for the person's identity to be kept confidential; whether the matter published contains a substance of the person's side of the story and if not, whether a reasonable attempt was made by the defendant to obtain and publish a response from the person; and any other steps taken to verify the information in the matter published.

It is important to note those things because there is enormous power in the media, and in some ways it is quite unaccountable power, whereas we are all quite accountable in here for the things we say. It is possible for enormous reputational damage to occur in the media. It is important that there is a list, a guide, provided for the court, which is done in this legislation, for the court to determine whether that public interest defence is made out in future defamation proceedings.

There was a community consultation held on this bill. The Tasmanian Law Reform Institute, Dr Brendan Gogarty and Professor Dianne Nicol, provided their views on the draft legislation. I note that some of the things that they have raised in their submission have been enacted in this bill, or have been changed from the consultation draft to the final version that we are looking at today. They started their consultation submission by explaining that they support the continuing review and reform, the defamation law in the state for the benefit of all Tasmanians and as a matter of principle they endorse the move towards greater uniformity between Tasmanian defamation law and that of other jurisdictions.

They say that historic differences in the establishment of and defence to defamation generated burdens and injustice particularly through forum shopping. They noted that the present bill, the model provisions agreed to nationally by the Council of Attorneys-General Deformation Working Party and that the national model provisions, have already been legislated and implemented in some other jurisdictions.

Because it was model law, they were reluctant to suggest any substantive change. That said, one of the changes that they went on to suggest, which was gender-neutral language, was adopted in the final version of the bill. I note that that language was changed. They identified that section 10(1)(a) of the consultation draft of the bill used the words, 'whether published before or after his death', and suggested that the pronoun 'his', should be changed to 'their'. I think it was changed in the end to use the words 'the person', or something like that, which is good.

More substantively, the Law Reform Institute was worried about the balance between the rights of plaintiffs and the protection of defendants. They said that as a general note the bill appears to be predominantly directed to introducing provisions aimed at reducing litigation and protecting potential or actual defendants against whom defamation is claimed. They agree that:

- (1) it is beneficial to reduce burdens on the legal system from frivolous claims.

- (2) that non-adversarial resolution of disputes should, wherever possible, be encouraged as an alternative to litigation.

I note that there are provisions in this bill that promote and encourage that kind of early dispute resolution:

- (3) they note that defamation law should be regulated to reduce any disproportionate effects on constitutional and common-law rights and freedoms, particularly freedom of political communication and freedom of speech more generally.

However, they say that in their view those aims need to be balanced against the benefits and protections of defamation law for plaintiffs and the public. They say that defamation provides an avenue to remedy reckless or intentionally harmful statements which can cause significant damage for individual public reputation, and by consequence, their livelihoods, relationships and personal wellbeing. This is especially important given the financial and structural imbalance between media companies and individuals. The introduction of social media and the concentration of conventional media ownership in states like Tasmania, in some domains to single actors have arguably served to compound the imbalance.

They say defamation has a role to play in promoting the public interest by holding to account persons who publish disinformation about individuals and matters of public interest, especially publications aimed at undermining public confidence and poor democratic and constitutional systems. This has been most acutely evidenced in the use of defamation to reduce the damage caused by the promotion of false conspiracy theories about the 2020 United States presidential election.

A more discrete Australian example is the use of defamation to correct the public record after another senator made untrue statements about what had been said within parliament outside parliament, therefore outside the Senate's authority to sanction.

Both the above situations indicate the importance of protecting the rights of plaintiffs to remedy untrue statements and harmful disinformation. However, the present bill appears predominantly and arguably they say concerns the rights of defendant publishers whilst the previous reforms to defamation law were justified by evidence that the law was unbalanced in favour of plaintiffs, the institute is not aware of any Tasmanian relevant data which justifies a move to further limit the rights of plaintiffs to pursue actions in defamation.

They say the Tasmania Law Reform Institute understands that concerns in that jurisdiction led to consultation reports from New South Wales to the Council of Attorneys-General, with their new name, MAG. However, by consequence, the drivers of reform which led to the drafting of the bill are necessarily the views of stakeholders, and data from that jurisdiction. They note that since the passing of our 2005 laws, or the enacting of the national model laws here in Tasmania - which was done through the Defamation Act 2005 - they say there has been no marked increase in defamation actions under the act. They say, in fact, the opposite appears to be true.

They also say that the TLRI is not aware of any data suggesting that threats of defamation are a problem in Tasmania following the enactment of the present act. That should all be read

in the context of their opening remarks which were to recognise the importance of preventing forum shopping, particularly when it comes to national model laws for defamation.

Mr Deputy Speaker, the Law Reform Institute went on to speak specifically about just two of the major changes that are put forward in this bill, those being the serious harm element and the single publication element which I have already spoken about a little bit in my contribution. I will, for the record, put the views of the Law Reform Institute into the *Hansard* today.

They speak first of all about the serious harm element and note that there was not a definition of serious harm, how it can be pleaded or how it should be determined by the court. They say they are concerned that the absence of such legislative directions will generate case management and increased cost barriers for parties and that is why I was interested in the Attorney's views. Could the Attorney share whether or not the working parties at the COAG level considered they could provide guidance to the court around how to determine serious harm; and whether they considered the option of providing a non-exhaustive list of elements that could be considered in making out the serious harm element in the way that they have for the public interest journalism defence?

The TLRI is worried that the serious harm element will favour established corporations and public figures who can more easily establish an existing financial, political or social reputation. They say it could go on to be much harder for persons or organisations who are emerging into the market or establishing a reputation there to prove serious harm, even though, arguably, they would be more vulnerable to reputational risk. That would, for example, include Tasmanians who are: at the start of their career and are damaged by a negligent mis-statement affecting their future potential employment; involved in student politics; citizens aspiring to a political career who are not yet in elected office; business start-ups that have not yet penetrated the market or made a profit; or, for example, inventors who have not taken their product to market. They say that given the cost of litigation it already serves as a disincentive to such entities commencing a defamation action. The serious harm threshold could broaden the gap between those with and without resources accessing justice.

Finally, they made comments about the single publication rule or the changing of that Common Law publication time limit and they say that, combined with the statutory time bar, in their view this has the potential to disproportionately impact the rights of emergent rather than established individuals and businesses.

They say that notably the proposed additions and amendments do not take into account that those at the beginning of their career or product development may be increasingly affected by historic publications; nor do they recognise that people's careers or businesses may change over time, such that a publication which may not meet the serious harm threshold at one point in their life serves to cause serious harm at a later time in their life and finally, that they don't require knowledge of the original defamatory publication by the plaintiff, either in present or the amended section. That is a concern around the 12-month timeframe in which action can be taken and I have already put on the record earlier in my contribution some views about whether or not in time it might be prudent for the department to maybe do some analysis, if we do start to see an increase in actions in defamation in Tasmania, whether or not there might be some need to look at whether or not there have been people who have been adversely affected by that single publication rule.

Ms Archer - They can apply to extend that for up to three years.

Ms HADDAD - Up to three years, yes. That is right and I noted that earlier in my contribution as well. The Attorney, thank you, by interjection has just indicated that it can be extended up to three years, that timeframe within which action can be taken. Notwithstanding that, I think it is not impossible there could still be people who would miss out on the opportunity to take action who could nonetheless have had their reputation seriously damaged by defamatory material. That said, I do acknowledge that the current re-publication rule was impractical and that was definitely something that came out strongly in the New South Wales community consultation and in the community consultation that happened in the states that have enacted this law already.

I think it is the case that most stakeholders agreed that something needed to change. That it was impractical for the 12 months to start rolling every time something was accessed. I am just aware that in many other areas of law statute time limits for action are often longer than 12 months or three years. It is just something that I wanted to put on the record in my contribution today for the future.

Ms Archer - I think it is the uniqueness of publications and digital platforms.

Ms HADDAD - Yes, that is right. I have read through some of the submissions made on the New South Wales community consultation around the importance of being able to keep digital archives and I think that is really important as well. I have a cousin who is an archivist who would be horrified at the idea that publishing houses might have to suddenly remove a whole lot of information online but I feel like there is just a little thing that is sticking with me because of that 12-month period, notwithstanding it can be extended to three years.

Knowing that 12 months is a really short timeframe, I am wanting to put on the record my concern that there might be in the future instances where people do miss out on the opportunity to take action but could nonetheless have very serious damage done to their reputation, both personal and professional, which at the moment is not an issue because this single publication rule will be enacted by this bill.

I do not anticipate there will be a massive increase in defamation actions in Tasmania because, as the Law Reform Institute has noted, it is not a huge area of case law in Tasmania. That said, we need to make sure that the laws we make in this place are fair and balanced and, in particular, when it comes to defamation law that there is a fair balance between people who publish information and people who potentially need to take action for defamation.

Those were the main points and issues I wanted to raise in my contribution today. I indicate that we do not need to go into committee from my perspective and I indicate that Labor will support the bill, notwithstanding some of the concerns that I have put on the record today. Thank you.

[3.59 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I am pleased to rise and speak to the bill and indicate the Greens do support the bill. It is a very important step and something that has been discussed across the country and I think we are the last or second-last jurisdiction to bring these model rules into being. So, it is a good thing that we have got there.

I have a range of comments to make and some possible questions the Attorney-General might be able to answer about this. I go first to the comments by the Tasmanian Law Reform Institute. I note that Ms Haddad has read substantially from their report so I will not traverse the same ground but I will summarise my comments and particularly the issues they raise. They make the important point at the outset of their submission - it was the only submission made in Tasmania - that they strongly endorse uniform laws between Tasmania and other Australian jurisdictions in general terms and specifically in relation to defamation law.

They believe that, notwithstanding, and it was not their view that there was anything that we should actively seek to change, but they wanted to flag some possible unintended consequences or potential effects that could come about that, in their view, might lead to certain parties being less enfranchised or less able to take a case than they currently are able to.

They summarise the issue at the end of their report by saying:

The present reform agenda reflects the circumstances in specific jurisdictions without consideration of the impact on the procedural or legal rights of litigants in other jurisdictions.

What I understand them to mean is that New South Wales in particular have had specific circumstances that have given rise to the model laws that we have before us and that has heavily weighted the manner in which the laws have been drafted. The Institute raises the concern that the reform agenda has been dominated by the other jurisdictions' concerns about conventional media companies being defendants in actions involving the re-publication of material they have produced in digital or social media forums.

