



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Thursday 10 November 2022**

**REVISED EDITION**



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**Thursday 10 November 2022**

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

## **QUESTIONS**

### **Power Prices - Request for a Rebate Scheme**

**Ms WHITE question to PREMIER, Mr ROCKLIFF**

[10.02 a.m.]

Hundreds of businesses across Tasmania are recontracting or preparing to recontract their electricity supply agreements in an overheated National Energy Market, even though they are based in Australia's renewable energy heartland here in Tasmania. These contracted customers, organisations like aged care provider OneCare, are paying or facing major increases in their energy costs of 50 per cent or more. This is entirely due to the fact that you abandoned your Tasmania First energy policy and exposed our state to the chaos in the national market. Will you undo some of the damage caused by your broken promise and institute a rebate scheme, effectively capping power prices for contracted businesses, as you did in 2017, or will you let Tasmanian businesses wear the cost of your broken promise?

## **ANSWER**

Mr Speaker, I thank the member for her question. We will always act responsibly in the best interests of Tasmania and indeed Tasmanian businesses. That is why we have a plan to invest in initiatives that will put downward pressure on power prices while meeting the needs of a growing economy.

Depending on a company's contracting strategy, some commercial customers, those in businesses which are not on the regulated tariffs set by Tasmania's independent regulator, are locked in until next July and are seeing increases now compared to when they last contracted when prices were much lower.

We know the cost of living is having an impact on Tasmanians and Tasmanian businesses and that is why we are engaging with businesses and industry groups working very closely with them on this very important matter. Assistance is already available through the \$50 million Energy Saver Loan Scheme, which is available to businesses to reduce their electricity costs.

Our Government will always look after the interests of small business customers, which is why we are continuing to ensure regulated energy prices for small businesses -

**Members** interjecting.

**Mr SPEAKER** - Member for Franklin, order.

**Mr ROCKLIFF** - are the lowest or amongst the lowest in the nation and those prices are in fact locked in until July next year.

We are also providing targeted assistance for low and fixed income earners. Earlier this year we took swift action to put in place the Winter Energy Assistance Package which included the \$180 bill buster payment, which I know many people valued, the \$50 million Energy Saver Loan Scheme and no charge for aurora+.

Those on the other side of the House should be joining the Tasmanian Government in holding the Australian Government accountable to their commitments as well: the promises made prior to the last election.

**Mr WINTER** - Mr Speaker, point of order. The question is specifically about unregulated customers, contracted customers. There are over 400 that are desperate for power price relief. The Premier should be relevant to the question rather than talking about something completely different.

**Mr SPEAKER** - A point of order is not an opportunity to repeat the question. I will remind the Premier of relevance. I have heard him talking about contracted prices so I will allow the Premier to answer it as he sees fit.

**Mr ROCKLIFF** - Thank you, Mr Speaker. We will always work with and find ways to support small business. I am well aware of the issues pertaining to businesses under contracted arrangements that are coming off contract. The federal government is also well aware of this circumstance and are actively engaging and finding ways to support them and we will play our role as well with respect to these matters.

We have a plan to secure Tasmania's future which is putting downward pressure on electricity prices. The development of renewable energy will deliver -

**Mr Winter** - They're going up.

**Mr SPEAKER** - Order, member for Franklin.

**Mr ROCKLIFF** - downward pressure on prices and jobs for future generations of Tasmanians. I am speaking of Marinus Link, Battery of the Nation, green hydrogen.

We will always work with our small businesses and all Tasmanians. The Labor Party have no credibility when it comes to these matters. There was a 65 per cent increase in power prices when you were last in government.

**Ms White** - Do you know what is happening in the market right now, under your watch?

**Mr SPEAKER** - Order.

**Mr ROCKLIFF** - You come in here and spend money like confetti. Yesterday, a \$2.4 billion black hole, committing to wages -

**Ms White** - This is under your watch, Premier.

**Mr SPEAKER** - Order.

**Mr ROCKLIFF** - inflation, 8.6 per cent. I know you do not like being wedged.

**Mr SPEAKER** - Premier, wind up, please.

**Dr Broad** - You're just making stuff up.

**Government members** laughing.

**Mr SPEAKER** - Order.

**Dr Broad** - You should be embarrassed. You should be out there talking to the workers.

**Mr SPEAKER** - Order, order. I will give the Chamber a chance to calm down.

Member for Braddon, you cannot have an argument with a member who is standing and answering a question. Any more of that and you will not be arguing in this Chamber. Calm down. It is only the first question. We will bring on the second question if the Premier will wind up.

**Mr ROCKLIFF** - There are a lot of questions being asked across the Chamber, Mr Speaker. I am not sure if Dr Broad was in the Chamber yesterday when you voted, wedged by the Greens. I know the Deputy Leader does not like being wedged by the Greens, but if you do not want to be wedged then have a position and a policy on something.

It was pleasing to see yesterday what I would call almost an alternative budget, the \$2.4 billion black hole in their alternative budget with respect to their wages policy, which you voted on.

**Mr SPEAKER** - Premier, I need to ask you wind up.

**Mr ROCKLIFF** - Again, today, you come in here demanding all sorts of things.

**Ms White** - Do you know what you can do to reduce the cost of living? You can cap power prices.

**Mr SPEAKER** - Order. The Premier is about to wind up for me, please.

**Mr ROCKLIFF** - Mr Speaker, we are very well aware of the impact on our regulated customers. Those power prices will not change until July next year. We are well aware of the circumstances and the advocacy of the Small Business Council, Rob Mallett, and the TCCI regarding rebates. We are looking at all options.

We will not abandon small and medium businesses. We will always be in their corner supporting them to ensure they have sustainable businesses. Small business wants growth in the economy and a government that can manage money and manage budgets. They look at you and what you voted for yesterday. Clearly, they would appreciate that Labor cannot manage money but this side of the House can always manage a sustainable budget.

## **Power Prices - Effect on Businesses**

### **Ms WHITE question to PREMIER, Mr ROCKLIFF**

[10.11 a.m.]

Energy expert, Mark White, supports Labor's plan to introduce a rebate scheme for contracted businesses. He recently told ABC radio:

This is not a local problem. This is the issue of importing price volatility from the mainland's problems.

He also highlighted that when prices go to these levels, the downside risk is businesses face severe conditions and said he had been trying to work with the Energy minister since May, evidently without any success.

If your Energy minister will not do anything to protect Tasmania's businesses from severe conditions as a result of price volatility from the mainland's problems, will you step in to ensure that they only pay a Tasmanian price for Tasmanian power? If you are seriously looking at rebates, will it be applied retrospectively to cover those businesses that are contracting as we speak?

### **ANSWER**

Mr Speaker, I thank the member for her question. We will work in partnership with the federal Government to support small businesses in Tasmania and around the nation, understanding the impact on our small and medium businesses by power price increases and the impact on small businesses from contracted arrangements.

A clear guide is the way we have supported people on the regulated system when it comes to the bill buster payments. We are working through ways we can support our businesses in this matter.

I understand the impact of increased power prices and how that impacts on margins for businesses. That is clearly what the Energy minister and I, and our Government, will be looking to do - ensuring that we work with the federal Government; work with advocates such as TCCI and the Small Business Council to see what we can do to support our small businesses.

You come in here with crocodile tears, with no policies except your policy now to break the Budget - a \$2.4 billion Budget completely broken which would give us no room to support businesses, no money given your \$2.5 billion black hole. We will always support small business like we have done - our regulated customers - with the financial supports we have offered, particularly -

**Ms Finlay** - I do not think you know what small businesses need. What about our medium businesses, big industrials?

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

**Dr Broad** - Get out and have a talk to some businesses. See what they say.



**Mr SPEAKER** - Member for Braddon, order.

**Mr ROCKLIFF** - They would love your wages policy. You go to a small business, Dr Broad, and see if they like the wages policy you voted for yesterday. You need to do that: the pressure that private businesses would be under to follow suit with your policy.

**Dr Broad** - Just because you cannot get the job done. They are out on the lawn protesting.

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**Member Suspended**

**Member for Braddon - Dr Broad**

**Mr SPEAKER** - Dr Broad, you have been warned. I ask you to leave the Chamber until after question time.

**Dr Broad withdrew.**

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**Mr ROCKLIFF** - We will always support small businesses like we always have.

**Conversion Therapy - Request to Ban**

**Ms O'CONNOR question to PREMIER, Mr ROCKLIFF**

[10.15 a.m.]

Yesterday we asked you about the dangerous rhetoric of your federal Liberal colleague, the odious Senator Alex Antic. You were reasonably clear: you do not support language that marginalises, discriminates against or demonises LGBTIQ+ people. Given your views on and past advocacy for LGBTIQ+ Tasmanians, are you concerned that one of your backbenchers is hosting an event in this parliament which clearly supports dangerous unscientific conversion therapy and questions the very existence of transgender people and their rights to self-determination? Did you know about this event? Do you agree it has the potential to cause harm to transgender Tasmanians? Will you, today, give a rock solid commitment that you will move to ban conversion therapy in Tasmania to protect LGBTIQ+ people from bigoted cranks and pseudo-medical quacks?

**Mr SPEAKER** - Just making the point, I am not sure that an event privately hosted in this place comes under the jurisdiction of the Premier. If the Premier wishes to make a comment he can.

**ANSWER**

Mr Speaker, I thank the member for Clark for her question. My views on this matter are on the record, as are my commitments.

**Ms O'Connor** - Commit to a ban on conversion therapy.

**Mr ROCKLIFF** - We have.

**Ms O'Connor** interjecting.

**Mr SPEAKER** - Order, Ms O'Connor. There has already been one person ejected from this Chamber for having a conversation with the Premier who is trying to answer the question. Unless you wish to follow him, I suggest you listen to the answer.

**Mr ROCKLIFF** - We have clearly said that on the record. We are acting on that and we take great interest in the Law Reform Institute report. I am not going to muzzle free speech either and people's opportunity to express a view. I might disagree with that view, clearly, given my public comments on the record. My commitments that I said prior to the last election and following election since I have been Premier remain very clear of my commitment to bring legislation to this House.

### **Truth in Advertising Laws**

#### **Ms JOHNSTON question to the PREMIER**

[10.18 a.m.]

Tonight I am proudly hosting a public forum in parliament's reception room organised by Equality Tasmania to dispel the harmful myths that are circulating in the community about the Tasmanian Law Reform Institute's proposed banning of conversion practices. I hope to see you there.

As you have advocated, we need to ban harmful conversion practices. However, there is a concerted campaign within the Australian Christian Lobby to torpedo this important legislative reform. Published in the *Mercury* for the past two days has been a full-page advertisement authorised by the Australian Christian Lobby that threatens your Government members if they support your position on the ban. The advertisement is untruthful, misleading, insulting, disrespectful and deeply hurtful to the LGBTIQ+ community and all those who love and support them.

Will you join me in condemning the Australian Christian Lobby's hurtful campaign? Will you put a stop to this kind of nasty and vicious political advertising and introduce truth in advertising laws?

#### **ANSWER**

Mr Speaker, I thank the member for Clark for her question. It has come to my attention, very briefly I have to say. I disagree with the advertisements placed in the newspaper. With freedom of speech, people have the right to express their view. My views are well and truly on record when it comes to a range of matters concerning our LGBTIQ+ community, right through from the Relationships Bill in 2003, to marriage equality and conversion practices as well.

I have repeatedly said that I want a Tasmania where everyone feels supported, included, encouraged and valued, and to be the best they can be. I will always be guided by those

principles. I will refer you to my answer to the question from Ms O'Connor, when it comes to the issue of conversion practices.

### **Transforming Outpatient Services Strategy**

#### **Mr YOUNG question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.21 a.m.]

Can you update the House on the Liberal Government's four-year strategy to transform outpatient services to help Tasmanians to receive the care they need sooner?

#### **ANSWER**

Mr Speaker, I thank the member for Franklin for his question and his interest in this matter. We all get considerable feedback around the outpatient waiting list. It is a waiting list that is being reduced and one that we publish monthly in a very transparent way, unlike the previous government.

I have said many times before that my priority is ensuring that Tasmanians can access the right care in the right place and at the right time. We know that the challenges within our health system are complex. That is why a key focus for me since becoming Health minister is to harness innovation in the way that we deliver health services, to use the capacity we have efficiently and to ensure Tasmanians receive the right type of care for their needs.

Our Tasmanian Health Service outpatient clinics across the state provide specialist medical, paediatric, obstetric and surgical assessment and care services that are critical in supporting the health of the Tasmanian community. Our hard-working health staff delivered more than 570 000 appointments in the 2021-22 financial year. This is the equivalent to each and every Tasmanian being seen for an outpatient appointment in our public system every year.

While our outpatient clinics continue to deliver a huge number of appointments, I acknowledge that Tasmanians are waiting too long on the outpatient waiting list. I have always been open and honest about that.

That is why I am pleased to launch our new four-year Transforming Outpatient Services Strategy today. It will see us shorten waiting times, improve communications, and modernise processes. In the 2022-23 Budget, we committed funding to support this transformation project with \$7.2 million over four years to implement our outpatients' strategy. This funding supports a new permanent clinical support team and a new central administrative service to improve business systems. This service will be developed through a co-design process with the consumers, clinicians, clinical staff and referring practitioners.

To reform outpatient services, the strategy includes seven priority areas and aims to transform the way we deliver outpatient services by implementing contemporary models of care. This includes introducing nurse-led clinics, so that people with a long wait for priority of specialty - for example, neurology or cardiology - can access outpatient services as soon as possible.

Over the life of the strategy, we will enhance collaboration and digital connectivity with general practice and primary care to improve the referral process. This will make sure our clinicians have the patient information they need to make decisions about appropriate patient care. These initiatives will also improve support for GPs and the primary care sector to better manage their patients ongoing care. Further, we will seek to prioritise early intervention and empower patients by providing access to support services and tools.

The strategy will see us make the best use of technology to modernise how we will deliver the services including: increasing virtual care and telehealth to give patients the choice to access outpatient services closer to home; modernising administration processes by replacing outdated paper-based systems; improving patient communications with simple online booking processes; and introducing a new e-referral system to better connect GPs and ensure clinicians can access accurate patient information. This work will link with our Digital Health Improving Patient Outcome Strategy, with that investment of some \$150 million over the next four years and, indeed, \$475 million over the next decade.

Our Government will continue to invest and strive for innovative ways to deliver health services that enhance access to care because we acknowledge that every number on the outpatient wait list represents a person who needs care.

### **Power Prices - Effect on Businesses**

#### **Mr WINTER question to PREMIER, Mr ROCKLIFF**

[10.25 a.m.]

The business community is backing Labor's strong stance on power prices. The head of the Tasmanian Small Business Council, Robert Mallett, has said:

The energy created by Hydro costs virtually no more now than it did five years ago. All that has changed is the market price has gone up. Tasmanians - owners of the generator - should not be subject to wild market fluctuations and should be afforded energy at a cost-plus agreed margin.

Further, he said:

This doesn't remove us from the national electricity market. It just provides us with an owner's benefit.

After 100 years of investing in the Hydro, should not Tasmanian businesses expect to pay Tasmanian prices for Tasmanian energy? Given it has been six months since national pricing chaos started, why has your Government still done nothing to protect contracted customers from these high prices?

#### **ANSWER**

Mr Speaker, I thank the member for his question.

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr ROCKLIFF** - You lack complete credibility when you come up with a question like that. Our Government has worked very closely with all Tasmanians when it comes to power prices. We have worked hard over the last eight years. We did not hear a peep out of you when power prices went down on the back of your 65 per cent increase in power prices when you were last in government and sent 10 000 people to the dole queue including public servants, might I add, and nurses and police. Tasmanians still remember that very clearly so do not come in here with your crocodile tears complaining that we are not doing anything.

We are doing something, Mr Speaker, very clearly.

**Mr Winter** - What are you doing then?

**Mr ROCKLIFF** - First, what we are doing to support the Tasmanian community is employ more frontline staff in police, health, education and child services, unlike you. We are also offering a fair and affordable wage rise.

**Mr WINTER** - Point of order, Mr Speaker, standing order 45 on relevance. The question is entirely about power prices. In line with your previous rulings, Mr Speaker, I ask you to bring the Premier back to the question, which is exclusively about power prices.

**Mr SPEAKER** - I will also make the comment that the question had significant preamble and suggestive words in it. I will allow the Premier the leniency of dealing with all those issues in the question.

**Mr ROCKLIFF** - Thank you, Mr Speaker. I am very well aware of Mr Mallett's commentary, and Mr Michael Bailey's commentary and advocacy as well. We have always kept very closely in touch with small businesses and consumers across Tasmania, which is why we have acted to support the regulated power environment with direct support from our bill buster payment, energy saver loans, and supporting organisations that support vulnerable Tasmanians.

That is a very clear signal that we are actively working alongside in a partnership with the federal Government because this is a nationwide problem. We will support and listen to advocates such as Mr Mallett on ways that we can support the business community in Tasmanians.

### **Salmon Industry - Presence of JBS and Cooke**

**Dr WOODRUFF question to PREMIER, Mr ROCKLIFF**

[10.29 a.m.]

Last week full-page advertisements in the *Mercury* and major national newspapers warned Tasmanians and you of the criminal and fraudulent record of our island's new salmon giants. International and local communities alerted you to Cooke's methods of violating laws, litigating to avoid accountability, and disastrous marine harms. JBS's history of operations is a carbon copy.

Can you confirm that last Wednesday, you hosted an exclusive Liberal Party fundraising dinner, for which tickets were \$4400 per head? We understand the small group included one

of the Brazilian butchers himself and Cooke's CEO - very corporate cosy. Can you confirm you told the executives from JBS and Cooke that, 'We have a 10-year salmon expansion plan. It's not going to be popular but I'm here to tell you we will back your industry all the way.'?

Why are you so willing to sell out coastal communities and our marine waters across Tasmania to predatory global corporations?

## **ANSWER**

Mr Speaker, I thank the member for her question. We have indeed engaged with industry and businesses. I have put on the record many times my support for the salmon industry. You and I have had a lot of engagement in this Chamber with respect to the salmon industry. I have been consistent in my support for jobs involved with the salmon industry, the growth in the salmon industry and have led significant reforms when it comes to the salmon industry in Tasmania with regard to independence of regulation.

**Dr Woodruff** - You mean allowing corporate vandals to come in. Sweet place to work.

**Mr SPEAKER** - Dr Woodruff, order.

**Mr ROCKLIFF** - I expect, irrespective of the ownership of our salmon companies, that they comply with our environmental laws. We are actively engaging in a 10-year salmon plan -

**Dr Woodruff** - Tell us about the dinner.

**Mr SPEAKER** - Order, member for Franklin. The same warning goes to you and your leader. If you continually interject on the Premier, I will ask you to leave.

**Mr ROCKLIFF** - Our Government is ensuring that our salmon industry remains sustainable, is world-leading and retains the support of the Tasmanian community. We recognise the need for all Tasmanians to be able to support the growth in the salmon industry and the jobs it provides across rural and regional Tasmania. There will be a minority of Tasmanians who will never support the salmon industry, the mining industry, aspects of the agricultural industry or the forest industry. We recognise that.

**Dr WOODRUFF** - Point of order, Mr Speaker, under standing order 45. The Premier has gone nowhere near whether there was a dinner, whether JBS, the Battista brothers and the CEO of Cooke were there, and if he made that statement to them.

**Mr SPEAKER** - Dr Woodruff, thank you for resuming your seat. I remind the Premier of standing order 45, relevance. However, I also remind all members that standing order 45 is not an opportunity to make another point or two to reinforce your question or your issue. Premier, if you could be reminded of standing order 45 and I will allow you to continue.

**Mr ROCKLIFF** - Thank you, Mr Speaker. I have always said publicly and privately that we will support the sustainable growth of the salmon industry. There is nothing new in that. I have made that clear, as I would speak of all our resource-based industries that need to be sustainable and to ensure they have the broad support of the Tasmanian community which I believe they have.

**Ms O'CONNOR** - Point of order, Mr Speaker, under standing order 45, relevance. If you are frustrated that we take points of order, it is because the Premier and ministers do not answer questions. He did not answer the question.

**Mr SPEAKER** - That may be your view. I presume in the Premier's view, he has. I cannot control that. It is a matter for the minister or the Premier who is answering the question. The Premier has sat down so I will call on the next question.

### **Agricultural Sector - Growth and Diversification**

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

[10.34 a.m.]

We all know how important our agricultural sectors are, especially our beef and salmon industries. Can you update the House on how the Tasmanian Liberal Government is supporting the growth and diversification of our agricultural sector?

#### **ANSWER**

Mr Speaker, I thank the member for the question and their interest in this matter.

The Tasmanian Government has an ambitious goal to grow the annual farmgate value of Tasmanian agriculture to \$10 billion by 2050. Investment in agricultural research, development and extension (RD&E) is a key part of our strategy for achieving the growth necessary to reach this target. In particular, the Tasmanian Government is committed to supporting RD&E that delivers on farm benefits.

That is why I am pleased to announce that we are launching a second round of our agriculture development fund (ADF) and agricultural innovation fund (AIF). A total \$1.97 million is available and proponents may seek up to \$500 000 for suitable agricultural RD&E projects that can be undertaken within a three-year timeframe.

We will be prioritising funding for projects that help industry reduce waste and emissions and adapt to and prepare for the impacts of climate change; assist agribusinesses to identify, plan for and manage biosecurity risks; help industry address digital skills gaps and improve productivity; respond rapidly to threats to minimise adverse impacts on the sector; improve irrigation efficiency and address agricultural water quality.

We are seeking proposals for high quality RD&E projects that will deliver broad benefits to Tasmania and the state's agricultural sector, have strong industry support and partnership and demonstrate a clear strategy to deliver on-farm impacts and contribute to sustainable growth in agriculture. The grant round will be open for 12 weeks from Friday 11 November 2022, closing on Friday 3 February 2023. An application form and information for applicants will be made available online via the website of the Department of Natural Resources and Environment Tasmania.

This second round builds on the success of the first round in which \$3.6 million from AIF and ADF was allocated to eight projects which are currently underway. The AIF projects

delivered through the Tasmanian Institute of Agriculture include expanding crop protection options for controlled blueberry rust, beating smoke taint with sparkling wine, and development of a decision support system for management of potato diseases and estimating impacts of climate change.

Projects funded through the ADF include development of the hover fly as a complementary managed pollinator for Tasmanian cropping systems; optimising calf rising for dairy beef production in Tasmania; reuse and recycling of hydroponic substrate to enable the growth of high-value agricultural production in Tasmania; and production of an asparagopsis red seaweed pellet that farmers can integrate into their feeding systems to reduce methane emissions in cattle.

I strongly encourage industry and research organisations to partner together and take this opportunity to secure significant funding for RD&E. This is just another example of the practical way this Government is supporting sustainable growth and innovation in the Tasmanian agriculture sector.

### **Power Prices - Effect on Businesses**

#### **Ms FINLAY question to PREMIER, Mr ROCKLIFF**

[10.38 a.m.]

I note the minister's comments on agriculture.

Premier, the agriculture sector is also backing in Labor's strong stance on power prices. Fruit Growers Tasmania CEO Peter Cornish has highlighted the folly of your current policy and said they believe that:

First and foremost, the Tasmanian system should be providing cheap and reliable power for the Tasmanian community and Tasmanian businesses.

The Tasmanian Farms and Graziers Association has also said:

Tasmania is uniquely placed in the current national electricity grid debacle to exploit our advantage of cheap, renewable power. An innovative government should support Tasmanian farmers and businesses ...

The TFGA is concerned about their members' ability to absorb the forecast potential increases, particularly where it has an impact on dairy irrigators, but production more broadly. This is clearly something you have immediate control over. Why will you not take action now to ensure Tasmanian businesses only pay Tasmanian prices for Tasmanian power by effectively capping prices through a rebate scheme?

#### **ANSWER**

Mr Speaker, I thank Ms Finlay for her question. Are you asking for a rebate scheme or do you want capped prices? Your policy is all over the place and it is not until -

**Opposition members** interjecting.



**Mr SPEAKER** - Order.

**Mr ROCKLIFF** - you get wedged in parliament that we find out what you believe in, like yesterday when you had the \$2.4 billion black hole in your budget -

**Mr Winter** - Is this the first you are hearing about contracted power prices?

**Mr SPEAKER** - Member for Franklin, order. Opposition members have been warned for interjecting on the Premier.

**Mr ROCKLIFF** - Mr Speaker, I am well aware of the circumstances in the agriculture industry. I have spoken to dairy farmers around the circumstances for many years. For those who choose to go into a contract price arrangement, there are benefits of that in terms of making available the opportunity of lower prices. Coming out of those contract arrangements, there is a risk that there will be a higher-price environment when the contract finishes, so I understand the impact that has. That is why I am working with our Energy minister to ensure that we do provide the right and targeted support to support our businesses, whether they be agricultural or elsewhere around the Tasmanian economy.

This is a national issue when it comes to power prices. There may be a national response. I urge a national response and I hope that you are advocating for that as well but we will always support our businesses across or irrespective of industry sector to ensure that they are sustainable.

### **Public Sector - Industrial Action**

**Ms WHITE question to MINISTER for EDUCATION, CHILDREN and YOUTH, Mr JAENSCH**

[10.42 a.m.]

Yesterday, thousands of Tasmanian teachers and school staff took industrial action because you have been ignoring their concerns about unsustainable workloads, inadequate support and pay disparity from the mainland. Your Government's response was frankly insulting. You took no responsibility, saying the action was entirely the fault of teachers. The Premier called the action 'irresponsible'. He then released a misleading statement attacking the education union, saying they had no reasons to take the strike given their next salary increase is not due until March.

This is despite it being made clear to you that yesterday's action was about much more than wages, and even worse, the fact that it was you who gave them until the end of the month to accept your so-called 'final offer'. To top it all off, the Premier then took to social media to attack teachers and their representatives. Minister, what do you hope to achieve by attacking and misrepresenting Tasmanian teachers?

### **ANSWER**

Mr Speaker, I thank the member for her question. I start by acknowledging that around the state we have year 11 and 12 students in their first week of final exams. I am sure everybody here wishes them well for their exams they have been working towards throughout

their careers in school. I also put on the record my thanks and support for all of the teachers, the support staff in schools, the teacher assistants, and those who have assisted those young people on their learning journey so far. I wish them all the best for their exams and the next stages in their lifelong learning and their careers and life.

Mr Speaker, the Leader of the Opposition, again, misrepresented me and my words. We would never attack teachers. We have never attacked teachers for taking industrial action -

**Ms O'Connor** - Hang on, we heard you in here yesterday -

**Mr SPEAKER** - Order.

**Mr JAENSCH** - The *Hansard* will show that I confirmed it was unions that chose yesterday to hold their industrial action.

**Opposition members** interjecting.

**Mr SPEAKER** - Order.

**Mr JAENSCH** - Unions chose the date.

**Opposition members** interjecting.

**Mr SPEAKER** - Order. Just because you do not like what a minister is saying or the opinion of another person does not mean you have the right in this Chamber to interject and yell and scream across the Chamber.

The question has been put. It is a serious question to the minister. I expect the minister to be listened to in silence.

**Mr JAENSCH** - Thank you. The unions chose the date for the industrial action. They chose the date before they had received the latest pay offer, let alone took it to their members. They chose the date despite knowing that it was the second day of the year 11 and 12 exams. These are facts. The union chose that day for its own purposes, which include disrupting Tasmanian families, businesses and students from their learning. That is just the facts.

The unions chose that date. They were not responding to a pay offer. They were waiting for a pay offer when they chose that date.

**Ms White** - You said it was the final offer.

**Mr JAENSCH** - The Premier has laid out -

**Ms White** - We have it here in black and white.

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### **Member Suspended**

#### **Member for Lyons - Ms White**

**Mr SPEAKER** - The Leader of the Opposition can leave the Chamber until after question time.

**Ms White withdrew.**

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**Mr JAENSCH** - The Premier has laid out the circumstances and the status of our wage offers with unions. He has also pointed out that discussions continue around conditions and other supports. We also have discussions continuing with individual workforces and unions on specific supports and claims and points of negotiations in different parts of our economy and our public sector workforce.

It is not accurate for the Leader of the Opposition to continually claim that we have the lowest teacher wages in Australia. Commencing teacher salaries in Tasmania, I am advised, are already higher than several other jurisdictions. The Government's offer of a 3.5 per cent raise and a \$1000 one-off payment would result in it being a highly competitive base-grade teacher salary.

We want to ensure that we remain competitive. That is what our offers are about. We want to ensure, and we acknowledge and accept the statements that this is not all about pay, it is about conditions. We are sitting at the table waiting for the unions to return so we can recommence discussions on those other conditions that are important, including ensuring that we have the teacher workforce that we need to share the load and to meet the needs of our students, including those who are sitting their exams today. We wish them well and we thank everyone who has assisted them on their journey through education so far and will continue to in years to come.

### **Educational Outcomes**

**Mrs ALEXANDER question to MINISTER for EDUCATION, CHILDREN and YOUTH, Mr JAENSCH**

[10.48 a.m.]

Education is fundamental to empowering people. Without good education we are not going to have a society that is able to get a job, understand health opportunities and maintain a home and ultimately, to have a voice and to understand what parliaments are doing and what the society is doing in that. I would like you to update the House on how the Government is improving educational outcomes for Tasmanians. What are the significant investments in our facilities? What type of educational reforms are we currently having in the state?

## ANSWER

Mr Speaker, I thank Mrs Alexander for her question and her interest and investment in this area. Regardless of background or circumstance, every Tasmanian young person deserves a quality education. Our teachers and department staff work hard to provide this for every student. As we all know, every day counts. Since coming to Government in 2014 we have provided record investment in education, from the early years through to year 12. We understand the power of education as a driver for improving economic and social outcomes in Tasmania. Our Government will continue its commitment to education with a record amount of funding in the 2022-23 Budget, \$8 billion over the forward Estimates, \$2 billion more than the last Labor-Greens budget in 2013.