The institute flags that is an entirely legitimate concern but the response that is being prepared does not address the major inequity with defamation law that stands, which is that it substantially favours well-resourced litigants over poorly resourced ones. Their view is that the model laws that we have before us appear likely to broaden the gap between those parties who can access justice and those who cannot.

That is a global statement of concern and caution about the increasing difficulty for small parties, small businesses, people at the start of their careers, people involved in student politics, business start-ups, inventors and so on, who have not established themselves with the might and the legal power of some of the major media organisations and who do not necessarily have capacity to bring a case under the model laws we have before us.

I go to the two issues they particularly flagged that could unjustifiably raise this bar: that is, the sections relating to the introduction of a serious harm principle and single publication rules. The issues that the TLRI have with serious harm is the requirement to argue the serious harm that has occurred to the plaintiff. The serious harm threshold now flips, as I understand it, where the plaintiff will have to prove the elements of the complaint and how they have injured his or her reputation in the mind of a reasonable person. It is up to the plaintiff to articulate the harm that has occurred. The defence no longer is able to argue triviality, which has been the situation up to now.

The TLRI does have a number of concerns that have been expressed by the member of Clark, Ms Haddad, but I also want to note that various other bodies made similar concerns. The Law Council of Australia's submission was prepared for model law review and I think it

was entirely prepared by the Legal Society of South Australia because other law societies were not able to find the time to contribute to that review. It is the Law Society of South Australia and the South Australian Bar Association that have prepared the submission for the model laws.

Under the submission in point 7 they make the point that they support the introduction of a serious harm threshold. However, they flag concerns about the lack of guidance in the legislation itself about how that threshold would be approached and understood. They said that there is a real risk that simple statutory interpretation may result in the courts taking a different view. Although there is some United Kingdom jurisprudence on the term 'serious harm', it will not necessarily be binding in our Australian courts. Further, given that serious harm could be interpreted quite subjectively, this could, in practice, lower the threshold and defeat the purpose of the amendments.

They note that the defence of contextual truth and the cap on damages in the law as it is prepared but they say the intention behind the provision is not sufficiently clear and subsequent statutory interpretation does not reflect the initial intention. They suggested that the inclusion within the legislation of some guiding commentary, capturing some of what appeared in the background paper for the review of the model defamation provisions would be important, or that a list of non-exhaustive factors for the court be prepared so that the court could consider in relation to serious harm. That would be a similar approach that has been taken in relation to qualified privilege in section 33 and 3(a) of the draft amendments. That would be very beneficial to avoid confusion.

They also noted in relation to serious harm that the amendments fail to provide guidance as to what serious financial loss would mean for the purposes of an excluded corporation establishing a cause of action. They wondered whether this means serious loss is unobjective or a subjective sense. They present a case of a two-person company earning \$100 000 a year that suffers a \$10 000 loss as a result of a defamatory publication. That would be a very significant loss in the context of that business, but it would not meet the minor civil jurisdictional limit in terms of an actual serious level of harm. Would that be the case? Would the Attorney-General like to make any comments on this?

These are hypothetical examples, and they would have to be determined by the court, but the point they are making is that, without the suitable guidance or any direction within these model laws, it leaves courts making their own interpretations, and there may be differing interpretations between jurisdictions, which would be a problem.

Conversely, Mr Speaker, other people who made submissions to the model law review were more enthusiastic about this serious harm threshold. Choice Australia made a submission. They are Australia's leading consumer advocacy organisation, and they aim to give consumers the best information possible on products and services through their reviews, advice and campaigns. As part of their work, they regularly publish the details of companies that have not acted in the best interests of consumers. The information that is published by them goes through a thorough internal organisational investigation and verification process prior to publication, but nonetheless, if companies could sue them for defamation, there is no doubt that they would like to silence them and continue to be able to undermine consumer rights.

For august bodies like Choice, it is obviously very important to continue to keep people informed of their rights and the risky operators who are out there. In relation to the serious harm threshold, Choice said they strongly support the continued exclusion of for-profit

organisations to be able to sue for defamation. The introduction of a serious harm threshold assists in narrowing the test for situations where corporations are able to sue for defamation, and from their point of view they see that as a benefit.

Arts Law Centre of Australia also made a submission to the review of model defamation provisions. They supported the serious harm threshold, saying it seeks to limit litigation where the plaintiff can demonstrate that the publication has caused serious harm to them, and they believe it will encourage freedom of expression and decrease the risk of litigation for artistic creators who are often publishing to a small audience, where serious harm to a plaintiff's reputation would be unlikely.

Mr Speaker, as we can see, as is the case with the law, it is rarely a simple matter. On reading the number of submissions that have been made, it has become very apparent to me that there are different parties with quite different levels of dominance and power in the marketplace in society who have differing levels of ability to take a defamation case if they feel they have been defamed.

These model laws seek to strike a balance. In this second reading speech, I am flagging some of the concerns of unintended consequences. We should always be mindful about who misses out in our justice system, and who is not able to make a case. Clearly, one of the intentions of these laws is to reduce frivolous or trivial cases being taken, and where they are genuinely so, that would be desirable.

I am also mindful, as a member of a party who regularly speaks truth to power, that one person's 'frivolous' is another person's incredibly important level of conviction and commitment. We have to be careful we do not stack the cards against the smaller voices in our community.

The Law Society also made some cautionary comments about the single publication rule. They believed that, in combination with the statutory time bar of one year in section 28, with the potential for three years when an exception is granted, the single publication law has the potential to disproportionately impact the rights of emergent rather than established individuals and businesses.

They offered some hypothetical scenarios, and I am sure the Attorney-General has read the examples the TLRI have written. I wonder whether she could comment, because the TLRI submission was made to the exposure draft of the bill, is that correct? Yes, so their questions stand.

Could the Attorney-General comment on whether the two hypothetical cases they provide would be able to be taken, or not?

I will revise these examples, for people reading *Hansard* or watching.

One example is where one person - whom I will call Max - invents a new type of storage battery, and another person - whom I will call Ella - publishes an article in an online technology magazine implying Max misappropriated Ella's intellectual property to make the product. If Max is unaware of the publication at the time and does not do anything in response to Ella's article, three years later when the product has completed regulatory and safety testing and it comes onto the market, if Ella republishes the allegations in a near-identical form after the

three-year period is finished, and that publication receives international attention online at that point and it damages the market release, would Max be barred from doing something about it?

I believe this example was discussed with the Attorney-General's staff, and I believe the bill covers this example and a person would still be able to make a case, arguing that the circumstances are new, and it becomes a new publication because the circumstances are substantially different. If the Attorney-General could clarify whether that is the case, I would appreciate it.

The second hypothetical they raised was when a person makes a defamatory comment about somebody that they do not choose to follow up on at the time, but the comment is republished again outside the statutory period, after more than three years, when that person is seeking employment. It was false the first time it was made, and remains false subsequently, but, because it had been stated previously, the plaintiff would not have the capacity to bring a case at that point. These are real-life examples they are presenting. I would appreciate the Attorney-General providing some clarity on those things, if that is possible.

To the other parties who have provided a submission to the model rules, Choice Australia strongly supported the single publication rule because they believe it gives it a concise and nationally consistent approach to interpreting the material that is published on digital platforms. That is important to think of it from their point of view; they are a national organisation. It is in their interest to have standardised rules around the country. If we are looking from the point of view of Tasmanian residents, it is not as important for that to be standardised. We make our own laws here. That is their view, that a nationally consistent approach is useful.

The Arts and Law Society also made the point that under the current legislation, publishers have been exposed to a high level of risk over publications that no longer have currency or relevance. Where legal action is commenced many years from the initial publication, at the moment there is the current multiple publication provisions, publishers may no longer have possession of materials or have contact with employees who are present at the time of the alleged defamation or be able to provide any supportive relevant defence. That is particularly applicable to independent publishers who have limited resources to officially archive their research, supporting publication of the material. Clearly, they are making a strong case for drawing a line in the time period that a case can be taken. I think that is widely agreed to be an important step forward. We support this single publication rule.

I want to speak to the public interest defence. It is an important part of this bill and something close to the Greens' heart. It recognises that the greater the seriousness of defamatory allegations and the potential harm that they cause, the greater the responsibility of a publisher, journalist or purveyor of the material to make sure that all reasonable and practical steps are taken to verify the allegations and provide the person in question with a reasonable opportunity before publication to make a response.

The Law Society of South Australia makes the point that in order for the defence to be upheld, they would expect the publisher must reasonably believe the truth of the defamatory allegations and have taken these reasonable and practical steps. Choice Australia is extremely strongly supportive of this particular public interest defence. It has the greatest significance for their work and they give an excellent example of their annual Shonky Awards. Most of us here would have heard of the Shonky Awards, or if you have not, you can google them. They are quite good fun. Their entire purpose is to name and shame shonky products and companies

who are taking advantage of gullible consumers. When they started, the Shonky Awards were set out specifically and deliberately to injure the reputation of companies and to pressure them to do better by their customers in circumstances where they have repeatedly failed to respond to individual consumer complaints. They do not do this lightly; they back it with extensive investigation and evidence. For 14 years Choice have called out safety risks and misleading advertising and poorly performing products. Thank goodness they continue to do that work on behalf of Australian consumers. They are very pleased that the public interest defence would capture the work that they do and their wider investigative work. They make a strong point about the importance of these sorts of investigations in the public interest and the public benefit in using the media to pressure companies to do the right thing.

The Arts and Law Society also strongly support the introduction of the public interest defence in order to strike a better balance between the ability to report on matters that are very relevant to the public and making sure that individual reputations are not unfairly damaged. It is not an unfettered right.

It commends the recommendation to consider the extent of compliance by publishers with industry codes and standards, such as journalists' codes of ethics and industry bodies, such as the Australian Press Council and the Journalists Association, have the relevant expertise and are well placed to guide publishers in appropriate industry standards. I hope that that work is going on and that there are standards being developed for some of the smaller journalist organisations. I assume the Australian Press Council would be doing that, but it is very important for people to have good information about the rights and responsibilities of this public interest defence.

I will end my comments today by asking a question about the damages for loss limited. I believe it sets the top bar for non-economic losses at something around \$430 000, which is indexation adjusted from the base rate of \$250 000 at the time of the act. It sounds like that is extremely important to have a limit like that. I wonder whether the Attorney-General could speak to if there is any push to change that limit and to make a change. It has obviously all been agreed to. Is there any conversation about changing that limit? What would the process of doing that be if these are model laws? What would the process be of changing any of these model laws? Is it just up to us now at the state level or are they fixed in stone and only able to be changed if a national Attorneys-General meeting goes through a process of amending the act at some future time? With that I am happy to support this bill.

[4.29 p.m.]

Mr ELLIS (Braddon) - I am delighted to be able to speak on this bill, Mr Speaker. I want to congratulate the Attorney-General on a power of work on another reforming effort. She is one of the stars of the Tasmanian political scene. Her reforms being done in the legal space are a model for many other states in the country, I am sure, and the work will be continuing over the next four years as was endorsed by the Tasmanian people on 1 May.

I rise to speak on the Defamation Amendment Bill 2021. Clearly, there is broad support from all parties in this House. We know the Opposition are sometimes a bit wayward with their endorsements, but they have made an excellent decision on this one. It is an important part of our commitment to states and territories to maintain national uniformity in defamation law. While it is implementing a nationally agreed approach, it is an important law reform for Tasmanians. Tasmania's Defamation Act 2005 reflects the model defamation provisions.

This bill is an important and timely reform to that particular act. The model defamation provisions were endorsed in 2005. Each state and territory, including Tasmania, enacted legislation to implement the provisions. While responsibility for defamation law falls to individual states and territories, a national approach to reform is essential. This bill is faithful to that national approach.

Mr Speaker, there are some very good reasons why we want a national approach in many areas of our law. Some things just make more sense. Australians are much more mobile across our country now, and it is important that those laws are often reflected similarly.

In these days, when speech crosses state borders very easily - particularly through social media and other communication media - we know that to have predictable, understood laws for all people is important.

In 2018, the state and territory Attorneys-General agreed to review uniform defamation provisions following the review and development of amendments to modernise and enhance the uniform defamation laws. The council of Attorneys-General agreed in July 2020 to support the enactment of the Model Defamation Amendment Provisions 2020 - the MDAPs - by each state and territory.

The model defamation amendment provisions seek to strike a balance between the need to provide fair remedies for a person whose reputation is harmed by a publication, and the need to ensure defamation law does not place unreasonable limits on freedom of expression, particularly about matters of public interest.

Mr Speaker, we are always very conscious of getting the balance right in matters which are so important for the individual and for society more broadly.

This bill reflects and seeks to implement the Model Defamation Amendment Provisions 2020. Significantly, there have been three rounds of consultation. Two were conducted nationally, which was part of the creation of these model defamation amendment provisions, and our Government, through the Department of Justice, has held public consultations for this bill. That process of consultation, both nationally and here in Tasmania, clearly has been successful. A lot of those important areas have been taken on board because we do see broad support in this parliament, as well as in the community.

The draft bill proposes to insert two new provisions into Tasmania's Defamation Act 2005. The draft bill will modernise defamation laws, ensuring they remain fit for the rapidly evolving media landscape which I spoke about before. The bill also addresses some technical issues that have arisen with respect to interpreting the 2005 act.

Some of the more significant reforms in this bill include:

- introducing a single publication rule concerning the limitation period for multiple publications of the same defamatory matter by the same publisher, or an associated publisher
- creating a serious harm element of a cause of action for defamation to be determined by the judicial officer as soon as practicable before the trial commences

- clarifying the concerns, notice, procedure and procedures for offers to make amends, to encourage resolutions out of court
- introducing a public interest defence model, therefore protecting and promoting freedom of speech
- clarifying the operation of the provisions for calculating damages for non-economic loss.

As we all know, the media and publishing landscape is changing rapidly. We are proud to support the national stance in keeping our defamation laws contemporary and relevant for Tasmanians and Australians, so I support the bill.

[4.35 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Speaker, I thank members for their contributions and considerations. There are some quite complex issues, and Ms Haddad and Dr Woodruff have both drawn on the submissions that have been made by various parties.

The TLRI obviously made a submission, and we consulted with a number of stakeholders and other bodies, which I will get to in the broader view of answering some of the questions, but it was the TLRI that responded in a fulsome way, with others not wishing or needing to.

As members heard in my second reading speech, there have been extensive consultations nationally with the working group, over a significant period of time.

As members will appreciate, defamation law is quite a complex area. Ms Haddad also acknowledged that dealing with digital publication is going to be particularly difficult. That is why the previous Council of Attorneys-General - now the Meeting of Attorneys-General (MAG) - has taken a staged approach because, as members know, reform will take a long time if we try to do things all at once. That is the approach that I have taken in a number of areas of law reform - most recently with Guardianship and Administration. With such a huge and broad area, we tend to stage it to deal with matters more swiftly.

Having said that, I will deal with the first question; some of these questions or issues were raised by both Ms Haddad and Dr Woodruff. I also thank Mr Ellis for his contribution, as always. It is nice to have a contribution from the Government side as well, putting some of our views across.

There was a general question as to whether the definition of 'serious harm' was considered, for example, from the Law Council submission.

I want to provide a bit of background and then give specific answers. The bill inserts a new section 10A into the act to make it an element of a course of action for defamation for the plaintiff to prove that the publication for defamatory matter has caused, or is likely to cause, serious harm to the reputation of the plaintiff, or, if the plaintiff is an excluded corporation, the matter has caused or is likely to cause serious financial loss.

As members have identified, stakeholders have raised significant concerns that defamation law is increasingly being used for trivial, spurious and vexatious or 'backyard' claims. The cost and stress of defending a defamation claim can be prohibitive for private

individuals. The new section 10A is similar to the best-practice approach taken in the Defamation Act 2013 of the United Kingdom. To ensure that the serious harm threshold performs its intended function of filtering out trivial claims, the new subsection (5) provides that if raised by a party, the judicial officer is to determine whether the element is established as soon as practicable before the trial commences, unless there are special circumstances justifying postponement.

Specifically, the national working group considered the Law Council's view, but considered that fettering judicial discretion may limit the ability for jurisprudence to continue to develop in response to trends in defamation law.

Turning to the serious harm definition that was raised, the national process concluded that this is an appropriate matter for judicial discretion and given the serious harm element is based on the UK's defamation act, it is anticipated that Tasmanian courts will look to the UK for jurisprudence around this serious harm element.

In a leading UK case of *Lachaux v Independent Print Limited* (2019) 3 WLR 18:

The UK Supreme Court held that the serious harm threshold is determined by reference to the actual facts about the impact of the alleged defamatory words and not just the inherent meaning of the words. Therefore, the test now turns upon a combination of the inherent tendency of the words and their actual impact on those to whom they are communicated.

The plaintiff will need to adduce evidence to establish that the publication of the matter caused harm in fact. Factors of the impact of the words may include the actual or likely consequences resulting from the publication, the size and characteristics of the relevant audience, the quality of the publication and whether the plaintiff had any reputation to begin with.

In other words serious harm is determined by the judge. In comparison there are factors specified for the section 29A public interest test in order to assist there. Also, in relation to the TLRI on the serious harm element, it has been identified that the TLRI is concerned the introduction of the serious harm threshold causes of action may potentially increase legal costs for those potential plaintiffs who are at the beginning of their career or business venture as well as cause case-management issues as the threshold is not defined.

This is not considered a significant issue in the national consultations. A person emerging into the market can still suffer serious harm to their reputation and I note that the construction of the serious harm provision, together with all other model amendments as with any substantive law reform, will be the subject of future judicial rulings and I note that each jurisdiction will look to each other in relation to the interpretation and precedent setting as well.

In developing jurisprudence around serious harm, the courts and plaintiff's lawyers, as I have said, may look to other jurisdictions such as the UK to inform its interpretation and the UK has had a very similar serious harm provision since 2013 which I think in this circumstance is the most helpful, so in a nutshell we do not want to restrict that ability of judges to interpret. The proposed section has been inserted in the model amendments in response to stakeholder submissions but defamation law is increasingly used for trivial, spurious and vexatious claims.

We can all identify with that at various stages. It will place the onus on the plaintiff to prove harm flowing from the defamatory publication which received widespread support.

Ms Haddad wondered whether we would consider any unfair results in relation to the limitation period. Section 20A(c) is inserted to provide that a person may apply to the court for an order extending the limitation period so I did by way of interjection as Ms Haddad noted at the time, mention the ability to extend the limitation period. The court of course has a discretion to extend the one-year limitation period to a maximum of three years from the date of publication if the plaintiff satisfies the court that it is just and reasonable to allow an action to proceed. I note from my years of practice in civil jurisdiction matters that three years is quite a common time period for bringing actions and so there is that ability of up to three years to apply.

The current act provides for an extension to the limitation period at section 20A(2); however, the bill proposes to remove this subsection and provide more detail in section 20A(c) to provide applicants, i.e. proposed plaintiffs, a greater understanding of what is required to successfully apply for an extension of the limitation period of up to three years. I think that is a really good initiative to have so that there is some certainty there for plaintiffs when they are making their extension of time application.

In determining whether to extend the limitation period, the court is required to have regard to all the circumstances of the case and in particular, to a number of matters including the length of and reasons for the plaintiff's delay in bringing their action within 12 months, for example, if the plaintiff did not become aware of the publication until after the end of the one-year period. This provision provides greater clarity on the extension of the time period in which to bring proceedings and we expect this will facilitate matters for plaintiffs where they do not become aware of a matter within 12 months.

To the specific issue of whether we will consider whether this has had any unfair results, it is safe to say I get personally contacted in my role as Attorney-General when someone feels that a law is unfair, or they would like it reviewed, they tell me what their personal circumstances are, or the result of proceedings and whether I would look into something. Where there is a case to do so, I will and I often do. A case in point, section 194K of the Evidence Act -

Ms Haddad - I nearly mentioned that in my contribution.