Through commitments like this, our Government will deliver the largest state infrastructure investment for schools in more than 20 years. Improving learning spaces for students is a priority for our Government. We know that the physical environment in which learning occurs has a major impact on student access, engagement and participation in learning.

Our current allocation for capital works totals \$250 million over the forward Estimates, including \$69.7 million for 2022-23. That will fund exciting new builds in Legana and Brighton and at the North West Support School, major redevelopments at schools right across the state, construction of six new child and family learning centres and improving outdoor learning spaces, delivering the Renewable Energy Schools program and upgrading toilets and electrical switchboards to improve student safety in our older school facilities.

It is not all about bricks and mortar. After parents, teachers and school leaders have the biggest influence in lifting educational outcomes for our kids.

Since coming to Government, we have recruited an additional 435 FTE teachers and an additional 421 FTE teaching assistants, including 36 FTE education support specialists. We have also increased the number of professional support staff by 100 FTE, including the reintroduction of 52 FTE school nurses. We have appointed an additional 125 quality teaching coaches to support student outcomes in literacy and numeracy.

This Government understands that there are many demands on our educational workforce. I again acknowledge and thank all of our hardworking teachers, teacher assistants and support staff across Tasmania.

The Government has also delivered key educational reforms that are providing real positive outcomes for our learners. This includes the introduction of the Education Act 2016, which provided a contemporary framework for education delivery in Tasmania and addressed the historical cultural acceptance that school in Tasmania finishes at year 10.

In 2018 we signed the National School Reform Agreement and Tasmania's bilateral agreement, which locked in growth in state funding for government schools at a higher rate than non-government schools. There is an additional \$340 million in state government funding invested into our public school over 10 years. We have extended every high school and district school to provide year 11 and 12 education options so that Tasmanians can finish their schooling at their school where they live, rather than moving away.

As a result, direct retention from year 10 to year 12 has jumped almost 5 per cent since 2019, to 76.1 per cent, the highest on record in Tasmania. The attainment rate for Tasmanian Certificate of Education has increased by 9.2 per cent since we came to Government.

We are delivering a nation-leading education adjustments funding model to support students with disabilities through record spending in 2022 of \$137.2 million, resulting in 2000 additional students being supported. We have also committed \$24 million in the 2022-23 Budget and over the forward Estimates towards our model for supporting students impacted by trauma. We have introduced the teaching of phonics in every government primary school and are providing free access to speech pathologists, psychologists and social workers in every child and family learning centre.

The Government is proud of its record in lifting educational outcomes in Tasmania, but we know there is more to do. Earlier this year, the Premier announced our intention to deliver universal access to early learning in the year before kindergarten for every Tasmanian child, to help set them up for a great start in life and in learning.

As a first step, our department has conducted a request for information to expand the highly successful Working Together program from 2024, in partnership with early childhood education and care providers. We are now working on plans to deliver universal access to early learning for all Tasmanian three-year-olds in collaboration with the early childhood sector, CFLCs, libraries, schools and the Tasmanian community and we will provide further detail on the pathway for that before the end of the year.

This Government has a proud track record of investment and reform in education of Tasmanian children and young people and we will continue to ensure they get the best possible start in life and opportunity to reach their full potential.

### **Teachers Strike Action - Government Response**

#### **Ms DOW question to PREMIER, Mr ROCKLIFF**

[10.55 a.m.]

Day-in and day-out, Tasmania's teachers turn up for work for less pay than any other teacher in the country. They do so out of dedication to help shape our state's future leaders. They deal with increasingly challenging behavioural issues with limited support, as do our teacher's assistants, who are stood down without pay for three months each year.

Instead of a commitment to work with school staff to resolve even some of the many challenges they face, again today, we have heard another appalling attack by the Education minister, on Tasmania's teachers and school staff who took strike action yesterday. Do you condone these appalling attacks by your Education minister?

#### **ANSWER**

Mr Speaker, I thank the member for the question. I utterly reject that. I have always been very complimentary about our teachers and our teaching workforce, and always will. Mr Jaensch has just outlined the resources that we have put into our schools over the course of

the past eight years being in government, including the bilateral we signed which had growth funding in our education system, the public system, a higher growth rate than our private system.

This is very different from when you were in government and almost, I think, signed the bilateral agreement or agreements on Gonski 1.0 where you had a higher growth rate of funding going into private schools. I do not know how a Labor-Greens government, nationally and state, could actually do that -

**Ms Dow** - You have not answered the question. I do not know why you will not answer the question.

**Mr SPEAKER** - Order, member for Braddon. Your colleague has already been asked to leave.

**Mr ROCKLIFF** - I find that quite extraordinary. I know you are aware of it because you are quiet and I can tell from the look on your faces.

**Mr WINTER** - Point of order, Mr Speaker. The first thing is the member should speak through the Chair. The second thing he is inciting interjection. You warned us all and you have already kicked out two of our members. I would like you to ask the Premier to uphold the Standing Orders and direct his response through you and not incite interjections.

**Mr SPEAKER** - Order. I will do that and I will ask the Premier to also do that. I hope that every member in this Chamber understands the Standing Orders. Inciting a response does not mean that you have to respond. If you could show some maturity and listen to the answer rather than constantly interjecting, I would appreciate it. Premier, if you could direct your responses through the Chair.

**Mr ROCKLIFF** - Absolutely, Mr Speaker, I will do that. When it comes to the resources in our schools, I am aware of the complex environment with our schools. That is why we have 435 more FTE teachers than when we came to government and it is why we have more support staff including our school nurses. which we reintroduced in 2014 when the previous Labor government got rid of them, which is a great shame. We have rebuilt our school nurses and they are a wonderful resource in our schools.

More teachers, more support staff, greater investment when it comes to a fairer funding model for the Gonski 2.0 agreement where we are supporting the schools that we value, those extra resources around Tasmania, building an education system based on equity. We recognise for many children, there are barriers to learning. One of those barriers is trauma and we have made an investment into trauma-informed practice and into a nation-leading funding model and system to support our students with disability. We need to work and continuously improve that. I am well aware of Kristen Desmond's advocacy and I thank Kristen for the work that she has done in building up and designing that investment and that program. No doubt we can further improve, enhance and support our students with disability.

It is about breaking down barriers to learning but it is also ensuring that we have a very good environment to learn within our schools as well. That is why it is important that we acknowledge and invest in student wellbeing. That is why we have our own wellbeing unit within the Department of Education, Children and Young People. That is why we do listen to

the voices of young people when we survey our young people from year 4 to year 12 every year.

Then we can work through school by school and across Tasmania where we can apply the resources where they are in greatest need, and work with our teachers when it comes to a fair and affordable pay rise as well, one that does not break the bank. When you break the bank and you break the budget -

**Ms O'Byrne** - But it is not just teachers. Are you not listening? It is about more than pay rises. They made that clear.

**Mr SPEAKER** - Order.

**Mr ROCKLIFF** - you cannot support further resources and programs into our school system. You break the bank, like you did between 2010 and 2014.

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

**Mr ROCKLIFF** - You cannot apply resources to school nurses and school psychologists and other essential support staff within our schools but we will always work alongside and with our teachers, and always be very complimentary on the work they do, often under very difficult circumstances.

### **NRL and A-League Matches in Tasmania - Costs**

**Mr WINTER question to PREMIER, Mr ROCKLIFF**

[11.02 a.m.]

In response to a question in the other place, you were forced to admit you expect to have to pay up to \$500 000 for each NRL match that you plan to host at your new \$750 million stadium in Hobart, and up to \$200 000 for every A-League match. Given your apparent plan to host seven NRL matches and six A-League matches each year for the next 25 years, that is \$125 million in subsidies for NRL and A-League matches.

For that amount, you could hire an extra 50 teachers for our schools every year for the next 25 years. You could build 600 new houses for families who currently have nowhere to go. You could establish 24/7 ambulance stations for some of our fastest growing towns and suburbs.

How did you get your priorities so wrong that you are planning to spend \$125 million on NRL and A-League matches when our essential public services are under unprecedented pressure?

**ANSWER**

Mr Speaker, I thank the member for his question. Who is the shadow minister for sport over there?

**Mr Winter** - In the other place.

**Mr ROCKLIFF** - Right, they must love you, because you have just lampooned the investment we are making now into sporting infrastructure and all the investment we are making to support communities, levelling the playing field. What you are implying is ridiculous rhetoric and devoid of the facts as well when it comes to our investment in the public service. We have employed an extra 1500 full-time equivalent nurses or health staff since July 2020. We have increased teacher numbers by 435 FTEs since 2014, professional support staff of school health nurses - an extra 100 positions since 2014.

We also have an extra 329 police officers which will bring Tasmania to a record number of 1449 by July 2026. When you took out resources when you were last in government - I think from my understanding you got rid of 108 police officers when you were in government because you could not manage a budget -

**Ms BUTLER** - Point of order, Mr Speaker, point of order under standing order 142, proscribed content of speech (e) digress from the subject matter under discussion - and the Premier is also inciting interjection again.

**Mr SPEAKER** - The member may resume her seat. As has been mentioned in this Chamber before, there was an expansive preamble to the question and that quid pro quo is therefore allowable to the one answering the question. I will allow the Premier to continue his contribution.

**Mr ROCKLIFF** - Thank you, Mr Speaker, I will wind up now. Labor is conveniently forgetting their commitment to a stadium at the last election - a rectangular stadium holding a capacity of 10 000 to 15 000 people, suitable to host professional football and rugby, along with helping attract other sporting and live music events to the state.

The word 'hypocrisy' comes to mind, Mr Winter, very clearly. If I was you over the course of the next few days, I would get the big folder of past media releases and look around and see what you promised at the last election.

**Opposition members** interjecting.

**Mr SPEAKER** - Order.

**Ms Finlay** - What about when you promised Tasmanian power price cuts?

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

**Mr ROCKLIFF** - If you did your research on your own policies, you might not be so embarrassed as you look right now.

**Members** interjecting.

**Mr SPEAKER** - Order, order. The House will come to order.

**Mr WINTER** - Point of order, Mr Speaker. The point of order is in terms of going through the Chair with a response. The Premier is directing questions to me. You have asked me not to interject any further or you will remove me from the Chamber, so I am in a tight spot here, Mr Speaker.



**Mr SPEAKER** - As everybody knows, of course, there are always rhetorical questions from the Government. There is no need for the Opposition to answer those questions and it is against the Standing Orders for the Opposition to answer those questions. If the answer is not the way you wish it to be then you can always ask another question - not today - but on another day.

**Mr ROCKLIFF** - I know the member does not like being in a tight spot. The Greens put them in a very tight spot yesterday when they wedged you on your \$2.4 billion black hole.

The member speaks about impacts on the budget but that is around \$4200 of new taxes for every man, woman and child in Tasmania that will have to be raised to support your new wages policy, Mr Winter. I suggest that you, one, do your research on budget management, and two, look through your media releases over the course of the last couple of years and you might learn something, including your passionate support for a stadium at the last election.

### **Risdon Prison - Use of Surveillance Devices**

**Mr WOOD question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr ELLIS**

[11.09 a.m.]

Can you provide an update on the progress of the Tasmania Police review of the use of surveillance devices in Risdon Prison?

#### **ANSWER**

Mr Speaker, I thank the member for Bass for his interest in this really important matter. It is of paramount importance that the community has faith in our police officers and that they operate within the boundaries of the law. As I have previously advised the House, I have asked for a report from the Commissioner of Police in relation to the 2017 surveillance device use at Risdon Prison. As announced by the former Commissioner of Police, Mr Michael O'Farrell SC will complete the review for the use of surveillance devices in prison. The Government is committed to full public scrutiny of this matter and to this end I tabled the terms of reference for the review on 29 September 2022 in this House.

As part of progressing this broad review, a provision of the Police Powers (Surveillance Devices) Act 2006 currently prevents the sharing of relevant information to allow for the review. This is because the information is considered protected information under the act. As a result, an amendment to the act is required to remove the outdated provisions which prevents the necessary transparency for the review. I have asked the Attorney-General to make any legislative amendments necessary to the act to allow the review to be undertaken.

These amendments will also ensure future reviews are able to be undertaken in proving transparency and accountability of Tasmania Police. An amendment to the act will ensure that the protected information can be released and Mr O'Farrell SC to undertake the review so that the review can be progressed in full at the earliest opportunity.

Our Government has a record of improving transparency provisions in outdated legislation to allow for open and transparent reviews to be undertaken. For example, both

commissions of inquiry undertaken in Tasmania have required amendments to the Commission of Inquiry Act 1995. As a result, while this necessary work is being progressed, the review will no longer be able to be completed by 31 December 2022. Therefore I will today table amended terms of reference that include a revised date to mid-2023 for both the review and the report to be completed and provided to government. This revised timeframe takes into account the time required to make this important legislative amendment and to conduct the review. As mentioned previously, I will table the report in full in parliament on its completion.

**Time expired.**

## **RESPONSE TO PETITION**

### **Masks in Health and Care Settings - Reinstatement**

**Mr Rockliff** tabled the response to a petition presented by Ms O'Connor on 16 August 2022:

- Petition No. 11 of 2022 - See Appendix 1 on page 115.

## **CLIMATE CHANGE (STATE ACTION) AMENDMENT BILL 2022 (No. 63)**

**Bill returned from Legislative Council with amendments.**

**Mr JAENSCH** (Braddon - Minister for Environment and Climate Change) - Mr Speaker,  
I move -

That the message be taken into consideration at a later hour.

**Motion agreed to.**

## **LOCAL GOVERNMENT AMENDMENT (CODE OF CONDUCT) BILL 2022 (No. 52)**

### **First Reading**

**Bill presented by Mr Street and read the first time.**

## **ELECTRICITY SUPPLY INDUSTRY AMENDMENT (CAP POWER PRICES) BILL 2022 (No. 53)**

### **First Reading**

**Bill presented by Mr Winter and read the first time.**

## SITTING DATES

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

That the House at its rising adjourn until Tuesday 22 November at 10 a.m.

**Mr WINTER** (Franklin) - Mr Speaker, I am not exactly sure how the Leader is planning to structure this but I need to put on record in relation to today's proceedings. We criticised the Government yesterday for a lack of ambition with its legislative agenda and I think that is fair and reasonable.

Today, it has put four bills on the Blue which seems to be an ambitious day. I put on the record that we are very keen to deal with all these matters today. All of these are very important. We know the Government has made a commitment to increasing the size of parliament to 35 members. The Premier has made that a priority of his. We are happy to deal with that but we also want to see that we get through these very important matters, the Electrical Disclosure and Funding Bill and Electoral Matters Bill, both of which we see as issues that do go hand-in-hand with the increase in the size of parliament.

If we are going to do parliamentary reform or the reform of Tasmania's democracy, we should not just increase the size of parliament and add more politicians to this place. We should also ensure that we have proper legislation to ensure our elections are done with electoral donation laws which are consistent with other states and territories which have had laws like this for a very long period of time. We are very keen to see that these matters are dealt with today and we expect the Government will allow the parliament and the House to deal with these matters today because we think they are very important and go hand-in-hand with the increase in the size of parliament.