Ms ARCHER - Yes, and that was something that News Limited came to me about. I mention that because it is quite closely related to this in the sense that at the same time News Limited came to speak to me about that, they were talking about these same issues. We are talking about publications and with the 194K issue, we have put some strong parameters in that provision on publishers, to ensure they have got the consent of the victim or survivor of sexual abuse or assault and so on. I mention that as an example because that is a perfect one where I acted on that.

It is increasingly difficult when we put provisions in bills to say that we are going to do a review within a certain time period, unless it is necessary to do so, and we do that quite often. Where I do not feel that it is necessary, and I do not feel it is here, and because it is national model reform, I would not want to do that here and I say that for the benefit of the other place when they are looking through this transcript.

There were some comments that both Ms Haddad and Dr Woodruff made about consultation generally and went into quite a bit of detail in relation to the TLRI. I note there has been broad, local and national consultation. The draft bill was released for three weeks for general public consultation between 11 June and 2 July this year as well as being sent directly to targeted stakeholders with an invitation to provide comment. The targeted stakeholders were parties with a direct interest in the bill, including the Supreme Court and the Magistrates Court, Law Society of Tasmania, the Tasmanian Bar, the Tasmanian Law Reform Institute and local media organisations including the *Mercury*, ABC Tasmania, WIN, and Southern Cross Austereo which is 7News Tasmania now but one and the same. As a result of that, only one formal submission was received from the TLRI.

In relation to the consultation on the model defamation amendment provisions to develop those provisions, prior consultation was carried out by an interjurisdictional defamation working party, led by New South Wales department of Communities and Justice involving detailed policy work and two rounds of stakeholder consultation. A discussion paper was released in early 2019 inviting stakeholder submissions. There were 44 submissions received and three stakeholder round-tables held. The defamation working party considered the issues raised by stakeholders and developed options for reform.

In late 2019, exposure draft model defamation amendment provisions were released for public consultation, 36 submissions were received and another stakeholder round-table was held. Changes were subsequently made to the model defamation amendment provisions to address stakeholder feedback. The Council of Attorneys-General, as it then was, agreed to the final amendments at our meeting of 27 July 2020, which was a virtual meeting as everyone will recall, in the middle of last year. Having said all of that, I reassure all members in this place and the public that a number of plaintiff-orientated submissions were taken into account, not just defendant media companies, in the development of the Model Defamation Amendment Provisions.

As I said at the very start of my second reading speech, this aims to strike the right balance in a very difficult and complex area of the law, but nonetheless very important. In response to the TLRI's submission to the exposure draft of the bill, the TLRI expressed general support for the bill, I note, and also noted the importance for enacting the model amendments to maintain the uniform regulation of Defamation Law throughout Australia. That is important. We know that publication companies have materials that are distributed not only digitally but nationally, internationally and uniformity just makes plain common sense.

The TLRI also supports the reintroduction of section 10 from the 2005 Model Defamation Provisions to promote uniformity again and fully codify the general law around death of parties to a defamation action. We do not want a situation where we have different laws applying here in Tasmania to elsewhere, particularly when you have some families who might live apart and in different states.

The TLRI noted the section 10 amendment lacked gender-neutral language and I am pleased this was rectified in the final bill. We always try to do that. I am not quite sure why we did not pick up on that. It was probably the model defamation law, but when we draft ourselves OPC always looks out for that. Again, a big shout out to our OPC who do a wonderful job.

As to the TLRI's concern that uniformity is supported but has an impact: in summary, the TLRI was concerned about the potential imbalance of the amendments favouring the rights of defendants to defamation actions and disregarding less powerful plaintiffs, such as individuals, small businesses and/or start-ups that are the subject of the defamatory imputations. That said, the TLRI concluded by saying it was supportive of measures to stop forum shopping, and introducing some types of specific provisions in Tasmania would likely infringe trade provisions found in section 92 of the Commonwealth Constitution. They said:

The ability of Tasmania to introduce specific provisions to protect plaintiff's rights whilst also discouraging interstate litigants from forum shopping here are extremely limited.

The Government considers on balance of the national consultations that this state gets the balance right, particularly in the promotion of prelitigation settlement by people who may not otherwise have access to successful outcomes. The Government agrees with the TLRI that further reforms should be informed by both national and local circumstances. We will continue to represent the interests of Tasmania in the development of further reforms. The national and local consultations seek to engage all relevant stakeholders in both this and future forums. When New South Wales was doing all this consultation, it was very much a national focus and not just New South Wales, for obvious reasons.

In relation to the hypothetical situations that the TLRI gave that Dr Woodruff raised, a concern of the TLRI is that the single publication rule together with the one year statutory bar to commence actions may disproportionately impact emerging individuals or businesses as time to commence an action in defamation will now commence on the date of the original publication, irrespective of knowledge of the first publication date. The one-year limitation period established by the 2005 act continues to have wide support.

The shorter-than-usual limitation period for defamation actions recognises that harm arising from alleged defamation usually occurs in close proximity to its publication. In other words, you usually know about it straight away. The single publication rule seeks to provide greater certainty for publishers, be they media companies or ordinary citizens, in that their publications, particularly online publications, do not continuously leave them liable for defamation actions every time a third party downloads their publications. That was the key here and the issue that was raised with me personally from the media. You can certainly see how that applies in social media situations to the ordinary citizen as well.

The TLRI raises issues of unfairness in two hypothetical situations around the single publication and limitation periods, particularly regarding the issue of subsequent publication. However, I note that these issues are not necessarily specific to prospective Tasmanian plaintiffs. Although limitation periods may result to barring some actions, it is arguable on the limited facts of these two hypothetical scenarios that it would be open for the prospective plaintiffs to argue new section 20AD(3) and (4) in that the subsequent publication is materially different from the manner of the first publication. To determine material difference the court may have regard to the level of prominence that a matter is given by the subsequent and the extent of the subsequent publication.

For example, the first scenario where the lawyer is described as person Y, as a well-known CCP sympathiser, it may be open to the lawyer to argue that re-publication by person Y has resulted in a much greater level of prominence for the publication and the defamatory

statements contained therein, for example, potentially international publication due to heightened newsworthiness. Further, Y may have re-published the story in a different manner via social media or a website which may further bolster argument that the re-publication was not a subsequent publication of the first publication pursuant to section 20AB.

Regarding the second scenario where the battery designer's product has been defamed, it may be open to person A to argue that re-publication by the person B, which resulted in international attention online as described in the scenario, has resulted in a much greater level of prominence for the publication and the defamatory statements contained therein. Person B may have re-published the online story in a different manner via social media or another more prominent website which may bolster argument that the re-publication was not a subsequent publication of the first publication pursuant to section 20AB.

Maintaining the enforcement of limitation periods upholds the object of the act to promote speedy resolution of disputes, requiring plaintiffs to promptly bring forward an action for resolution. However, the exceptions to the single publication rule, in our Government's view, allow for actions to be brought in the types of scenarios raised by the TLRI. We feel that they can still be dealt with. We also agree with submissions such as Arts and Law that the rule is an important initiative for the bill.

Dr Woodruff asked what jurisdictions are yet to come into the uniformity provisions. In addition to Tasmania - although I do hope that it passes this House, as members have indicated, and certainly the other place - the remaining jurisdictions yet to pass the amendments are Western Australia and the Northern Territory. All others have done theirs. We are only behind because we had an election in between. We would have been in a position to advance and introduce it into parliament earlier than this session by a few months.

Dr Woodruff also noted laws may be likely to broaden the gap between large companies and media organisations that can sue or defend and smaller entities and individuals, such as students, politicians and start-ups. This bill is quite conscious of the costs of litigation. It encourages early resolution and formalises the ability to do that. Part 3 of the act contains a procedure to enable parties to settle disputes without the need for expensive litigation.

The bill proposes to address stakeholder concerns that the current offer to make amends process lacked potency and, in some instances, was potentially overlooked altogether by clarifying the dispute resolution mechanisms in the act. The purpose of the proposed sections 12(a) and 12(b) is to make it mandatory for an agreed person to issue a detailed concerns notice to inform any offer to make amends. The bill also strengthens opportunities for informal resolution of defamation disputes by refining and clarifying the offer to make amends procedure in sections 14 and 15 of the act, which promotes early settlement.

The new section 15(1)(a) also makes it clear that an offer to make amends can include an offer to remove the matter from a website or any other electronically accessible location published electronically.

Dr Woodruff also asked what the process would be to change the model laws. By agreement of the Meeting of Attorneys-General any reforms are developed collaboratively and that is to maintain the uniformity. For example, as in this case, an expert advisory group consults on issues, develops model provisions through Parliamentary Counsel and gains agreement of the Attorneys-General to each put forward bills to address issues.

Tasmania, like all other states and territories, is a party and committed to the model laws. We will, of course, play an active role in MAG's future work and reforms in this area. Although we have a smaller department than many of the other states we certainly, and I coin that phrase again: 'punch above our weight'. I know that we have people heavily involved in working groups and they keep me very well informed. They all meet prior to our Meeting of Attorneys-General as well. When we used to meet in person those meetings would always be in advance of our meeting and they would also be sitting with us as well. Much of that work also occurs outside of those meetings and year around.

There is one final question from Dr Woodruff: how does a non-economic damages cap get set? As noted by Dr Woodruff, the current cap is indexed by an order of the state of territory minister. The current amount is \$432 500. In practice, this cap is maintained at the same amount in each jurisdiction by agreement of the Meetings of the Attorneys-General.

Unless anybody says otherwise, I think that captures everything that was mentioned. If not, mention it now. Other than that, I thank the Office of Parliamentary Counsel for their work: the department even more so because I know it is very difficult work that is being done over a significant period of time, and particularly Bruce today for stepping in because we had an illness. Yesterday we volunteered to bring this bill forward and then we had an illness so Bruce has come up to speed on it. Sam who is new to my office has just cut his teeth on his second bill; there was one in the other place but first in this place.

Thank you to members for acknowledging the good briefing that they received in relation to this bill. It is always good to get to some good feedback. I thank everyone in my office as usual who work extremely hard on some significant and difficult reforms that we are working on at the moment.

I make a general observation: we have so much law reform on that people do not understand why these things take a little bit of time. When you see what we put through this place and the queue of work that we get done, people gain bit more of an understanding why it takes the time that it does. Having said that, we always keep a very tight law reform agenda. I am very proud of the work that we do and I am very proud to be Attorney-General of this state.

Mr Deputy Speaker, I commend the bill to the House.

Bill read the second time.

Bill read the third time.

ADJOURNMENT

Mr ROCKLIFF (Braddon - Deputy Premier) - Mr Deputy Speaker, I move -

That the House do not adjourn.

Tasmanian Men's Shed Association - Annual General Meeting

[5.05 p.m.]

Mr ROCKLIFF (Braddon - Deputy Premier) - Mr Deputy Speaker, I am confident that everyone in this place will agree that our Men's Sheds are an invaluable asset to our communities across the state. They not only contribute to the lives of their members but they also play a significant role in supporting our broader communities.

It was an honour to be invited to officially open the 2021 Tasmanian Men's Shed Association's Annual General Meeting in Longford and to meet and get together with a number of people over lunch on the day. It was an opportunity for everyone to get together to share stories, ideas and to reflect on the significant impact of men's sheds' work on the lives of many individuals and communities across Tasmania.

It was good to see our past presidents, Bob Thomas, Peter Shelley and Keith Ellis of Men's Sheds, to be recognised for their work and dedication to their roles over a long period of time. Those individuals continue to contribute.

As well as having the opportunity to see the members, it was great to see some of the amazing work that shed members create with the Aurora Art Prize entrants out on display. I congratulate Paul Trickey from the Howrah Shed for winning first prize and Sam Bereker from the Ulverstone Men's Shed who came second, with an honourable mention to Mt Black's Men's Shed submission.

What is most apparent is that each shed show how best to serve their members in their communities. Members of the House who have visited Men's Sheds see they are all unique, all borne of a different culture, if I can put it that way, and have that special uniqueness to their members and the local communities they service. They provide such a great place for people to get together, which delivers a range of health and social benefits. Members contribute enormous amounts of their time and effort to ensure these sheds meet the needs of both members and their local community. This is why the shed movement in Tasmania continues to gain momentum and why it is important for community wellbeing.

Tasmania has the highest density of sheds per capita in Australia, with 10 sheds per 100 000 population, something that all the members of the Men's Sheds can be proud of. Compare that to New South Wales, for example, where there are three-and-a-half sheds per 100 000 people. With 65 member sheds and 3000 members across Tasmania, the Tasmanian Men's Sheds Association is now representing sheds across rural and regional areas including Flinders Island, King Island, Bruny Island, Queenstown, Nubeena and St Helens. I have been to a number of those, more recently Zeehan, Port Sorell, and Ulverstone. They are all terrific and unique in themselves.

I thank the Men's Sheds for the important role they provide through Tasmania. It was good to support them more recently with an increase in the funding for Men's Sheds in recognition of the great work they do. While our state is small and diverse, the Tasmanian Men's Shed Association continues to work hard to ensure that it is a supported and connected sector, while also supporting individuals and their community members.

We only need to look interstate to be reminded of how important this is and to be reminded of how fortunate we are here. I thank all members of this place who visit and support

their Men's Shed and all members of sheds and the executive who do such a wonderful job in bringing it all together, and to Wendy Kennedy who supports them.

It was great to be at the AGM. I look forward to catching up with members of the Men's Sheds when I visit a number of them over the course of the next few months.

Men's Sheds Community Corrections and Kickstart Arts

[5.09 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Deputy Speaker, I join with the Deputy Premier in emulating his thoughts and words on our men's and community sheds state-wide. They do a fabulous job providing that camaraderie and social support for many people around our great state.

I rise on the adjournment tonight to highlight a new partnership which runs across both my Corrections portfolio and my Arts portfolio. You would think that would be a rare thing but we already have an arts program that runs within our prison. In relation to community corrections, we did not have that type of partnership. I am very pleased to say that now exists because of a partnership that has been formed with Kickstart Arts, which I will explain in a minute.

When it comes to the Corrections portfolio, much of the focus is often given to prisoners and the important work of the Tasmania Prison Service. However, prisoners actually represent much less than half of the offenders that are catered for within our corrections system. I would like to spend a moment focusing on that part of the corrections system that often does not get mentioned, going about their dedicated work with little fanfare. I particularly thank and pay tribute to the many staff at Community Corrections and statewide. They do an incredible job in administering services and programs and having that one-on-one contact with those on community-based orders.

Community Corrections supervises in excess of 2000 offenders in the community on court imposed community-based orders. Community Corrections works with individuals on those community-based orders by providing a combination of support and accountability to inspire positive change in their lives. Community Corrections supervises individuals on parole, home detention now, and Community Correction orders - what used to be known as probation and community service orders before we amended that - and drug treatment orders as well. They provide support and guidance to offenders to help them face and address the issues that often lead to offending, with the aim of reducing the risk of them offending again in the future. It is really important work because we know that we do have a high recidivism rate and it is not only in our prison system.

I acknowledge again the hard work of Community Corrections and the dedicated staff that do what is often a difficult but very rewarding job. While I was in Launceston recently, I dropped in to see them all. They are a really cheery, bright, happy bunch despite the very difficult work they deal with. Their spirits are really high, which was really good to see and they coped very well throughout the COVID-19 period as well.

Community Corrections and Kickstart Arts have established an important partnership that will deliver a new intervention program to support rehabilitation called the Freedom Project. Kickstart Arts' vision is to drive community health and wellbeing outcomes through collaborative engagement with art, with funding provided by the Tasmanian Community Fund, I think it is \$400 000 over three years, so it is quite significant to employ someone for that. The Kickstart Arts Freedom project offers an alternative pathway for people managed by Community Corrections to address their criminogenic needs and support their rehabilitation, in other words, looking into why they offend and reoffend and addressing those behaviours.

The Kickstart Arts Freedom Project aims to establish a safe and inspiring arts production facility led by professional teaching artists that supports participants to engage in prosocial activities, improve self-esteem and self-confidence, which all leads to greater rehabilitation and the Freedom Project is specifically for referrals by Community Corrections to Kickstart Arts. It is a specifically designed project for Community Corrections offenders only.

The program allows those on community-based orders the opportunity to engage in arts-based intervention and wellbeing programs as a pathway to address the underlying causes of their offending behaviour and support their rehabilitation. At the announcement of this partnership that I attended on Monday, I was able to speak with Richard Bladel, the senior creative producer at Kickstart Arts and also the founder with his wife -

Ms Butler - Jamie.

Ms ARCHER - Yes, I just had a blank. Jamie Bladel, who was not there. Also Caroline Amos was there, who is the coordinating teaching artist for the Freedom Project. I heard firsthand what a positive impact the project is already having. It was also reinforced to me what a positive impact engagement with the arts can have on promoting positive mental wellbeing. I already knew that but it reinforced it in this situation because it is supporting offenders to make positive choices in their lives. One example was that one participant had avoided turning to drugs one day, instead turning to their art for therapy, so that says it all.

Kickstart Arts does a lot of work in the area of people living with disability. They also have partnerships in health and education and also a focus on justice. Those four areas are areas that they really focus on in our local community.

In closing, I would like to reinforce we have numerous intervention programs in our prison system as well. It is incorrect for some commentators to suggest we have none - that has been said recently. There is always more we can do, I acknowledge that, but, as Minister for Corrections, I am strongly focused on and remain committed to rehabilitation and for increasing our programs. Programs like this that I have mentioned today support rehabilitation and are a critical component of our corrections system.

I thank both the Tasmanian Community Fund and Kickstart Arts as well as Community Corrections, which I have already done, but particularly TCF and Kickstart Arts for their expertise in developing this program. I very much look forward to seeing it support positive change.

Carbon Monoxide Detectors - Installation and Maintenance

[5.16 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, I rise on this adjournment in relation to regulating the safe installation and maintenance of carbon monoxide detectors in privately-owned or tenanted dwellings with internal gas appliances. I have brought this matter to the House previously.

In addition to the health risks associated with inhaling the toxic gas, there is also a real risk of explosion if a spark ignites gas. There is a movement across the country to introduce detectors, in fact, a federal private bill was passed in 2011 calling for mandatory carbon monoxide poisoning detectors. Then regulations were set to be rolled out within 18 months of that legislation in all states and territories and for all states and territories to comply with that new law but it did not eventuate.

In Tasmania in 2021, 11 people, including nine children, were hospitalised after suffering carbon monoxide poisoning from an open charcoal grill that was used inside a house. Four ambulance crews were called to that particular house. The children who were taken to hospital ranged in age from two months to 17 years. At the time the Director of Public Health, Mark Veitch, described the news of the incident as 'very concerning'. Dr Veitch said:

Carbon monoxide poisoning is not uncommon and was usually due to mainly people using 'generators in sheds or fuel-burning stoves in yachts'. People should never use barbeques or cooking appliances or heat stoves inside unless they are properly installed where the gas is conducted away from the site.

Gases can accumulate and spread through a home, they're not detectable, you can't smell them, inhalation starves people of oxygen and can result in brain damage.

The then-Minister for Health, Sarah Courtney, said: 'If the Government gets advice that there are learnings from this tragic circumstance it may look at considering mandatory installation of carbon monoxide alarms'. That was good to hear.

In another recent case, at least 20 people were hospitalised, mostly likely caused by carbon monoxide following an incident at the Tassal salmon factory. That was 29 May 2021. Further, Seeley International was recently awarded millions in damages after a supplier negligently provided a potentially dangerous component that was installed in thousands of ducted gas heaters in Australia, including in Tasmania, that could result in the risk of injury, death or property damage. That was in June 2021.

Carbon monoxide poisoning has been deadly in Tasmania. In 2016 the bodies of two men were found in a boat at a marina at Prince of Wales Bay near Hobart. That was very tragic. An investigation found that the pair had died of carbon monoxide poisoning because of a poorly installed portable power generator in the absence of a carbon monoxide detector.

In passing down his findings into the deaths of the two Tasmanian men on board, Coroner Cooper said, 'It was apparent the deaths were entirely avoidable'. He recommended that all boats with enclosed cabins and petrol motors of any type be fitted with a carbon monoxide detector. Carbon monoxide is a poisonous, colourless and odourless gas that interferes with the blood's ability to carry oxygen. In a tragic Victorian case the coroner said

it was frustratingly difficult to find out exactly how many people die each year in Australia from accidental carbon monoxide poisoning but, between 2011 and 2016, there were 15 deaths that were clearly attributed to using gas in some fuel appliances in confined spaces without adequate ventilation.