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, the first thing I would say to Mr Winter is it is not 'increasing' the size of parliament. It is restoring the numbers to what they were in 1998.

**Mr Winter** - They are both the same thing: 35 is more than 25.

**Ms O'CONNOR** - No, they are not the same thing. You can be dismissive about the importance to democracy and good governance at restoring the numbers, but we certainly will not be.

**Opposition members** interjecting.

**Mr SPEAKER** - Order. The Leader of the Greens has the call. No one else in the Chamber should be speaking.

**Ms O'CONNOR** - Thank you, Mr Speaker. We are very happy to sit until all of these bills are passed but if we are going to get through the two electoral bills in this day's sitting then we will be here until dawn. We will, because we have circulated amendments to the Electoral Disclosure and Funding Bill and I think there is an updated set of amendments that will be circulated from us. I am keen to understand whether the plan is for us to get through all the two electoral bills, and I agree that it is important that the House deals with them this year.

The bills that we have before us from Government are deficient and would still leave Tasmania with the weakest electoral laws and donation disclosure laws in the country. There will be amendments put forward and the debate will be long. If we could have an idea from the Leader of Government Business in the House what the plan is, it will help people who work in this building including people in this Chamber to let their families know whether they will be home after midnight or before dawn.

**Mr STREET** (Franklin - Leader of the House) - I will address that in a minute.

**Motion agreed to.**

### **SITTING TIMES**

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

That for this day's sitting the House shall not stand adjourned at 6 o'clock and the House continues past 6 o'clock.

I am genuinely not trying to play games with what we have listed here today.

The intention is that the supplementary appropriation and the expansion of parliament bills will be done to completion. We would also like to bring on the message that we just received from the climate change bill between those two bills. We will do supplementary appropriation then bring on the climate -

**Ms Haddad** - You could do a cognate bill.

**Mr STREET** - Sorry?

**Ms O'Byrne** - You could do a cognate for the electoral ones. That would make it quicker.

**Mr STREET** - Yes. We will bring on the supplementary appropriation, take that to completion. We will then deal with the message we received from the Legislative Council on the five amendments from the Legislative Council and climate change bill, and move to the expansion of parliament. It was my intention to then judge where we were at timewise and to liaise with Ms O'Connor, Mr Winter and Ms Johnston - obviously Ms O'Byrne is not here - about the timing because we would like to complete the electoral disclosure bills.

I have also been made aware, with us wearing the poppies, that it is Remembrance Day tomorrow and northern and north-west members would like to be back in their electorates for ceremonies tomorrow.

It is my intention we will get through those first three matters and then I will liaise with the three of you about where we are at timing wise and how much we think we can get done on the electoral disclosure bill. The reason that the miscellaneous bill was listed is that they basically go together. We did not want to just list the one; we listed them both together not necessarily expecting that we would get through.

**Ms O'Connor** - We might get through the end of the second reading.

**Mr STREET** - Exactly right. If we get through the second reading, we will make a judgment depending on the time whether we go to Committee or whether we do it next week.

**Ms Haddad** - Just noting that even if we only get to the second reading stage of the electoral matters bill, it is my understanding it will not get to the Legislative Council this year.

**Mr STREET** - No.

**Ms Haddad** - Just a suggestion, I am not sure it is even possible, but whether a cognate debate could be considered - the two electoral donation-related bills.

**Ms O'Byrne** - Historically, we would do them as a cognate bill.

**Mr STREET** - I will take advice on that and will talk to you about that.

**Ms O'Byrne** - We could also look at some pairings for those northern members who have to go so that we can finish the day.

**Motion agreed to.**

## **MOTION**

### **Government Businesses Scrutiny Committee - Establishment**

[11.22.a.m.]

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

That the House of Assembly appoint a Government Businesses Scrutiny Committee, with leave to sit on 1 and 2 December 2022 to inquire into Government Businesses (GBs) in accordance with the following schedule and rules.

For 2022 the following Government Businesses are allocated to the Committee as detailed below:

Thursday, 1 December 2022	Sustainable Timber Tasmania: 0900-1200 (3 hours) TT-Line Company Pty Ltd: 1200-1300, 1400-1500 (2 hours) Tasmanian Ports Corporation Pty Ltd: 1500-1700 (2 hours)
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Friday, 2 December 2022	Public Trustee: 0900-1000 (1 hour) Hydro Tasmania: 1000-1300 (3 hours) Tasmanian Networks Pty Ltd: 1400-1700 (3 hours)
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## Membership of the Committee -

- (1) The Committee shall consist of six Members appointed by the House as follows:  
  
The Chair of Committees (Chair);  
Mrs Alexander (Deputy Chair);  
Mr Wood  
Two Members nominated by the Leader of the Opposition; and  
One Member nominated by the Leader of the Greens.
- (2) During sittings, substitute Members may be allowed.
- (3) If a vacancy occurs in the membership of a Committee, the Speaker may nominate a Member in substitution, but in so doing has regard to the composition of the Committee appointed by the House.
- (4) A Committee may proceed with business despite a vacancy in its membership.
- (5) The Chair of a Committee has a deliberative and a casting vote.
- (6) The quorum of a Committee is four of whom one is the Chair of the Committee or Deputy Chair.
- (7) If at any time a quorum is not present, the Chair will suspend proceedings of the Committee until a quorum is present or adjourn the Committee.
- (8) Any time lost for lack of a quorum shall be added to the time allocated to that session.
- (9) Members of the House who have not been appointed as Members of the Committee, may participate in proceedings by asking questions, but not more than two in succession; and may not vote, move any motion or be counted for the purposes of a quorum.
- (10) The responsible Minister and Chairperson of the Board of a GB shall be examined before a Committee for a maximum period of four hours.

## Sitting Times

- (1) The Committee meets only in accordance with the time-table adopted by the House or as varied by the Chair.
- (2) A one hour period shall be provided each day at the discretion of the Chair for the purpose of a luncheon break.

- (3) The Committee may sit only when the House is not sitting.

## Hearings

All hearings of the Committee are open to the public except that any evidence stated by a witness to be of a commercially sensitive or confidential nature shall, if requested by at least one Member of the Committee, be heard in camera. Any such evidence shall not be published or in any way divulged by any Member of a Committee or any other person unless the Committee recommends it to the House and the House resolves that the information be made public.

## Proceedings of a Government Business Scrutiny Committee

- (1) When the activities of a GB are to be examined at a Committee hearing it shall be represented by the responsible Minister and the Chairperson of the Board.
- (2) Questions may be put directly to the responsible Minister and the Chairperson of the Board.
- (3) A Committee may ask for explanations relating to the activities, performance, practices and economic management of the GB.
- (4) The witnesses who are asked for explanations may be assisted where necessary by other officers of the GB in the provision of factual information.
- (5) Officers may answer questions at the request of the responsible Minister but shall not be required to comment on policy matters.
- (6) Time limits of one minute for a question and three minutes for an answer shall apply in a Committee.
- (7) Questions may be asked on a ratio of two Opposition, one Green, and one Government or in such form as the Committee determines.
- (8) A witness may advise a Committee that an answer to a question, or part of a question, will be given later to that Committee, and where possible that Committee sitting day.
- (9) Additional information may be provided to a Committee about an answer given.
- (10) Additional information -
  - (a) is to be written;
  - (b) given by a time decided by a Committee; and

- (c) may be included in a volume of additional information laid on the Table of the House by the Committee.
- (11) If any Member persistently disrupts the business of a Committee, the Chair
- (a) names the Member;
  - (b) if the Member named is a Member of the Committee, suspends the sittings of the Committee until he or she has reported the offence to the Speaker; and
  - (c) if the Member named is not a Member of the Committee, orders that Member's withdrawal from the sittings of the Committee until he or she has reported the offence to the Speaker;

as soon as practicable, the Chair advises the Speaker who then gives notice that the Member of the Committee be replaced.

- (12) If any objection is taken to a ruling or decision of the Chair,
- (a) the objection must be taken at once and stated in writing;
  - (b) the Chair, as soon as practicable, advises the Speaker who makes a ruling on the matter; and
  - (c) the Committee may continue to meet but may not further examine the matter then under consideration.
- (13) Television coverage will be allowed, subject:
- (a) to the foregoing provisions contained under “Hearings”; and
  - (b) to the same guidelines that apply to televising of the House of Assembly itself.

#### Transcript

An unedited transcript of Committee proceedings is to be circulated, in a manner similar to that used for other Committee transcripts, as soon as practicable after the Committee's proceedings.

Evidence taken *in camera* shall be printed on coloured paper and shall only be circulated to the Committee Members and shall not be divulged in any way to any other person.



## Reports of Committees

A Report of the Committee is to be brought up by the Chair or the Deputy Chair to the House and shall be the transcript of the public hearings and the minutes of the meetings of the Committee.

### Leave for ministers to Attend LC Committee

And that the House of Assembly give leave to Ministers of the Crown who have relevant portfolio responsibilities to attend any similar Committee established by the Legislative Council if requested by that Committee as follows:

Tuesday, 29 November 2022	Hon Michael Ferguson MP
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Wednesday, 30 November 2022	Hon Madeleine Ogilvie MP Hon Guy Barnett MP
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Mr Speaker, I am not in the business of standing here handing out compliments to those opposite, but the negotiation of this particular schedule was done while I was on leave from my office and the staff in my office wanted me to put on the record of the parliament their thanks to both Mr Winter and Ms O'Connor for the collaborative way they worked with them -

**Ms O'Connor** - They were so good. They were terrific.

**Mr STREET** - on getting a schedule that everybody - I know you would like hours for every GBE - but within the constraints of what we have, I believe we have a schedule that everyone is relatively happy with. I thank you both for that.

[11.23 a.m.]

**Mr WINTER** (Franklin) - Mr Speaker, I agree. I was very pleased with the outcome and appreciate the willingness of the member's office to work with us to get the best outcome for the House.

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, it was a genuine pleasure to deal with the minister's office in his absence and to have a negotiation process -

**Mr Street** - It does tend to work better when I am not there apparently.

**Ms O'CONNOR** - I will say, for the record, that minister Street in his role as leader of government business genuinely approaches things in here in a constructive and collaborative way and a kind way. It is very much appreciated.

We also appreciate the fact we did not have to, this year, enter into a tussle with Labor over who wants what. Labor made its requests, and we made ours. The minister's office was able to accommodate those requests. We are very happy with how the GBE schedules panned out, even though, as the minister says, we would love more time on some of these big GBEs.

I raise the issue of what happens with the Independents in the schedule. In previous GBEs and Estimates hearings, when we have the motion to establish the committees, there is an understanding about what access or rights the Independents will have at the table. Perhaps you could, for the House and the Independents, provide some clarity on that, minister.

**Mr STREET** (Franklin - Leader of the House) - Mr Speaker, my understanding is that the Independents will be dealt with in exactly the same way as they were at Budget Estimates - which is, they are entitled to ask questions when they are in the room. It is up to the Chair and the committee of the day to decide on what basis.

I expect there to be the same informal process that was in place for Budget Estimates. If I recall correctly, when the Independents came into the room they waited for one rotation of questions and they were then entitled to ask a question and a follow-up -

**Ms O'Connor** - Pretty much.

**Mr STREET** - or allowed to ask a question and a follow-up, but no more than two questions in a row from an independent, then go through the rotation again. If the Independents are still there wanting to ask more questions, they can participate that way.

**Ms O'Connor** - Thank you.

**Motion agreed to.**

## **QUESTIONS ON NOTICE**

### **Outstanding Answers**

[11.25 a.m.]

**Ms O'BYRNE** (Bass) - Mr Speaker, I draw your attention to Standing Order 49, and seek your support and advice.

A number of questions on notice have been on notice longer than the 15 sitting days. They have been identified. Depending on whether you assume day one is day one of the 15 days from the day they are printed, or the second day, there are between nine, and potentially, 20 questions that have yet to be answered by ministers.

We have an agreed timeframe and I seek that you write to the ministers to ensure that this information is provided, particularly because many of the questions on notice have been recommitted on notice after the Government prorogued parliament last time. We have been waiting for quite some time and who knows whether we will be prorogued in the next week.

**Mr SPEAKER** - You have brought this to my notice and the notice of the Chamber. Thank you for doing that. I will take some advice on the issue and get back to you.

**Ms O'Byrne** - I hope you will have the answers next week, Mr Speaker.

## **MATTER OF PUBLIC IMPORTANCE**

### **Strong Economic and Budget Management**

[11.27 a.m.]

**Mr YOUNG** (Franklin) - Mr Speaker, I move -

That the House take note of the following matter: strong economic and budget management.

The Tasmanian Liberal Government has a strong record on economic and fiscal management. Tasmanians well-remember the dark days under Labor and the Greens, when the Tasmanian economy went backwards. Unemployment ballooned to nearly 8 per cent, and businesses were forced to close. This Government came to office with a comprehensive plan to rebuild Tasmania's budget and to rebuild our economy. We have consistently worked to deliver on our plan and in the 2018-21 term of office we brought forward even more innovative measures to stimulate business and investment, to grow employment and to support our economy.

Yesterday we saw that Labor was proposing an extra \$2.4 billion over the forward Estimates in spending, to be added to the Budget. Given we are not likely to see an alternative Budget from Labor any time soon, I thought it was appropriate to wonder where they might cut spending on essential services to pay for this - because that is their record.

Will it be from health, where this Government has record funding of \$11.2 billion over the next four years? As the Premier said, that is \$7.25 million per day, on average.

Will it be in education, where we have increased teacher numbers by 435 full-time employees since 2014? The Rockliff Government is investing \$8.5 billion in four years. They are investing \$250 million in infrastructure investment for new and upgraded schools, and over \$100 million to transform TasTAFE. Not only are we investing for now, but by investing in schools and TasTAFE, we are training the workforce of the future.

Mr Speaker, will housing be the essential service that will be cut? This Government is prioritising housing by spending \$1.5 billion over the next 10 years.

Will they cut police again? Having strong financial management means we can focus on policing community safety, with additional police officers. We now have our highest ever establishment of 1368 members. We have upgraded police houses. We have new and additional funding of more than \$700 million since 2014.

The fact is, we will never know, because we will never see an alternative budget from Labor and so, I guess we keep on wondering how will they pay for their extra \$2.4 billion in spending.

Having strong economic management also helps us deliver for all the economy. I know the Minister for the Arts, Ms Archer, is extremely proud of our investment into local screen production. Driven by our Government's \$3 million Screening Innovation Fund, Screen Australia's Annual Drama Production Report has confirmed Tasmania has experienced a record period of activity in screen production. The average annual expenditure in Tasmania, across

two years from 2021 to 2022, has reached a record \$21 million on the production of eight titles: a significant increase in the average annual spend. This is a reflection of the significant growth in screen production in our state and of our strong commitment to the industry. It has continued to recover from the impacts of COVID-19.

This shows that having strong investment and a strong economy relates to direct employment for Tasmanian actors, crew and service providers, accommodation and transport and the use of Tasmanian equipment and locations.

In addition to these direct financial benefits there are also significant indirect benefits from global audiences, people who are able to experience the state's remarkable and unique locations, landscapes and lifestyle through screen as well as added benefits that come through this exposure for our cultural tourism industry, as well as the export and sale of the programs themselves.

Without a proper budget, how can you show Tasmania what your priorities are? It is clear that our plan is delivering results. Employment is at record levels with around 33 000 jobs created since March 2014. Unemployment is at 4.3 per cent and female employment in September 2022 was 128 800, which is 4800 more than this time last year. It is the highest level of female employment on record. State final demand grew 5.8 per cent in the 2021-22 year compared with the previous financial year. This was the strongest growth of all states and is significantly better than the 2021-22 budget forecast of 3.75 per cent. It shows our plan is working. State final demand for four quarters to June 2022 are the strongest four quarters on record at \$40.3 billion. These are fantastic results driven by solid growth in consumption and investment across both public and private sectors.

Tasmanian investment continues to grow. In June 2022 private and new capital expenditure increased by 6.5 per cent compared to June 2021. It is the strongest of all states. Investment has been recovering strongly thanks to our plan: up 16.3 per cent since the beginning of the pandemic and 65.3 per cent compared to when we were elected in March 2014. Exports are at near record highs. Retail trade has hit another record high, with total turnover of \$707 million in September, 6.1 per cent higher than the year before. The strong economic record and performance under the Tasmanian Liberal Government is in clear contrast to the economy under Labor and the Greens.

I feel compelled to speak about the value of small business in the economy to Tasmania. Tasmanian small businesses make up 97 per cent of all Tasmanian businesses. In 2021 that increased by 3.7 per cent. Because of the Government's support and the Government plan, Tasmanians had the highest survival rate in Australia after COVID-19. Of the Tasmanian businesses operating in June 2017, almost 67 per cent were still operating in June 2021. I would like to note a couple of small businesses in the Huon area that do a great job. Johnno from Huon Delivery Service helps keep the Huon moving. Vanessa and Brett of News Express Kingston are an important part of the Kingston community.

Responsible budget management enables us to afford to support vulnerable Tasmanians when they need it with cost-of-living pressures and additional food relief and to invest in innovative new services and job-creating infrastructure.

**Time expired.**

[11.34 a.m.]

**Dr BROAD** (Braddon) - Mr Speaker, I am not surprised about the topic today. I am surprised that the made-up figure the Government was spouting during question time did not get a bigger run. The argument the Government is making about a \$2.4 billion black hole is made up. We call this a straw man argument. For those on the opposite side of the Chamber, a straw man argument is when somebody distorts or exaggerates a point made by their opposition in some extreme way or, if I go into a bit more detail, exaggerating, misrepresenting, or in cases just like this, fabricating someone's argument to make it much easier to present their own argument as being reasonable. They are trying to justify the unjustifiable.

This is a kind of dishonesty in political argument that serves to undermine rational debate. This whole argument is built up around a fake number and what that fake number would mean for public servants, instead of addressing the real issue. Why were thousands of people striking yesterday? Teachers do not strike easily, so why are they striking again? Why were they on the lawn?

If that side of the Chamber was listening to what those teachers and paramedics and other public servants had to say, maybe they would be having a different debate in this place. That side of parliament cannot get the job done. They negotiate by deflecting, blaming us, then delaying, threatening and being dismissive. It simply does not work. That is why public servants all over the state were striking yesterday. They were striking in Launceston, they were striking on the lawns of parliament in Hobart, they were striking in Devonport, and they were striking in Burnie. Yet, that side of the parliament makes up a stupid number, then tries to deflect instead of addressing the real issue.

Why is it that public servants are not only talking about wages? Another straw man argument the Government puts up is that all they want is wage increases. That is not all they want. They want a fair wage increase, but they also want better conditions. They do not want teachers coming home stressed. If you listened to some of the speeches, they talked about the way teachers come home and feel like they have nothing to give to their own families because of the excessive workload, because of the stress, because of the things that this Government is not fixing. They are not fixing problems.

Kids are not getting their early assessments now because of the problems with CHaPS and people who have resigned not being replaced. Those kids are going to school with behavioural problems and undiagnosed conditions that are not being helped because there are no social workers and there are no psychologists. There are not enough of them and the ratios are all screwed. Teachers are getting paid \$5000 a year less than their Victorian counterparts. The Victorians are offering a sign-on bonus. They will pay more than Tasmania and more than likely the cost of living will be lower in Victoria.

This Government completely ignores that problem. It throws up these stupid straw man arguments and asks about our alternative budget? What about Peter Dutton's alternative budget? Where was that? Hypocrites, hypocrites. He did a two-page speech. Where was his alternative budget? Where is his plan for Australia? You just run these dumb arguments instead of addressing the real problem. Our public servants are striking because you are completely ignoring them.

This Government cannot get the job done. It asks what we would do? Well, get out of our way. If you do not want the job, move over to this side. We will get over there and we

will get the job done. We will negotiate in good faith. We will not ignore their concerns. We will not pretend this is all about wages. We will not pretend that our ambulance drivers should not be able to leave on time. They are doing massive overtime. The industrial action of ambulance officers was leaving on time. Is it right that ambulance officers have to do overtime because they are stuck in an ambulance, stuck on a ramp, trying to keep the patient healthy the best they can because the hospitals are clogged, because you are not addressing the problems of ramping, the problems of bed block?

**Mr SPEAKER** - Dr Broad, if you could address your comments through the Chair. You were not in the Chamber at question time but I took a point of order from your colleagues who asked members to address through the Chair, rather than to incite. I will remind the Government members of the comments. It is inappropriate and against the standing orders to get excited or be inciting. If you could continue, Dr Broad, through the Chair.

**Dr BROAD** - Thank you, Mr Speaker. What they will not talk about is what people are actually after. Of course they want a pay rise, but what about improved conditions? What about pay parity with mainland workers? The teachers are seeking to address understaffing and overwork. The ambulance workers are seeking to address understaffing and retention. Retention is a massive issue across the public service that you are completely ignoring.

There is a personnel drought across the country. The unemployment rate is low, yes, and that is why states are coming here and poaching, because you are not treating your staff properly. That is why you are giving them all these incentives to move. They even had a photo of the Premier, Mr Rockliff, done up like he was a travel agent, giving people a ticket to the mainland because that, in effect, is what you are doing. You are saying you do not value your public servants because you treat them awfully.

The paramedics did something they have never done before. Yesterday, as part of their strike action, they did not attend priority 3, priority 4 or low-priority jobs between 1 p.m. and 4 p.m. They have never done that before. Why did they do that? They did it because this Government is completely focused on the wrong things. They are making up stuff instead of getting on with the job and doing what they should be doing.

**Time expired.**

[11.41 a.m.]

**Mr WOOD** (Bass) - Mr Speaker, it is pretty fair to say that Labor's reckless and unsustainable \$2.4 billion wages policy would wreck the budget and saddle Tasmanians with a massive level of debt. Either that or Labor has a secret plan to massively jack up taxes. That \$2.4 billion would equate to more than \$4200 for every man, woman and child in Tasmania. If Labor thinks that this is a prudent financial management, then Dr Broad should explain to the House how they will pay for it if they were in government, God forbid.

Would they raise taxes by increasing land tax, driving up rents -

**Mr SPEAKER** - Member for Bass, through the Chair.

**Mr WOOD** - forcing the sale of the family shack? Would they increase payroll tax, adding to the cost of doing business in Tasmania and threatening employment or would they cut services? Labor has form on this. Under the last Labor government, those opposite sacked

a nurse a day for nine months and discriminated against our brave Tasmanian Police Service. That is Labor's approach to managing the budget.

On a happier note, Tasmania is again leading the nation in economic performance indicators and proving that our long-term plan for Tasmania is not only working but going from strength to strength. Considering where we have come from in being previously called the economic basket-case of the nation, Tasmania is stepping into the light and showing the big island that we are serious about delivering on our promises. Tasmania has achieved consistently high levels across all indicators, with particularly strong growth in equipment spending and housing finance.

Economic growth for our state has a direct benefit to the people. Essentially, the advantages of economic growth result in higher living standards, higher real incomes and the ability to devote more resources to areas like housing, health care and education. We want every Tasmanian to have opportunities. We want people to be able to develop valuable relationships, find meaningful work, achieve a sense of belonging and find a happy balance in their life. We want them to be able to leave a legacy and to be proud of what they have accomplished. Not only do we want to meet their needs and wants, but we want them to flourish to be able to grasp those goals, to start that new business, to expand on their dreams, to have a family, to own their own home. Whatever those hopes look like for each individual, we want Tasmanians to be able grasp them with both hands.

We have said many times in this place, that we want every Tasmanian to have a roof over their head. Recent building activity data published by the ABS shows that our housing industry continues to address this issue and deliver for Tasmanians, with the level of construction activity near record levels.

In the year to June 2022 there was an average of 3000 dwellings under construction, which is 16.2 per cent higher than previous years. Over the same period there were nearly 3600 dwellings completed, which is a massive 16.9 per cent higher than the 2021 year and the strongest four quarters of completion since March 1995.

We have said we want everyone to have work opportunities. Our total labour force is now 278 000 people, which is 24 000 more than when we were first elected in 2014, thanks to the very strong population growth Tasmania has experienced under our Government. With the reduction in unemployment since the disastrous days under Labor, the total level of employment in September hit a new record of 266 200 Tasmanians employed, with 5400 more people in work over the last year.

We also hit a new record of female employment, with 128 800 women in work, which is an increase of 4800 over the last 12 months. There is now a staggering 33 100 more Tasmanians in jobs since March 2014, of which nearly two-thirds are full-time. Indeed, in addition to record total employment, record female employment and record labour force, September also marked a new record for full-time employment, with 171 600 Tasmanians in full-time work.

Our state offers world-class gastronomy, spectacular natural environment, arts and unique culture. Already this is being reflected in the state's strong growth in the last 12 months for spending on accommodation, cafes, restaurants and retail.

Small business makes up 97 per cent of all Tasmanian businesses. Small businesses employing 19 or fewer people make up that 97 per cent of businesses in the state. They are a critical part of our economy and will continue to play a significant role in the state's economy and recovery.

The Rockliff Government understands this. We know our job is to enable, empower and create opportunities. We want to foster an environment for small businesses to have powerful opportunities to give their best. Our aim is not to hinder or clog up the industry with red tape and frustrating policies. We are purpose-driven to listen to the needs of industry, to do the groundwork required to put the right policies in place at the right time, and then to get out of the way. We want new businesses and small businesses to truly reach their potential.

There is no doubt the business landscape will continue to evolve and change, but by working together we can ensure Tasmania's small business community will be in the strongest possible position to respond to whatever challenges will come our way. That is why it is so encouraging to see the CommSec State of the State report reflecting the growth that we have envisaged as a government for Tasmania. We know there is always more to do but we are wholeheartedly committed to seeing this beautiful state flourish, grow and provide its people with every opportunity possible.

#### **Time expired.**

[11.48 a.m.]

**Mr WINTER** (Franklin) - Mr Speaker, I genuinely thank Mr Young for bringing this important topic to the table. It is a good opportunity for both the shadow treasurer and me to provide some insights for government backbenchers on what is actually going on with the Tasmanian budget and the Tasmanian economy.

Mr Young talked about responsible budget management. I wonder if Mr Young knows that this year's Budget predicted the largest deficit in Tasmanian history, over half a billion dollars deficit for this financial year. I wonder if he knows that was a record and it beats the record from the previous financial year that his Government delivered. I wonder if he knows that budget deficit beats the record that this Government delivered the year before, and I wonder if he knows that it beats the record deficit that this Government delivered the year before that.

I wonder if he knows that Treasury, in its Fiscal Sustainability Report, is predicting that by 2035, debt delivered by this Government could reach \$30 billion. I wonder if he knows any of that. I wonder if any government backbencher actually knows what is going on with this Budget and what a difficult set of circumstances this Government has created for itself.

The longer this Government goes for - we are up to nearly a decade now - the less this continuous looking back in history is going to work. Maybe it worked for year one or year two of this Government where you could say look at what happened in 2010 or 2011 or whatever you want to do, but it has been almost a decade since you have been in power. This Government has been in power for almost a decade and still wants to refer back to what happened a decade ago. It does not want to talk about what is happening now, because it fails on almost every measure. Mr Wood talked about land tax. What an extraordinary thing for a Liberal backbencher to come up with at this time.



Through you, Mr Speaker, I wonder if the member for Bass has spoken to businesses in that electorate about their land tax bill this year, because I have. I have spoken to businesses in Bass and I will be there again next week talking to them about their land tax bills that this Treasurer has delivered to them.

I wonder if they know that it was former treasurer Peter Gutwein who told Tasmanians early this year that they would pay less in land tax, that on average, they would save \$800. I wonder if he knows what has happened to their land tax bills, what has happened to land tax bills in Bass, and right across the state. I am talking to people who are paying three times as much land tax under this Treasurer this year, in a financial year where the Government promised that we would pay less in land tax. It is delivering massive increases in land tax and the member for Bass stands up and says; 'oh, Labor might have a plan to increase land tax.' His Government did it this year. I wonder if he knows.

Instead of providing these backbenchers - and they are like cannon fodder, really - instead of providing them with these talking points and speeches, and I have to say Mr Young probably edited his a little bit, Mr Speaker, I think he probably made a few adjustments, whereas Mr Wood dutifully arrived and said exactly what the Treasurer's office told him to say today, and it was a bit embarrassing: talking about land tax increases and Labor having a plan to, when your government did it this year.

**Members** interjecting.

**Mr SPEAKER** - Order. The member should be listened to in silence.

**Mr WINTER** - He said, 'We have said many times that we want every Tasmanian to have a roof over their heads.' Well, that is lovely, but there are more Tasmanians without roofs over their heads than ever before. The waiting list is longer than it has ever been. Through you, Mr Speaker, I wonder if Mr Wood knows or has heard from constituents in Bass who are contacting all of our members right across the state about their dire housing situations.

People fleeing from domestic violence cannot get a public housing solution. They have been on category one for over a year. I wonder if he is hearing from them. Then he stands up in the parliament and says, 'We want everyone to have a roof over their head.' They have been in Government for almost a decade and they still think they are getting away with saying things like that and that it might work. It does not work.

Tasmanians expect actual delivery. They do not expect platitudes about how we would like them to have a roof over their head. They want to see action. They would actually like to have a roof over their head, if you have spoken to somebody, as I have recently, who was living in a hole; if you have spoken to someone, as I have recently, who is still living in a tent. Someone else is living in a car, and has been for well over two years now, and the government backbencher dutifully says, 'We want everyone to have a roof over their head.' Well, it is a car roof for this man. I sincerely hope that the Government might improve to the point where we actually do have roofs over people's heads.

Mr Speaker, the member for Bass spoke about red tape. There could not be a bigger piece of red tape than this Government's botched planning reform attempt, my goodness me. There was another Dorothy Dixier this week, to the minister for Planning, who got up and said 'There were 30 planning schemes when you started and there were 30 when you finished.' He

forgot that there are 30 planning schemes now. The red tape reduction that this Government promised, almost a decade ago, has not happened.