In Tasmania there are several hospital presentations due to carbon monoxide poisoning every year, with occasional deaths, and it is difficult to ascertain the real fatality rate. It is a real problem. Under normal operating conditions, well-maintained and correctly ventilated gas appliances produce minimal carbon monoxide, but high carbon monoxide levels can occur if one or more of the following conditions exist: an appliance is faulty or poorly maintained; the flue is partially or totally blocked; or the appliance is not installed adequately. Here in Tasmania, more than 46 500 homes and businesses use natural gas. This service is delivered by TasNetworks and Tas Gas.

In countries throughout Europe, all homes must be fitted with carbon monoxide alarms owing to the prolific use of natural gas burners used for heating and cooking. There is no standard in Australia that covers the design, manufacture, installation or servicing of carbon monoxide alarms for domestic premises.

A bill was passed in 2011, as I recently stated, for gas detectors to be installed throughout all states and territories, and that was because the bill was introduced as a private members bill by a member whose brother had passed away from carbon monoxide poisoning. In 2020, in the Residential Tenancies Act, Victoria increased the mandatory safety obligations in relation to gas safety checks. These changes came into effect from March 2021, and the increased obligations require a gas safety check for all gas installations and fittings. The safety check must be carried out by a licensed or registered gasfitter with type A servicing accreditation.

Renters now have the right to request the date of the last gas safety check. If not checked within the last two years, a gas safety check is required as soon as practicable after the renter occupies the property. Detailed records must be kept, including the name and licence and registration number of the gasfitter who conducted the check, the date of the check, and the results, including any repairs required and actions taken. The record must be kept until the record of the next check is available. Renters have the right to ask for a copy of the record, and it must be supplied within seven days of a written request. This is now in effect in Victoria.

It is time for Tasmania to catch up and provide greater mandatory requirements to protect Tasmanians from carbon monoxide poisoning, and introduce mandatory gas detector devices.

Suzette Weeding - Woman in Forest Industries Award
Redbank Farm - 2021 National Landcare Awards
Hydro Tasmania - Clean Energy Council Award for Community Engagement
Goldwind Australia - Innovation Award for IdentiFlight system at
Cattle Hill Wind Farm

[5.23 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, I am pleased tonight to stand up and pay tribute to some fine Tasmanians.

Firstly, to Suzette Weeding, who is the recipient of the Woman in Forest Industries Award of Excellence granted yesterday at the National Forest Industry Awards. It is an outstanding achievement. Suzette is Sustainable Timber Tasmania's General Manager Conservation and Land Management, and it is a great win and a great credit to her.

I have known Suzette for many years. She is incredibly professional, hardworking and loves her job. She is also chair of the Gottstein Trust, a national education trust for the forest and forest-wood products sector. The Australian Forest Products Association put out a media release congratulating Sustainable Timber Tasmania's Suzette Weeding on winning the Midway Woman in Forest Industries Award of Excellence.

I want to thank her for her contribution over many decades in the forest industry here in Tasmania, and likewise playing a role at the national level. She has been described by the Australian Forest Products Association (AFPA) as a long-valued member of Australia's forest industries. She has developed a reputation for solid, thoughtful and soundly based contributions, according to the AFPA, and that is absolutely true, so congratulations to Suzette.

In addition, I want to heartily congratulate Redbank Farm at Sisters Creek on the north-west, which has been recognised for its excellence and innovation at the 2021 National Landcare Awards. It is wonderful, absolutely terrific. Michael Nichols owns and manages the farm. He also won the Australian Government's Innovation in Agriculture Award, which acknowledges the pursuit of precision agricultural techniques to address crop variability and resource use efficiency. It was Tasmania's first award at the event in six years, a great result.

The actual award is presented to a primary producer or enterprise for demonstrating innovation in agriculture land management through leadership or application that delivers improved natural resource management and farm productivity outcomes.

The family owned and operated farm is one of Tasmania's finest agricultural producers, providing state-of-the-art practices across their 380-hectare property. It is great to see Redbank Farm win this award. It certainly recognises the work that has been put in, and backs the contribution to accelerating Tasmania's agricultural industry, which is what our Government is all about, as outlined recently in our state Budget in support of agriculture.

Redbank Farm are growing peas, buckwheat, pyrethrum, poppies, mustard, wheat, canola, beef steers and plantation radiata pine sawlogs. Congratulations to Michael and the team.

I also want to mention Hydro Tasmania, winner of the Clean Energy Council's Community Engagement Award a few months ago, for their COVID-19 recovery program to help Tasmanian communities overcome the challenges associated with the pandemic.

The community engagement category recognises an organisation that has demonstrated outstanding positive community engagement in relation to the Australian clean energy industry. Hydro Tasmania's program had two phases - the sustain phase reassured Tasmanians that essential energy generation would continue, while the recovery phase partnered with community organisations to deliver initiatives to assist hard-hit sectors and vulnerable groups. A great commendation.

Hydro Tasmania has a long history of supporting Tasmanians, and has been a major contributor to Tasmania's economy and prosperity over more than a century. Well done to Hydro Tasmania and all those who played a part.

Another award winner was Goldwind Australia, who won an award for innovation and should also be commended. Goldwind was described as designing and deploying the IdentiFlight system at Cattle Hill Wind Farm in Tasmania, which uses the high-precision optical sensors and artificial intelligence to detect endangered Tasmanian wedge-tailed eagles and shut down wind turbines to avoid collision. I have been there on a number of occasions to check out the IdentiFlight system, and it is terrific to see.

Peter Downie, the landowner at Cattle Hill, is very proud of it. He has done a lot to support and promote IdentiFlight and their innovative approach to detecting endangered Tasmanian wedge-tailed eagles.

Kane Thornton, the chief executive of the Clean Energy Council, said how pleased he was with those award-winners. Thank you, Kane, for what you are doing at the Clean Energy Council in recognising Tasmania's Australian-leading and globally leading 100 per cent self-sufficiency in clean energy, with a target to 150 per cent by 2030 and 200 per cent by 2040.

It is great to recognise those individuals and organisations and pay tribute to them tonight. I thank the House for the opportunity.

JBS - Business Operations

[5.29 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, Tasmania is teetering on the edge of a massive takeover bid by an international corporate juggernaut with one of the worst global reputations, and that is saying something.

JBS is in the middle of taking over Australia's biggest pork producer, Riverlea, and in the past fortnight has become embroiled with mining billionaire Andrew Forrest over the control of Tasmania's salmon farm, Huon Aquaculture.

The Batista brothers who own JBS, Wesley and Joesley, already own Australia's biggest meat processor and they have an entirely chequered history. They spent several months in jail in 2018 while they were awaiting trial over allegations of insider trading using privileged information from that very plea for their own financial benefits. The plea bargain that they made was to keep them out of jail for their engagement in large-scale corruption with Brazil's politicians.

JBS has been facing growing pressure from Brazilian politicians and environmentalists to address its information gaps and transparency failings across its business chain. JBS has been unable to ensure the market that it does not buy cattle from farms that are involved in illegal deforestation of the Amazon for over a decade despite promising that it would do so. The head of the environment commission that is looking into the company, Senator Fabiano Contarato, called it 'a form of cattle laundering'. There is mounting outrage, not just in Brazil but globally as well, over the damage to the Amazon forest and the fires that are linked there to cattle farming.

We all know that now more than ever we have to do everything possible to keep the carbon stores of the glorious organ of the earth, the Amazon. The role of JBS is critical and there must be global pressure on the butchers of Brazil to stop their illegal deforestation activities. They operate deep in the Amazon. After a devastating report by Greenpeace they signed a landmark cattle agreement in 2009 and they promised not to buy from any direct suppliers involved in deforestation. They also included indirect suppliers but despite that, nine years later in 2017 they were fined \$24.7 million by Brazil's Government Environment Agency for buying 49 000 cattle in the Amazon state of Pará from illegally deforested areas. This company does not give a toss for the paper it signs. It does not give one ounce of concern for the deforestation of the Amazon. We know from the record in Tasmania that it has no concern for the workers it employs.

So, here we are and many Tasmanians are very concerned. We have been surprised at the really strong level of concern we have had from people spontaneously contacting us because of the experience of JBS in Quoiaba in King Island, their total disregard for the workers and because they received Tasmanian government subsidies moments before they turned around and sacked workers and closed abattoirs.

We also know that the Australian Tax Office is embroiled in litigation proceedings right now with JBS over the use of legal privilege to avoid disclosing essential documents to the markets. The Greens' Senator Peter Whish-Wilson has called on the Treasury's Foreign Investment Review Board to block the company's takeover bid for Riverlea and also importantly, for Huon Aquaculture. There is no doubt that JBS's network of subsidiaries have been linked to high level corruption in many countries, including the US, where they got an enormous \$3.2 billion fine, the largest in history, after bribing hundreds of politicians. They have also been strongly linked to modern-day slave labour practices.

You almost cannot believe the staggering scale of disregard this company has for the rules of law, the welfare of the animals in their slaughter houses, and the welfare of the staff who are employed by them. People in Tasmania are also deeply concerned at the environmental impacts that would occur from a company that has no regard for the law.

Why has the Premier doubled down and become a cheer squad for JBS? Despite what they have done and the record in Tasmania, the Premier is not raising the flag of concern; he is offering the doormat of welcome. It is disgraceful. It is another reason why we have to have a properly independent EPA because, were JBS to operate in our precious marine environment, we are incredibly concerned at the potential scale of pollution that could be caused by their cut and run activities.

Operation Hyperion

[5.36 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I rise tonight to put on the record some comments in relation to Operation Hyperion. This was an investigation that was started by an own motion inquiry of the Integrity Commission in 2019. The Integrity Commission launched the investigation after a Tasmania Police inquiry into allegations of possible bribery or treaty by an unknown candidate. The police investigation found no breach of the Electoral Act.

The Integrity Commission decided to launch its own motion inquiry after a meeting with Tasmania Police, the Electoral Commission and the Director of Public Prosecutions. This investigation continued for two years before it ceased. There was a draft report prepared but it was never finalised. Excerpts of the draft report, Operation Hyperion, were provided to relevant parties. As the Leader of the Labor Party at the 2018 election I was provided with an excerpt of the report.

I want to confirm also that the Labor Party was asked to participate in this inquiry and that we cooperated with the investigation. We were willing to continue to cooperate with the investigation as we have nothing to hide. The excerpts provided to me related to concerns of misconduct in the awarding of funding to community groups and the TEC's policies and processes in dealing with alleged corruption. They also included the terms of reference of the inquiry as well as relevant sections of chapters and conclusions drawn at that stage from the investigation. There were large parts of a draft report that were redacted and large sections that were not provided as those parts did not relate to me or the Labor Party.

The terms of reference for the inquiry as detailed in the report were as follows:

On 13 February 2019 the board of the Integrity Commission made a determination to conduct an own motion investigation in accordance with section 45(1) of the Integrity Commission Act 2009 into possible misconduct by public officers associated with the provision of funding to community groups through the 2018 state election, the policies, practices and procedures under which funding is provided to community groups, and the policies, practices and procedures of the Tasmanian Electoral Commission in dealing with alleged corrupt practices at an election.

The excerpt of the report provided to me was from a document with 149 pages and on the final page in the conclusion it made it clear in section 735 that: 'The focus of this report is the Tasmanian Liberals'. After the 1 May election this year, I was provided with a further letter from the Integrity Commission explaining that the investigation was no longer proceeding. At this point obligations under section 98 of the Integrity Commission Act with respect to confidentiality were removed.

Given the public would rightly have an interest in this, I provided an interview to ABC journalist Emily Baker about Operation Hyperion that was published on Tuesday 22 June. In this article the matters of the Integrity Commission inquiry were covered, including how the inquiry investigated the commitment of public funds during the 2018 election campaign by political parties, noting that the Liberal Party made significantly more commitments and of greater value than any other political party.

At that election I recall how Labor Party candidates were raising examples with the campaign committee where community groups in their electorate had been given funding commitments by the Liberal Party candidates, in some cases without the community group putting up a case for the money or even asking for it. I understand from the extract of the Operation Hyperion report that I received, and from the terms of reference of the own motion investigation, that this was a significant reason why the investigation was launched.

As the terms of reference state, there were serious concerns about possible misconduct associated with the provision of funding to community groups. The terms of reference went

so far as to examine alleged corrupt practice. The conclusion of the draft report also questioned the role of ministerial staff in an election campaign.

The Tasmanian community has a right to know that such concerns were raised by the Integrity Commission about the conduct of political parties, primarily the Liberal Party, as stated in section 735 of the draft report at the 2018 election. The article examined these matters and included comments from the Integrity Commission about why the investigation ceased.

As is clearly stated in the article by the Integrity Commission's chief commissioner, Greg Melick, the board obtained independent legal advice on particular points of law and the extent of the investigation in relation to its terms of reference and concluded that the investigation could not be finalised under the existing terms of reference.

I note that there is a notice of motion from the Attorney-General on the books in this place that calls on me to unequivocally withdraw remarks in the ABC article of the 22 June that she says misrepresents my discussions with the Office of the Integrity Commission. Given the paragraph in the ABC article that the Attorney-General has asked me to withdraw is not attributed to me, I would like the Attorney-General to explain how someone can unequivocally withdraw something they never said.

The paragraph in the article that the Attorney-General has included in her notice of motion was published by the ABC online and authored by Emily Baker, an award-winning journalist. It does not contain a direct quote from me at all and as such I am unclear how I am expected to withdraw it as they are not my words. I note that Emily Baker has published comments in response to the issuing of a press release on the tabling of the notice of motion by the Attorney-General yesterday. She first comments on how she has received a message from Canberra asking her if the Liberal Government ever sends out press releases that are not about Labor - a fair question given their preoccupation with us rather than actually governing. Then she goes on to say: 'This is so niche but the most recent one is about Rebecca White allegedly misleading the House in relation to a story I wrote. I am once again asking the Government and the Integrity Commission to tell me if the story is wrong because that could be on me.'

There are two important points to make here:

- (1) Emily Baker has never heard from the Government or the Integrity Commission that her story is wrong: not at the time of publication and not since, not even after posting her tweet yesterday. If the government is so aggrieved by what was published, why have they not done that, particularly given it is her words they have expressed concern about, not, as they have attempted to imply, a quote from me. It can only be concluded that they are pursuing this matter for political purposes.
- (2) It is also important to note that I have not misled this House for a remark made by Emily Baker and her tweet that I do not believe was deliberate. This is the first time I have spoken about Operation Hyperion in this place. The only other time it has been raised by me was when I made a personal explanation on 23 June this year in response to comments the premier made. What I said then can be found on the *Hansard* and I will not repeat it in the interests of time but it is there for everybody to see and the key point was that the direct quote from Greg Melick, the head

of the Integrity Commission was that he said: 'Ultimately the board decided that it would not be in the public interest to commit further resources to reinvestigate the matter noting that to the stage no misconduct had been identified'. The discontinuation of Operation Hyperion was disappointing as I believe the investigation was looking at serious issues that remain in the public interest.

The conduct at the 2018 election was so concerning that a police investigation was launched and the Integrity Commission commenced its own inquiry that lasted for two years. On the one hand I am surprised that the Liberal Party would have the temerity to bring Operation Hyperion, given the excerpts I have read and what has been published in the media raises serious issues about their conduct at the 2018 election but on the other hand it is also unsurprising given their standard response when they are held to account is to deflect blame and where possible...

Mr DEPUTY SPEAKER - The member's time has expired. Ms Haddad.

Ms O'CONNOR - Point of order, Mr Deputy Speaker, standing order 123, I move -

That the member be now heard for another minute.

Ms WHITE - Thank you. Just so I can finish the sentence.

Mr DEPUTY SPEAKER - Ms White, I have given the call to Ms Haddad.

Marjorie Harwood - E-Petition

[5.44 p.m.]

Ms HADDAD (Clark) - To conclude Ms White's contribution she was to conclude: 'on the other hand it is also unsurprising, given their standard response when they are held to account is to deflect blame to Labor where possible and if they can make it personal that is even better.'

Ms White wanted to make it clear that she never intended nor did represent the Office of the Integrity Commission. Her public comments are there for all to see and have not been called into question by the notice of motion from the Attorney-General. If the Attorney-General has issue with what was published by the ABC she should take up the offer of the journalist who authored the story, Emily Baker, who has once again invited the Government to tell her whether her story is wrong.

Mr Deputy Speaker, I rise tonight to talk about a tragic story of loss from which a meaningful campaign for change has evolved. Marjorie Harwood was a Tasmanian woman who lived and grew up in southern Tasmania. She was a well-loved member of the greater Hobart community. Marjorie also happened to be a transgender woman. She came out as trans at a time in our history when being transgender was not as well understood or accepted as it is now. It is important to note that even today many transgender Tasmanians face awful prejudice and discrimination which is wrong and should not be tolerated. For some people it is still not safe to come out even today's modern Tasmania.

Marjorie was a loved and loving woman. She was determined to be herself but sadly this brought with it unbearable bullying and cruelty just to be herself. Because of this, Marjorie turned to alcohol and petty crime. She was in and out of Risdon, on and off, for some time. The last time Marjorie was sent to prison, it was for stealing two chicken pies and block of cheese. That is quintessentially a petty crime. This was in 2017. It sounds like something from our convict past, doesn't it?

Marjorie lived as a woman for many years. When she was in prison, several times correctional officers referred to her using female pronouns and using her name, Marjorie. Despite this and despite the Tasmania Prison Service having quite accepting policies around how transgender prisoners should be housed in the TPS, Marjorie was housed in the men's prison. In Marjorie's case, the TPS policies were not followed at all. Heartbreakingly, in her last period of incarceration Marjorie was brutally raped by five male inmates in the shower block. She lay helpless and alone for several hours before help arrived.

Afterwards, she was hospitalised for several weeks, needing a colostomy bag due to the severity of the attack. Marjorie could never recover from her abuse, mentally. She was re-admitted to hospital in 2018 for pre-existing kidney illness and it was at this time, with another custodial sentence looming, that Marjorie refused the dialysis treatment that she needed for her kidney disease, and she told her mother that she wanted to die. Marjorie's mum, Rosemary, is here with us in the chamber tonight with her friends and supporters. Rosemary is one of the strongest women I have met. She has advocated tirelessly for her daughter and for the rights of other transgender people and it is for this reason that I am giving this speech tonight.

This is a sad story. What makes it even sadder is that the incident could have avoided. Marjorie identified as female and prison staff referred to her in that way. It was because of her gender identity that she was constantly targeted and attacked by male inmates. I believe that had Marjorie been housed in the female prison, as her gender identity dictated and as existing TPS policies allow, she would have faithfully served her time in prison and would be alive today. Regretfully, this is not a one-off story. Across Australia, trans people are being mis-gendered and incorrectly housed in Australia's prisons and are being put in constant danger of sexual and physical assault.

Earlier this year, Marjorie's mum, Rosemary, launched a petition called 'Marjorie's Law - Better Protection for Transgender People in Prisons' in support of safe treatment for transgender prisoners. The petition calls for transgender people to be treated without discrimination in Australia's prisons, corrections staff to be provided with training and relating to LGBTQIA+ people and for prison policies to be adhered which will allow transgender people to be housed according to their gender identity.

To date more than 1000 people have signed the petition for change. I am proud to be a signatory to the petition and I am also proud to present it to the Parliament tonight. It is an important petition and an important one for our Parliament and for the corrections system. I commend Rosemary Harwood for her fierce advocacy and dedication to this cause in memory of her daughter. I know how hard Marjorie's death has been on Rosemary but her dedication to educating others and advocating for the rights of transgender prisoners across Tasmania is truly inspiring. I am proud to stand with Rosemary and I will continue to work with her to ensure that Tasmania's justice system protects transgender prisoners to ensure that nobody goes

through the trauma that Marjorie and her family have suffered. Marjorie suffered in the last years of her life and her family have suffered since.

Mr Deputy Speaker, it was an e-petition through megaphone and for that reason I was unable to table it during the formal business section of Parliament today but I seek leave of the House to table the petition on the adjournment this evening.