This is just another one of these plans that they put forward in the 2014 election that never, ever occurred and Tasmanians are worse for it. When I hear the Government saying 'strong financial management' as though the Budget is in good shape, it is not. When I hear the Government make up the straw man argument that Dr Broad explained very well about public sector wages, what they need to understand, if they are listening, is not even the workers are asking for 8.6 per cent.

If they listened and understood what the workers are saying, it is about conditions. It is clearly important for these workers that they have been properly remunerated, but also that they have conditions that they can safely work in. Dr Broad spoke passionately about distresses that we are hearing from public servants. We heard yesterday, and there were no Government members out there so how would they know? They are too weak to go outside. If they went out and spoke to some of these workers, they might understand. However, clearly, from the demonstration from the Government backbench today, they do not understand and I do not think they will ever understand.

#### **Time expired.**

[11.55 a.m.]

**Mr TUCKER** (Lyons) - Mr Speaker, I had to listen through that just then and I thought to myself, he is probably not old enough to remember what happened back in the 2010 to 2014 period: 1500 public servants, 108 police officers, a nurse a day for nine months, Mr Winter. You call yourselves responsible fiscal managers. I have to correct the record, Mr Speaker.

We are carefully managing this Budget to rebuild our fiscal buffers after the impacts of COVID-19, a pandemic that we have just been through, Mr Winter, to ensure we are ready to respond to any potential future shocks. The contrast with those opposite could not be plainer. On this side of the House, we are focused on carefully managing the finances of the Tasmanian people, to deliver improved services and infrastructure. On the other side of the House, it is the same old big-spending Labor-Greens alliance with no care for tomorrow or our future generations. What is even worse is that this Labor does not even have the courage to put its name to its wages policy.

Yesterday, we had the embarrassing spectacle of Labor being called out by the Greens, and even their deputy got up and said this, for putting forward a motion regarding public sector wages without saying what they should be paid. Obviously, they did not listen to what they were voting for so I am going to read out what Ms O'Connor's amendment was. She said:

Mr Speaker, I move - that the motion be amended by omitting 'treat them with the respect they deserve in wage negotiations' from clause 4 and substitute, 'pay them wages that, at a minimum, keep up with increases to the cost of living'.

Whilst we do not agree with the Greens and their kooky big-spending agenda, at least they have the courage to pin their colours to the mast. Labor, as they always do, sheepishly back it in. They try to walk both sides of the street, having a position on wages without saying

what they would be prepared to pay for it. That is right, Dr Broad, walk out like you did with the matter of public importance.

They were pressured into adopting the Greens' wages policy as their own. It is embarrassing. It needs to be recognised that Labor's wages policy, written for them by the Greens on the floor of the House, will be a massive wrecking ball straight through this Budget. By linking wages to inflation, the Labor-Greens alliance would drag the state finances under, with \$2.4 billion in additional spending over the Budget and forward estimates.

That does not even account for the effect in the years beyond that with a cumulative impact of future increases. Such a position is economic madness, Dr Broad. There is not a single respectable economist in this country who would support such an approach to managing public finances but it is now official Labor state policy. It is a height of hypocrisy for Dr Broad to put out release after release, wringing his hands about the cost of net debt when your shambolic leader just committed any future Labor-Greens government to such an irresponsible and unsustainable wages policy. Such a policy would burden future generations of Tasmanians with \$2.4 billion of debt, debt that would provide no extra services and no additional infrastructure assets.

It is obvious that Labor cannot manage money. Policies like this are exactly why the last Labor-Greens experiment was tossed out on its ear. Mr Winter needs to go back and look. Their reckless approach still continues. Today we have Mr Winter in the media calling for even more government spending in an inflationary environment, despite the fact that the Australian Government has clearly signalled that it will be taking action in coming weeks to address the issues in the national electricity market at the federal level. Mr Winter wants us to take action in a way that is uncoordinated and risks distorting the operation of the market even further.

On this side of the House we are focused on providing targeted support to those who need it most: Tasmanians on low and fixed incomes. If the problems in the national market are to be addressed, they need to be coordinated at a national level. If every state were to try to interfere in the complex national market it would be a total mess, Mr Winter.

If Mr Winter really wanted to make a difference he would be making a call to his federal colleagues, picking up the phone to make good on his commitment - that is what we have asked him in the past. Actually no, he would need to ask Dougie and Mick. It was the Albanese Government that was elected on a promise of addressing the rising cost of living and it is the Albanese Government that needs to deliver.

It is clear that those opposite have no respect for managing the public purse. They just want to be everything to everyone in the hope that someone will believe their empty rhetoric.

**Opposition members** interjecting.

**Mr SPEAKER** - Order.

**Mr TUCKER** - It is no wonder Dr Broad does not produce an alternative budget.

**Dr Broad** - He's onto that one now.

**Mr TUCKER** - I am positive that it would break the calculator.

**Dr Broad** - You have 37 seconds left, mate. You can make it.

**Mr SPEAKER** - Order.

**Mr TUCKER** - I know, Dr Broad. While Labor continues to demand more and more spending while never introducing an alternative budget, we will continue to implement our plan, enabling Tasmanians to continue to prosper for future generations.

Mr Speaker, I have been clear that we are focused on getting our own Budget back on track and into surplus over the Budget and forward Estimates to ensure that in the future we have a balance sheet that can buffer Tasmanians against future external shocks like we did with the pandemic.

**Time expired.**

**Matter noted.**

**APPROPRIATION (SUPPLEMENTARY APPROPRIATION FOR 2022-23)  
BILL 2022 (No. 49)**

**Second Reading**

[12.02 p.m.]

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

That the bill be now read the second time.

The Appropriation (Supplementary Appropriation for 2022-23) Bill provides funding for the expenditure of the new dedicated housing authority, Homes Tasmania, for the period to 30 June 2023. Homes Tasmania will be responsible for delivering improved housing services for Tasmanians and for increasing the supply of social and affordable housing in our state.

The 2022-23 Supplementary Appropriation Bill will facilitate the transfer of funding from the Public Account to Homes Tasmania, through a grant payment from Finance-General. The bill is an important step in the machinery of government changes to give effect to the restructure of the Department of Communities Tasmania and to implement this Government's reforms to improve housing outcomes in Tasmania.

Seeking parliamentary endorsement of the funding to be provided to Homes Tasmania supports the Government's commitment to transparency. This bill will ensure that Homes Tasmania can achieve its objectives from its start date of 1 December 2022. The balance of 2022-23 appropriation funding from the Housing portfolio in the Department of Communities Tasmania will be made available to the new authority.

In total, funding of \$163.4 million will be provided through the 2022-23 Supplementary Appropriation Bill to Finance-General for operating services.

The amount of appropriation comprises \$36.5 million, being the balance of the original 2022-23 operating services appropriation for the Housing Services output within the Department of Communities Tasmania as provided for in the 2022-23 Budget, and \$126.9 million, being the balance of the original 2022-23 capital services appropriation provided to the Department of Communities Tasmania in the 2022-23 Budget.

The purpose of the operating services appropriation to Finance-General is to provide a grant to Homes Tasmania to fund the continuation of the Government's Community Housing Growth Program, the extended social housing bill, the housing new projects initiative and Tasmania's Affordable Housing Action Plan stage 2. It also provides for salary and non-salary costs to support the provision of housing assistance to Tasmanians across a range of housing programs including Housing Connect, homelessness accommodation, social housing and supported accommodation, private rental programs and assistance into affordable home ownership.

Homes Tasmania will work in partnership with housing providers and housing support providers to deliver housing and homelessness services in Tasmania, with funding used to provide grants to meet the operating costs of these services. These funds are planned to be invested by Homes Tasmania in the period to 30 June 2023. It is important to note that the Department of Communities Tasmania will declare an appropriation saving equivalent to the new funding that this bill includes. That means that there will be no net impact on the Public Account.

Homes Tasmania is established to promote the development of affordable housing and to enable the provision of housing assistance to and improve the housing conditions of eligible persons. Homes Tasmania will support the provision of affordable housing, housing support services and community support services to persons who require housing or services, and will assist in developing policy for housing. Homes Tasmania will also be responsible for delivering the Tasmanian Government's record capital investment of \$1.5 billion to build 10 000 homes by 2032.

I commend the bill to the House.

[12.07 p.m.]

**Dr BROAD** (Braddon) - Mr Speaker, a supplementary appropriation in this manner is machinery of government legislation and also a money bill. As such, I indicate straightaway that Labor will be supporting it.

I also indicate that due to the quite heavy workload today - we have a number of very important bills on the blue - I will not be taking a long time to speak but I would like to make some points and ask some questions.

First, I really appreciate the briefing that was arranged by the minister and James from the minister's office. I especially thank Eleanor and Dana for explaining the bill and answering all the questions. Thank you very much, and thanks for taking the time at relatively short notice. Through the briefing they explained very well where the money is coming from in the Budget and the mechanics of how it works.

As the minister indicated in his second reading speech, it is the unspent portion of money both in terms of operating and infrastructure funding. It has all been explained very well. In

the Budget those allocations make sense so there is probably no real reason to provide a running commentary on it.

We obviously did not support the bill that necessitated this supplementary appropriation but we would like the Government to get on with building houses. We heard in the MPI a few moments ago the importance of having roofs over people's heads and we really need the Government to get on with it, more so than at their current rate. It is all right having a target, but a target is not, in itself, action. We would like to see the action because there are record numbers of people living in homelessness in one form or another and it is just not good enough in a state like Tasmania.

I have some specific questions and am seeking a guarantee, I suppose, from the Government. It looks like there will be have to be some creative accounting to try to get the funding from the debt waiver through to Homes Tasmania, in terms of having to go to the lead agency and then that money being transferred from the lead agency to Homes Tasmania. Can the minister guarantee that the debt waiver funding will end up in Homes Tasmania? If so, will that be spent on new housing?

It is interesting that DPaC is going to be the home agency. I do not think that was in your second reading. I am assuming that will still be the responsibility of the Housing minister. How will that work with the Estimates process? We assume any discussion and questioning of Homes Tasmania will be done as part of the Housing minister's Estimates. Can you confirm that? Or will it be part of the DPaC Estimates? How will we be able to scrutinise the details of what Housing Tasmania has done? Will the details be in the budget, or will it simply be a line item which will not provide detail of Homes Tasmania spending? How will we know how much money and how Homes Tasmania is spending its budget allocation?

It is important for the state to have houses being constructed. We would like to know the scrutiny levels we can give Homes Tasmania and whether will we be able to follow the money? Will it be like Macquarie Point, which has a budget allocation and not much detail on what its activities are?

Will any debt that Homes Tasmania accrues appear in the forward Estimates aggregates or will that sit outside the regular budget process? Will any net debt that Homes Tasmania takes on be counted in the aggregates you see in tables such as 1.1 in Budget Paper 1, so we can understand the levels of debt Homes Tasmania takes on?

If the minister can answer those questions, we are happy to support the bill. Given today's busy schedule, I do not need to add much more.

[12.13 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, we will be comfortable supporting the supplementary appropriation for 2022-23 bill of 2022 because it is the mechanism for making sure the newly established Homes Tasmania has sufficient capital funding, current funding, at least for the next year or so.

The Greens did not support the establishment of Homes Tasmania as a separate statutory body, somewhat outside government. As we said at the time, we regard it as a neo-liberal solution to a problem created by neo-liberal policy, that is an underinvestment in increasing the supply of social housing, public housing, that started in the early days of the Hodgman Liberal

Government and took too long to correct. That said, the entity exists now and I think we join everyone in this House in wanting it to do well. It has to do well.

In response to what Dr Broad said, during the second reading on the Homes Tasmania bill, we asked a similar question: what happens at Estimates, who is accountable and how do we scrutinise this entity? From memory, and the minister, the Treasurer, might be able to confirm this, Mr Barnett said it would be very similar to the way it is now. He, as minister, would answer questions; Homes Tasmania will be at the table -

**Ms Haddad** - We need to be able to see their finance. Rather than only seeing the allocation from DPaC to Homes Tasmania, we need to scrutinise Homes Tasmania.

**Ms O'CONNOR** - Yes, but I gather to some extent it will be like other statutory authorities where we have to glean a fair bit of it out of annual reports, which is part of the reason it was not supported by so many people in this House.

I want to reinforce the question asked by Dr Broad about the scrutiny process of Homes Tasmania's expenditure and borrowings and outcomes. Will that happen at the Estimates in the same way that we have been able to scrutinise Housing Tasmania to date?

We did not have the time to organise a briefing on this bill so I would like the House to be informed about the source of the \$163 408 000 that is in the public account that is being transferred through this appropriation bill to Homes Tasmania. Is the source of that a combination of state and Commonwealth funding? Does it include the \$17 million to \$20 million that the state should now be able to invest in social and affordable housing as a result of the dissolving of the Commonwealth state housing debt.

To reinforce Dr Broad's question, what is the commitment to making sure that money we are not sending back to Canberra to meet a debt burden that was like an albatross around the neck of the state is spent increasing the supply of social housing, public housing and not tipped entirely into the community housing sector, or worse used by Government to facilitate private developers who are building houses for profit that will potentially fall outside the category of public or social housing, although they may be affordable to some?

We would like to understand what the ongoing financial arrangement would be for Homes Tasmania? Presumably, Treasurer, this is a one-off process or is this the way the state will fund Homes Tasmania from here on in, through either supplementary appropriations or each year as a budget line item? I am very curious to know what the ongoing financial arrangements will be for Homes Tasmania and to acknowledge that for the first time under this new structure, a housing entity will be able to borrow money. They were never able to do that before. In some ways that may be a good thing if it leads to an increase in the supply of affordable housing. It is also something you would want to watch quite closely if you were the Treasurer of Tasmania.

Can the Treasurer explain what the ongoing financial arrangements will be for this entity? Where is the Commonwealth-state housing debt money in this wash of money we are talking about today? Finance General is providing a grant to Homes Tasmania of \$126 924 000 for capital works. What is the source of that money? It is part of the \$163 408 000 but will Homes Tasmania need to have a special bill brought into the House every year so it can operate.

In response to the promises of a \$1.5 billion spend on housing to deliver 10 000 homes by 2032, we sure hope you can. Mr Deputy Speaker, you were on the housing inquiry in the last term of parliament. We were informed by Anglicare that the shortage of affordable housing at the moment sits at about 11 000 homes across the state. There are nudging 5000 people on the Housing Tasmania waiting list. If the state does manage to deliver those 10 000 homes in 10-years, the shortfall in affordable housing will be even higher.

It needs to be placed on the record that that \$1.5 billion at the moment is Monopoly money. That, from memory, is the amount of money in the last budget that was allocated to housing over the next four years, so, when the Forward Estimates was a bit over \$120 million, from memory. I hope that big promise of \$1.5 billion is achievable. I hope it is not all debt-leveraged, because we have a Government here that wants to go into debt for Marinus Link. It wants to go into debt for the stadium. Debt for housing. If you are going to go into debt, would you not prioritise making sure people have a roof over their head? Well, you would if you had Greens in government anyway.

At the moment, we regard that \$1.5 billion promise as talk of Monopoly money. We hope it comes to fruition because right now in the community, and everyone in here knows this, it does not matter what side or corner of the House you sit in, there is acute housing stress in our community. It is statewide, and while there are particular pressures in the major centres, there are real housing challenges in regional centres like St Helens too. This is an issue that the parliament and the Government has to address with some real urgency. If people do not have a secure place to call home, the rest of their daily life becomes almost impossible. If you do not have that bedrock of security, you are facing poverty, lack of education, unemployment, opportunity, potentially significant mental health challenges, addiction, family breakdown.

As a state, when we commit to building homes for people that they can afford, that are good quality homes in communities, liveable design, energy- and thermally-efficient, what we are doing is investing in our people and the social and economic wellbeing of this state. When you invest in housing, you are investing in social infrastructure that turns lives around and gives kids real opportunity. We really want this Government to deliver on its promises. It is so important that they do. Mr Barnett, as minister, has a good amount of energy to invest in this portfolio. As I have said before, if he can put half the zeal into building homes as he did into mowing down native forest, we might actually get somewhere on housing in this state.

With those questions, we are quite comfortable supporting the bill.

Mr Deputy Speaker, are you able to make some inquiries about the air conditioning?

**Mr DEPUTY SPEAKER** - I already have. It has broken down. It has a broken pipe. That is why the doors are open. We are aware of the problem.

[12.23 p.m.]

**Mr FERGUSON** (Bass - Treasurer) - Mr Deputy Speaker, I thank the shadow treasurer and the Leader of the Greens in relation to this bill.

You are quite right: it is a mechanical bill in terms of ensuring that the money that parliament previously approved from the public account, be provided for housing in operational services as well as capital services, all of which under the Financial Management Act, returns



to the public account, given that Housing Tasmania ceases to exist with Communities Tasmania.

A new entity - Homes Tasmania - commences on 1 December. It is not included within general government services sector, so it will be reported in a way I will detail in a moment, but will continue to be reported. As it is outside GGS, at this juncture we need to provide for funding with parliamentary approval.

Jumping forward to Ms O'Connor's question, that will not be the case in the future. We will not need, if you like, to do an out-of-cycle supplementary appropriation for the usual funding of services in the new entity, unless there was a policy decision by a future government out of the budget cycle, wanting to provide a particular extra program or resource to Homes Tasmania. I see this as a one-off exercise in the middle of the financial year providing seven-twelfths of the funding that was appropriated out of the Public Account from the Budget that commenced on 1 July and recognising the unspent nature of it and wanting to make sure that every dollar that will return at 30 November is pre-approved by this parliament through this appropriation so that Homes Tasmania does not have to wait a day to continue with its excellent work under its new identity and new corporate structure.

I appreciate the support that has been expressed and also note that acknowledgement has been made of the briefing. Briefings are not compulsory but they often help to address issues, concerns or questions early, and that is a pleasure. I can commit to guaranteeing that the agreement the Tasmanian Government has with the Australian Government in relation to the historic debt waiver agreement will continue to be honoured. It is not just for new homes, it is also for more land, more social housing, more affordable housing options, accommodation services, housing services, initiatives of our own Government like the Private Rental Incentive Scheme, and the many support services and grants that are made out to non-government partners in this space in different ways detailed in the housing waiver agreement.

I would not want to misrepresent the nature of that agreement; it has a lot of initiatives that have been agreed by the two governments. I believe the Minister for State Development, Construction and Housing has already committed in this House as he took through the other legislation, which members of this House did not agree on unanimously, but having passed and been agreed to, I am pleased there is unanimous support for making sure that the new entity parliament has created, is properly resourced to be able to do its work. I do provide that guarantee.

Dr Broad is quite correct in his understanding that DPaC will be the home agency for the new organisation Homes Tasmania. The Minister for State Development, Construction and Housing will continue to be the minister responsible for Homes Tasmania and DPaC, insofar as it is the home agency and has any policy responsibilities or pass-through of grant funds for the new entity, will report to that minister in future in respect of these initiatives and this organisation.

Given my role as Treasurer today is really about ensuring that my colleague minister and his organisation have the funds required, I do not necessarily want to go over the same ground that he has already no doubt been asked to go over, but having checked with him I can again confirm the Government's expectation and position that the housing output will continue to be examined at normal Budget Estimates scrutiny hearings, not at GBE hearings. We do not see Homes Tasmania as a GBE. We certainly see it as having a different corporate structure in that

sense, but the shadow minister for housing or any member of parliament for that matter can expect in future budget Estimates hearings to examine Housing, the minister himself or herself and the key people involved at Homes Tasmania.

In respect of borrowings, both Dr Broad and Ms O'Connor asked me about this. A debt that is held by Homes Tasmania will not be reported in the general government sector part of the budget papers because parliament has removed it from that sector. It will continue to be reported through annual reports as well as be contained within total state sector net debt reporting, so there will be no way to hide that and no intention to do so either.

Coming back to the other question I have started to address from Ms O'Connor, in future you will expect to see future budgets presented by the Treasurer contain funding for Homes Tasmania for housing services. You will continue to see that in terms of grant funding provided out of the general government sector via the Department of Premier and Cabinet to the organisation, Homes Tasmania. You will continue to see, as has been the case now, where debt borrowings which are used to fund the capital program will continue to also be provided for within the entity. You will keep the debt where the asset is, as it is today. Currently it is in general government sector. In future, you will see the debt sitting where the asset lies, which is in the corporate entity of Homes Tasmania and it will be reported as any MP would expect it to be.

Ms O'Connor has observed that the Treasurer will watch that debt closely and that is absolutely the case. Not only that, but through my portfolio of Treasurer and with the support of the Department of Treasury and Finance, there is a role for the Treasury and the Treasurer in respect of borrowings through TASCORP.

Those arrangements are well understood across different home agencies for a range of government business enterprises and state-owned companies. It is watched closely. I suppose I could put it this way - the role of the Treasurer and the TASCORP board is to ensure that borrowings are affordable and sensible by the borrowing organisation, so I am happy to place it on the record.

I was not asked for it but I want to outline, as some members here will note, that with the now two or three supplementary appropriation bills I have brought through, I have provided significant new and more detail. I wanted to do that. I do not see why we cannot provide as much detail as possible. Out of the \$126 million for the capital program, I am happy to place on record that it is broken down as follows: for the Community Housing Growth Program, \$65 million; for the extended social housing build, \$54.774 million; for housing and new projects, \$3.9 million; and for Tasmania's Affordable Housing Action Plan stage 2, \$3.25 million.

I thank everybody for their comments. I appreciate that it is seen as a machinery matter for the parliament but I also acknowledge the very real interest that Liberal, Labor, Greens and Independent members have towards getting better housing outcomes. That includes more homes physically constructed, but it also importantly includes those wraparound care models where people who need support at different points along the spectrum of homelessness through to being securely housed in a home of their own, and there are many people at many different points along that journey. We need to make sure that we have services that are well-designed, not just well-intentioned, well-resourced and well-managed, whether it is by Homes Tasmania or a partner organisation in the non-government sector. We need to make sure we are providing

people with greater housing security at whatever point along that spectrum they may find themselves in and ensure that we as a government are doing everything possible to encourage people and support them to be safe.

I absolutely associate myself and the Government with Ms O'Connor's comments about the role that housing security plays in the welfare of children and vulnerable population groups in our community, so I think I can claim a sense of shared purpose and agreement around those principles as we have considered the supplementary appropriate bill today. I thank the House.

**Bill read the second time.**

**Bill read the third time.**

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

### **In Committee - Consideration of Legislative Council Amendments**

[12.36 p.m.]

**Mr CHAIR** - How would the Committee like to proceed? There are five amendments. Do you want to do them one at a time or as a group?

**Mr JAENSCH** - Mr Chair, subject to the agreement of others, I propose that we consider the amendments together.

### **Council amendments to clauses 5, 6, 8, 11**

**Mr JAENSCH** - Mr Chair, I move -

That the amendments from the Legislative Council be agreed to.

The Government thanks members in this House and members of the Legislative Council for their consideration of the bill and the sequence of debates that we have had on various points there and for the contributions from third parties who have contributed information to those debates in consideration of the bill. The Government is pleased to accept the amendments.

**Ms WHITE** - Mr Chair, on the amendments that have been brought back from the other place, the Labor Party will support all of them. It is pleasing to see that some of the amendments we moved in this House that were not supported were supported in the other place and that the Government has agreed that they are sensible to include in the Climate Change bill.

In particular, I reference that the Government has agreed that they do now need to consult with the workers. That must be difficult for the minister, given the terrible comments he has been making recently about unions and the role of unions in the Tasmanian community, particularly the representation of workers. I am pleased to see that relevant unions and the peak body representing trade unions will now be consulted in the development of the different plans for each of the sectors and the Climate Change Action Plan. It was what we were hoping to see achieved in the first instance.

There is also a new paragraph that requires consideration of the risks associated with the energy transition, including social and economic impacts. We were hoping to see much broader consideration to a fair and just transition principle included in this bill. Given there was not support for that, at least we do have an amendment like this now inserted, which provides guidance for those who are administering and giving effect to the bill.

I thank the members of the other place for the work they did. They have had some long debates. I am pleased to see some of the amendments included that we moved as part of our package of debate. There is still more work to do but it is a good place to start.

**Dr WOODRUFF** - Chair, the Greens support these amendments. We supported them when they came to the debate in this House. It is worth putting on the record for the minister, trade unions are comprised of people who are workers in work places. That is why they are in a trade union. All the people who were out the front yesterday at the large rally were all workers, including child safety workers who spoke about the issues for them as workers in work places in Tasmania and the horrendous conditions that they have to work under; ambulances, doctors, nurses, but especially teachers.

We are very happy that these groups have been added. We remain very disappointed, actually a bit disgusted, that with this long list the Government did not support the inclusion of Tasmanian Aboriginal people as key stakeholders who must be consulted in conversations about the most important issue that is affecting us and will grow only more extreme in its effect, as we are hearing from the United Nations right now.

The palawa/pakana, who have been here for more than 40 000 years, have great knowledge and understanding of this land, its weather patterns and how to respond and live in harmony with the environment. These are the sorts of groups who ought to be automatically considered in conversations on all the matters that this bill will require the Government to do.

The proposed inclusion under 'Statewide climate change risk assessment' is consideration that the minister will prepare a statewide climate change risk assessment and will take account of the risks associated with energy transition, including social and economic impacts. Obviously, there will and must be an energy transition and it has to happen sooner rather than later. The Greens in federal and state governments have long called for an energy transition and a just transition for workers.

There is no doubt that events are overtaking us. The addiction to fossil fuel company subsidies by the Labor and Liberal parties means they have not been prepared to talk about a transition for workers. The Labor Party is now talking about that at the same time as they are continuing to fund the expansion of coal and gas mining and exploration licences. The 40 000 square kilometres of marine waters that have been made available by the federal Labor government to fossil fuel mining companies for exploration is an indication that it is all about business as usual.

What the Labor Party or your Government thinks is a just transition for a workforce when we are continuing to fund its expansion is a very interesting idea.

I imagine it would somehow involve rivers of money going into a workforce rather than starting another workforce, which is what we really need. We desperately need to transition people out of fossil fuels. In Tasmania, what this involves is transitioning the native forest

logging industry, but the Labor and Liberal parties are both utterly committed to retaining and growing the native forest industry if possible.

**Ms O'Connor** - Until it's gone.

**Dr WOODRUFF** - Until every tree and every stick is gone. The transition that is required in Tasmania is to end the native logging forest industry and to provide those regional communities that rely on those jobs with a meaningful and truly sustainable future. That is what has to happen and there is no indication yet that you are doing that.

Of course, the community is increasingly outraged at the threat you are creating to their future livelihoods and survival and are emboldened and standing up more strongly than ever. Thank you, Dr Bob Brown, for being arrested so he can take this Government's draconian anti-protest laws on full-on. He will, and his foundation and the people, the volunteers who put their lives on the line every day to protest in defiance of your Government's policies will take you on, stand up against what is happening and they will win. We must win because everything is at stake now and there is no time left.

We can simply leave the last word to UN Secretary-General António Guterres, who has made it abundantly clear to the world that time has run out and we have to stop emitting fossil fuels and carbon emissions immediately. We support this woefully inadequate Climate Change (State Action) Bill. It ought to have been stronger but it is a start. It did not include sectoral targets. It must do so and we will continue to push for what real climate action looks like and is needed for Tasmania.

**Amendments agreed to.**

**Resolution agreed to.**

## **EXPANSION OF HOUSE OF ASSEMBLY BILL 2022 (No. 47)**

### **Second Reading**

[12.48 p.m.]

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

That the bill now be read a second time.

Today is an important day for Tasmania, for our future and for the future of this House. This significance of today is greater than this moment. It is for generations to come.

In October 1856, Tasmania became an independent self-governing colony, adopting our Westminster system of responsible government. Our House of Assembly's first elections were called in October 1856 and, on 2 December that year, just over three weeks before Christmas, the House of Assembly met for the very first time. Then we numbered 30 members to represent fewer than 82 000 people across 24 electorates.

By the time we had federated as a nation, the Tasmanian Parliament had settled on 35 members in this House of Assembly. In 1906, there was a further reform and Tasmania's

current electoral system was established. It is that system we retain today. We became a state of five electorates, with each electorate equally represented by seven members in this House. Over the course of the twentieth century, the House periodically fluctuated between 30 and 35 members.

In 1998 the House of Assembly was reduced from 35 to 25 seats. For almost 150 years before that moment, the House of Assembly had never fallen below 30 seats, so for almost a quarter of a century Tasmanians have been represented by fewer members than ever before.

Before 1998, many reports and commentators warned of the dangers of reducing the size of the House of Assembly, that a smaller House would have difficulty in adequately discharging its functions as the House of government. In 1998 we were an island community of approximately 475 000 people. Since then, we have continued to grow. Today we have a population of around 570 000 people who need representation from all sides of this Chamber to meet the challenges we face.

On 25 May 2022, I announced this Government's commitment to restoring the House of Assembly from 25 to 35 seats, which will come into effect at the next state election. Today, I make good on that promise.

As soon as I announced the Government's commitment, I sought the advice of Electoral Commissioner, Andrew Hawkey. The Expansion of House of Assembly Bill has been informed by the report of the Electoral Commissioner. I sought that advice underpinned by two key principles, 35 seats and maintaining the Hare-Clark system. Mr Hawkey examined two options for reform, retaining five electorates and increasing each to seven members, and revising Tasmania's electoral boundaries from five electorates to seven, with five members in each electorate. The commissioner also considered the impact on quotas, related costs and communities of interest. I raised the second matter with him because I was mindful of community discussion on the issue.

The Government has considered that advice closely and resolved to proceed with the most timely and cost-effective measure, restoring the House of Assembly to an appropriate level of proportional representation and retaining our current five electorates.

There are a number of considerations in this decision, including that electorates should reflect communities of interest and moving to seven electorates would necessarily entail splitting Hobart and the very real likelihood of confusion of having different electorates for state and federal elections.