Leave granted.

World Breastfeeding Week Regional Football Grand Finals in Braddon

[5.49 p.m.]

Mr ELLIS (Braddon) - During the break we celebrated World Breastfeeding Week. In our house at the time, it was 16 weeks exclusively breastfed and I want to acknowledge little Hudson as well. It is nice to have little people in the Chamber and suspect that William and Hudson will grow up enjoying their time in this place. I will be sure to buy Hudson a Queenstown Crows beanie or a Forth Magpies Football Club hat.

The journey to where we have got to with breastfeeding has been harder than Margot or I realised, but us dads do have some special jobs in that process, whether it is getting mum food, water, most importantly chocolate and also being there as support when things do inevitably get tough. One of the things that I did not realise until I had gone on this journey is how difficult breastfeeding can be. It does not come together for everyone, but certainly as a team, you can give it your best shot. As a family, it does get easier and I am told the process itself gets easier.

I encourage all the dads out there, you can be a massive support for the loved ones in your life. Breastfeeding is a wonderful thing. It is incredibly important for the health of children and connection that families have together. Dads have a special role to play in that because we are often the biggest supports. If we are not there doing the right thing, we can sometimes be some of the biggest hindrances.

I thank the wonderful volunteers from the Australian Breastfeeding Association. We could not have done it without them. It is an amazing organisation: women helping other women on a voluntary basis. I do not know how heavily manned the hotline is, that mums can call into for advice and support. We seemed to be calling it all hours of the day and night. There would always be someone in our local area who would pick up the phone, a friendly comforting voice at a time when things were pretty stressful, and give the right bit of advice or encouragement at the right time when it was needed.

It is an amazing organisation and there are women, particularly in our neck of the woods, across the north-west, west coast and King Island who I feel are part of the family now, even though they have, in many cases, been a voice down the end of the phone line.

To every Australian Breastfeeding Association volunteer, our heartfelt thanks for the work that you do. To all the breastfeeding mums out there, if you do need any help or some advice or encouragement, the Australian Breastfeeding Helpline 1800 MUM TO MUM, that is 1800 686 268.

The other thing I raise is the grand final of the King Island Football Association. The mighty Grassy Hawks ended up coming home strong against the North Bulldogs. They did a fantastic job, a strong team and a great family club and a fantastic atmosphere. The King Island Association is the oldest Aussie Rules Association that is still going in the country and it is also the smallest. There is only Grassy, North and Currie, but for the size of the league, you would not believe it because there were so many people at the ground in Currie over the weekend to celebrate what is a key part of the Island's heritage. It is one of its main social events for the year.

At the same time, the Circular Head Football Association held their grand final. Congratulations to the Scotchtown Tigers on a big win and a special shout out to Redpa. They did not win the seniors but they played in the two junior finals as well as the reserves. The seniors managed to pick up three, so we were perhaps unlucky not to come home with the full sweep.

This weekend we will be expecting to see two more grand finals held in the north-west. It will be the Darwin Football Association. I will be a mad one-eyed Crows supporter, Queenstown Crows, on the weekend and also the North West Football Association. Similarly, I will be supporting the mighty Forth Magpies. There are photos circulating of my one game that I did play for the Forth Magpies Reserves back in the day. I think we only had two goals kicked on us and maybe one of those was on me.

All the best to the teams on the weekend. I want to give a huge shout out to country footy because it brings us all together in a wintery time of year and we can really celebrate the communities that we come from.

Afghanistan - Humanitarian Tragedy

[5.55 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I wanted to speak tonight about the unfolding humanitarian tragedy in Afghanistan and note your very thoughtful comments on this tragedy yesterday in your contribution. Within our own community, many of us who have watched on in horror have been devastated by what is unfolding in Afghanistan. We have seen the rapid withdrawal of US and allied forces; the arrival, the rapid takeover by the Taliban; the arrival of other dark and terrible forces; and we have seen the consequences for Afghan citizens.

The Taliban's history is defined by brutal repression, particularly towards minority groups and women and girls. It is also replete with anti-intellectualism, complete intolerance towards culture and history, like the Bamiyan Buddhas, which the Taliban blew up more than a decade ago.

The Taliban has been making broad assurances that they would respect basic rights. Clearly these messages have been not much more than an attempt to placate the international community while all eyes are on Afghanistan. There have already been reports of Taliban soldiers hunting down people on their blacklist, people who helped international forces in the country. These are people who helped our people, who helped the Australian Defence Force.

It seems inevitable that in the coming weeks and months the situation in Afghanistan will deteriorate further and more people will face persecution. We have already seen more than 100 Afghan civilians killed in a single terrorist attack at Kabul Airport by ISIS-K and it is near certain that internal conflict will only intensify. Food prices have risen by 50 per cent in recent weeks and the UN is warning the country is facing a food crisis where one in three people will go hungry. International aid has mostly been shut out of the country. It is simply not safe.

The fate of millions of Afghans is in the balance. I know many in the community feel scared about what is to come, particularly our former humanitarian entrants from Afghanistan and most specifically are those members of the Hazara minority. These feelings within our community pale in comparison to the experience of our amazing Tasmanian Afghan community right now. I can only imagine how it must feel to be watching events in Afghanistan play out, knowing you have family and friends who are at immediate risk. I have friends in the Hazara community and I know this terrible stress.

Given the grave nature of this humanitarian crisis and Australia's involvement in the conflict, you would think our Government would be doing everything it could to help resettle Afghan refugees but there is no evidence yet that that is the case in Canberra. The Prime Minister has only committed to accepting 3000 Afghan refugees. This number will form part of our existing humanitarian intake, as we understand it. It is a zero-sum game, meaning that other people might miss out. To put that number into perspective, more people are crossing the Afghan-Iranian border to seek refuge every single day than 3000.

Federally, the Greens have joined refugee advocacy organisations in calling on the Prime Minister to follow the lead of Canada and the UK in accepting at least 20 000 Afghan refugees on top of our humanitarian intake. This truly is the least we could do, Mr Deputy Speaker, as you said yesterday. This is a war of which we were very much a part but so far Mr Morrison is yet to budge. We believe it is time for Tasmania as a state to add our voice to the call for compassion.

The Tasmanian Greens acknowledge the Gutwein Government, its current contribution to Afghan resettlement processes, which involves our state accepting repatriation flights from the UK in order to free up quarantine space in other places for Afghans. That is a good start. We also recognise the Premier's statement that Afghan refugees are welcome here in Tasmania and I know he means that.

That is a good start too but we simply have to do more. We need to demand the Prime Minister increases the number of Afghan refugees Australia will accept. We need to keep rolling out those visas to people who need our help and we need to help them get here. We need to make it clear to the federal government that Afghan refugees are warmly welcome here in our beautiful island home and we should be encouraging the resettlement of as many Afghans as possible here in sanctuary Tasmania.

As a state, Tasmania has an opportunity to influence the decision-making taking place in Canberra. Of course, we do know it can be difficult for a state leader to contradict a federal leader of the same party but we know it has been done before. We have seen the Premier do this before when it has been necessary and we believe he can do it again. After all, desperate times call for desperate measures. These really are the most desperate of times for the people of Afghanistan, battered as they are after decades of conflict and now living in terror of the Taliban and other terrorist forces that have moved in because nature abhors a vacuum.

It is no exaggeration to say that what we do now could save many lives and make a real difference to many more. With all our hearts and our complete support we urge the Premier to show both the compassion and the strength we know he is capable of and press the federal government to take many more humanitarian entrants from Afghanistan, and to make it clear Tasmania is ready to step up and provide a home for those fleeing the Taliban, ISIS-K, and a war zone we were very much a part of helping to create over the past 20 years.

Afghanistan National Institute of Music

[6.02 p.m.]

Ms OGILVIE (Clark) - Mr Deputy Speaker, I rise tonight to speak about cultural heritage and music specifically in relation to the events in Afghanistan. I would like to welcome my own daughter, Amelia Doyle, who is a drummer, to the Chamber. I am very pleased she is here to hear this this evening.

We have all watched in absolute horror as events in Afghanistan have unfolded, but we do know that for more than a decade the Afghanistan National Institute of Music has stood as a symbol of the country's changing identity. The school has trained hundreds of young artists in music, many orphans and street hawkers, and trained them in artistic traditions that were once forbidden by the Taliban. It formed an all-female orchestra that performed widely in Afghanistan and abroad including here in Australia and in America. We know that the leader of the National Institute of Music, Ahmad Naser Sarmast, head of the school, said in an interview from Melbourne, because he is from Monash University originally, that he is incredibly concerned with the ban of music and violence towards artists and the Taliban's growing intolerance for music without religious meaning.

People are very concerned. Artists are destroying their instruments, they are burning their degrees, girls are moving out of sight and out of classes. The scenes coming out of Kabul and the endless reports that have been so distressing for so many of us as the situation in Afghanistan deteriorates under the Taliban's control have left many of us feeling helpless but there are things you can do.

I rise tonight to specifically say please join the I Am My Song campaign. You will find it under #I Am My Song.

I want to read Ahmed Sarmast's letter to the world:

[TBC]

Dear friends, colleagues and long-time supporters of ANIN and music in Afghanistan,

It is with profound sincerity that I write to you regarding the recent events in Afghanistan prohibiting a female the right to sing and ANIN's position on this matter. Only two days after the world celebrated International Women's Day, the Ministry of Education for Afghanistan announced a ban for girls 12 years old and up from singing in public areas. This would include being able to participate in singing their national anthem of Afghanistan.

The Afghanistan National Institute of Music stands firm in opposing this decision and openly calls upon supporters and members of the Afghan and

international community to join us in solidarity so that young females and women of Afghanistan in music and in voice may never be silenced again.

The House adjourned at 6.05 p.m.

QUESTION UPON NOTICE

The following answer was given to a question upon notice:

1. TASTAFE WELLINGTON STREET PROPERTY

Ms O'BYRNE asked the Minister for Skills, Training and Workforce Growth, Ms Courtney -

Was a valuation completed on the Wellington Street TAFE building prior to its listing for sale and if so, what was the valuation?

Ms COURTNEY replied -

Yes, a valuation was undertaken on the TasTAFE Wellington Street property. It was valued at \$6 million.