The fundamental core of this reform is not new. There has been no shortage of examination and commentary on the impact and outcomes of the events of 1998. As recently as 2019, the tripartite parliamentary committee inquiry into a proposed House of Assembly restoration bill invited public submissions and held public hearings. In its 2020 report, the committee unanimously recommended that the House be restored to its former size. The committee found that the reduction in the number of members in 1998 eroded the fundamental purpose of the Hare-Clark system, which is to achieve fair and proportional representation. So too, the committee found the diversity of interest within the Tasmanian community would be better represented in our restored House of Assembly. The committee's recommendations are as relevant and true today as they were two years ago.

The Government seeks to restore this House to its former size so that we can better equip the parliament to drive a broader agenda of positive social change and greater proportional representation for all Tasmanians. We need a House that, through its representation of seven members per electorate, delivers scope and space for a broad range of views to be represented.

I am also acutely aware that this overdue reform does not come without impost on our budget. In 2019, when there was a previous agreement to move forward on restoring the House, the Department of Treasury and Finance provided costings on the proposal. I note, given inflationary pressures, that the costs maybe more than initially proposed, but these are costs we must bear. The Department of Treasury and Finance, in conjunction with the Department of Premier and Cabinet, will work on revising those costings following the bill's passage through the parliament.

Prior to 1998, Tasmanians had always been represented by no few than 30 members in the House of Assembly. We must restore this House to deliver for the Tasmanian people, not just for the members gathered here today, or the Government I lead, but for our future. It is overdue. The demands on government today are greater than ever. We understand that the world is a more complex place than it was in 1998, and we strive to face its challenges and complexities and not turn away from them.

I take this opportunity to acknowledge my colleagues across the Chamber for their support in this matter. I am grateful for the tripartite support this announcement has received. This support was reflected through the public consultation on the bill. While only six submissions were received, all were in support of increasing the House of Assembly from 25 to 35. We have taken the opportunity in the bill to strengthen transparency by including a provision requiring the appointment of a minister or secretary to cabinet to be gazetted so that information is publicly available.

I acknowledge that I am not the first member of this House, or the first premier, to seek to put right the decision that was made in 1998. The reduction to the House of Assembly has been long recognised as a decision that adversely affected Tasmania. In the past, several former members of the House came to agreements to resolve this. Together, I hope we can do that. I acknowledge former members of the House who carried out their parliamentary functions and delivered effective representation and the personal impact that can have. We have seen the impact on several former parliamentarians and ministers. Their tenacity has been remarkable.

We are a small island state, an island state known for its extraordinary beauty yet, despite our size, we must still deliver the same services that Australians in other states and territories receive and we must be well-equipped to do so. In light of that, the bill also increases the number of ministers to no more than 11, one more than the pre-1998 provisions. This will future-proof the capacity of future governments to manage the ever-increasing complexities, pace and workload that comes with ministerial responsibilities. It will help to support and protect ministers from burn-out so Tasmania does not lose people of experience.

We must deliver education, hospitals and health care, and we must conserve and protect the environment, we must reconcile and acknowledge our past and plan for our collective future. We must provide roads and public transport, we must deliver public works, we must support industries that we depend on, we must provide and support community services, we must protect and serve our people, we must develop social policies for an inclusive Tasmania for a state of kindness, we must protect our most vulnerable, we must nurture our community

and we must plan for the future with a vision and with heart. To do that, we need more voices, more hands, more people. For greater proportional representation for all Tasmanians, we must restore this House of Assembly to its former size.

It is long overdue and I commend the bill to the House.

[12.58 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I rise in the short time I have before the lunch break to say a few words. I want to pick up in particular on the Premier's statement in that second reading speech where he says he is making good on his promises: making good on his promise to restore the House from 25 to 35. It is important to note that the Premier is quite selective about the promises he chooses to keep.

At a time when we are dealing with a cost-of-living crisis, the Premier does not choose to keep his promises to cap power prices and to keep the cost of living down for Tasmanians but he does choose to increase the size of the parliament. There will be people across our community who question whether this Premier has got his priorities completely wrong, not only in relation to the matter we are debating right now, but more broadly when you think about commitments this Government has made. Things like a \$750 million stadium at the Hobart waterfront and the premier saying he is keeping his promises to increase the size of parliament but he will not keep his promises to keep power bills down and ease the cost-of-living pressures that Tasmanian households are currently dealing with. I wanted to point that out because for many people, they will see that for what it is and that is a poor reflection on this Premier.

There were a number of recommendations that were provided from the 2020 inquiry that was held -

**Ms O'Connor** - There were only two.

**Ms WHITE** - Sorry, a number of findings. There were two recommendations, you are quite right. There were 35 findings and there were two recommendations. I would like to recognise the work of the members of that committee, Ms O'Connor.

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

## **EXPANSION OF HOUSE OF ASSEMBLY BILL 2022 (No. 47)**

### **Second Reading**

**Resumed from above.**

**Ms WHITE** (Lyons - Leader of the Opposition) - Mr Speaker, before lunch I was reflecting on the findings and recommendations of the parliamentary inquiry into restoration of the size of the House of Assembly and noting that the members of that committee included Ms O'Connor, Ms Dow and Ms Haddad who are still in this place, and Ms Hickey, Mrs Petrusma and Mrs Rylah - Liberal members who are no longer in this place.



Despite it being an agreed position, with the findings and recommendations demonstrating tripartite support for them, one of the things that has really been highlighted this year - and the names of those Liberal members I just read out who are not here anymore reflects this - is the chaos and dysfunction of this Government. We have had two premiers resign since they were first selected in 2014, and this year we have had two prorogations of the parliament. A third of the ministry has quit.

Do not forget this is the context in which the Government has decided to support the restoration of the House to 35. It really was surprising when we had the debate on the motion brought in by the Leader of the Greens to talk about the size of the parliament that the Premier, Jeremy Rockliff, took that moment to announce his Government's intention to restore the House to 35.

**Ms O'Connor** - What is the problem with that?

**Ms WHITE** - I found it really interesting for a government to make an announcement on a Greens motion in the parliament in the middle of the day. It demonstrated to me that they were responding to the Greens' agenda; they were responding to the chaos on their own Government benches - the fact that they had lost a third of their Cabinet in this particular year; two prorogations of parliament - they are in crisis. It will not matter if you double the size of the parliament, they are still churning through members - a revolving door of ministers.

They are in trouble and the only way the Government knows they are going to save the backbench members of their parliament - many of whom had never been elected in their own right - is to expand the parliament. We have seen with the revolving door of ministers, and the ejector seat of the Liberal Party, people come in on a recount who have not been elected in their own right and they have been fast-tracked and accelerated to ministerial responsibilities. They have been fast-tracked to become ministers of this parliament when they did not even get elected in their own right.

It is in this context that the Government has decided to move this bill today. That cannot be forgotten because I remember a time when the Liberal Party, the Labor Party and the Greens Party agreed to restore the House of parliament to 35 and then the Liberal Party walked away from that: this in my time being a member of this place. When it suited them they back-flipped.

**Ms O'Connor** - And Ms Giddings back-flipped five minutes later.

**Mr SPEAKER** - Order, Ms O'Connor.

**Ms WHITE** - Now we have a situation where they know it is not sustainable and that is largely due to the fact that they are imploding. They cannot maintain numbers in their Cabinet. They are seeing members walk out of their Cabinet at a rapid rate.

**Dr Woodruff** - You do not get to make your own decisions.

**Mr SPEAKER** - Order.

**Ms WHITE** - I always expected the Greens to get animated on this debate. I read back through the *Hansard* from 1998 and I expect we will hear a little bit about that in the Leader of the Greens' contribution today, so I was expecting them to be animated and very supportive

of this bill because it has been their position. They have never changed from that position. I am not surprised to hear the Greens talking about this in the way that they are but it does not detract from the fact that the Liberal Government has not been a good government for Tasmania -

**Ms O'Connor** - What a pity you are not wearing a mask, Ms Ogilvie.

**Mr SPEAKER** - Order, the member should be heard in silence.

**Ms WHITE** - They have certainly been a very poor Government this year. This is not the government Tasmanians elected. It is not the Premier they elected. It is not the ministers they thought would be representing them in key portfolios leading our state forward. It is in this context that we need to remember that we are now increasing the size of the parliament because the Premier agreed on a Greens motion. That was his priority for his government.

Mr Speaker, I thought all those things were important to put on the record because we would not be having this debate if those facts were different. I am absolutely sure of that. I have read through the report provided by the Tasmanian Electoral Commission where the Government sought advice about whether they move from five electorates to seven electorates. I have read back through the findings and recommendations in the report of the parliamentary committee as I mentioned. I have read back through the *Hansard* from 1998 when the debate was taken to reduce the numbers from 35 to 25.

I have seen the submissions and read the submissions that were made through the process to consult on the bill that we are now looking at. All of those submissions were in favour. I think the community broadly respects that we need more people in this place to represent them better because they have seen the chaos of this Government this year and it does not bode well if this is how they are tracking so early on in their term.

I indicate that the Labor Party will be supporting this bill. We want Tasmanians to have good, strong representation in this place, their parliament. Sadly, that has been lacking.

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### Recognition of Visitors

**Mr SPEAKER** - Honourable members, I welcome some more students from grade 6 at Scotch Oakburn College. Welcome to parliament. I hope you have been enjoying the last couple of days in Hobart.

**Members** - Hear, hear.

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[2.36 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I hope our young audience, in listening to this debate, will have a short lesson in the history of Tasmania's parliament, a very unfortunate chapter where these two old parties in this place in 1998, and it started before that, colluded to cut the numbers from 35 to 25 in an effort to get rid of us. Yet, here we are still and here we stay.

I have listened to the Leader of the Opposition's odd speech. I thought that she strongly made the case for the bill because it is one thing to say, 'There has been chaos and dysfunction and we have lost premiers and we have lost ministers,' which we have, but then to use that as a political point without saying that this House has become dysfunctional because it is too small. That is why we have ministers and premiers dropping like flies, and that is why Labor will support this legislation. I could not work out until the very end whether Labor was going to play this straight. There would be a few people in the House who really question what the value is in getting a lecture on leadership from Ms White.

I will point out to the House that it is not unusual for government to announce a policy position or a law during a debate on another topic, or on an initiative that has been brought forward by another party. Last week, the Government announced its intention to introduce single-use plastics legislation during debate on our bill.

It almost goes without saying that the Greens support this bill but I will say it anyway: we strongly support the restoration of the House of Assembly for democracy, good governance, community representation, and portfolio and workload sustainability for ministers. We strongly support this bill. We believe, and I think there was a nod to this in both the previous contributions, that there is broad community support for restoring the numbers to 35 in the House of Assembly. Over the past 24 years people have seen the consequence and the huge cost of cutting the number to 25. This legislation in many ways mirrors the Greens' House of Assembly Restoration Bill of 2021, which is still on the books ready for debate but we will not have to debate it.

It has been 24 long years in the making and so this is a good day. It is a good day for Tasmanian democracy. Personally, having been a member of the Greens for 20 years and inspired in significant part by the work of Peg Putt, I feel very blessed to be here for this day.

I want to acknowledge those people and organisations who have worked so hard to get us to this point.

First, I acknowledge that the Premier understood that this is simply the right thing to do for good governance in Tasmania and had the courage to announce that his Government would move to restore the numbers in the House of Assembly.

The relentless work of Peter Chapman, from the Tasmanian Constitutional Society, who has put in a weekly phone call to our office for years now advocating, lobbying, making submissions, passionate about having the numbers restored in the House of Assembly so we can have true community representation, good governance, and sustainable workloads for ministers and premiers.

I also acknowledge the advocacy of academics such Professor Richard Herr, Emeritus Professor Peter Boyce, and someone who has joined us in the Chamber today who was there when the numbers were cut, and that is the Tasmanian Greens former chief of staff, Cath Hughes. I am so pleased Cath is in the Chamber today. Cath's first experience working with the Greens was before the numbers were cut. It was Cath and Peg Putt who came in here after that 1998 election when Peg was the only Green left standing and she set up her little fold-up chair here, where there were no crossbench chairs, and there was no real space for Peg. The symbol of Peg coming in and representing us and holding her ground, as she did for four years, made the Greens proud.

It made me so proud that when the 2002 election happened and we had four Greens elected to the House of Assembly after Peg's long four years working with just Cath and another staff member called Rosemary, where she was the true opposition in this place, standing up for social justice and human rights, and the forests and the wild places. After that four years of Peg really being the true opposition, four members were elected to the House of Assembly in 2002, including Nick McKim, Kim Booth and Tim Morris. The Greens were back in town.

I thank Cath for relentlessly working to help to repair some of the damage that was done in 1998. I recommend to people to have a look at the submission Ms Hughes made to the Tasmanian House of Assembly select committee on the House of Assembly Restoration Bill of 2018, which was a Greens bill. It is excellently written, of course, but it also takes us through the history of attempts to shrink and occasionally expand, but mostly shrink the House of Assembly.

There was a long line of inquiries and reports into the composition of the Tasmanian Parliament, including the 1982 Beaumont Report, which arose from the Royal Commission into the Constitution Act of 1934; the 1984 Ogilvie Report, and Ms Ogilvie is in here today; the 1994 Morling Inquiry Report; and the 2011 Boyce Report from the review of the proposal to restore the House of Assembly. Ms Hughes very helpfully puts in some corking quotes from those various reports. The 1994 Morling Report stated and advised:

in order for a Parliament to work effectively, it must have sufficient numbers to enable it to discharge its functions adequately. ... a House of Assembly with fewer than 35 members would have difficulty in discharging adequately its functions as the House of Government. We do not think a reduction in the number of members of the Assembly should be made at the risk of impairing its ability to discharge those functions.

Yet, that is exactly what happened. Ten eminent academics warned in an open letter to parliamentarians at the time that this collusion was happening between the then Liberal government and the then Labor opposition with Jim Bacon as opposition leader. They said in their open letter:

There are serious implications for the democratic scope of government in any cut to Parliamentary numbers ... There is also a need to revisit and debate the extent to which reduced numbers will curtail Parliament's capacity to provide effective oversight and control of Executive action. ... the very institution of Parliament itself may be debased by the proposal to reduce parliamentary numbers.

That is exactly what happened. We had an ineffective backbench. We had an overworked Cabinet. We had a diminished opposition and thank goodness we had the Greens in here.

Then there was the Ogilvie report, which found:

It obviously stretches the principle of individual ministerial responsibility to its limits when one Minister is responsible for say five Departments, five Authorities and a great diversity of staff.

We have that situation now where, within the current Cabinet, there are ministers with four, five and six portfolios. It is unsustainable, it is not good governance, and it is unhealthy for ministers to be so overloaded.

In the Ogilvie report, the advisory committee calculated that in the circumstances where you have a reduced House, a governing party of 13 MPs or fewer, in such circumstances, after providing for the Speaker and chairman of committees, the Government would have a backbench of only two members. Hello? And here we are:

Plainly a Backbench of that size would not constitute an adequate number within which new Members may gain parliamentary experience and from which future ministerial aspirants could be selected ...

I take Ms White's point here. What we have had happen, because of this shrunken Assembly which we are privileged to be elected to, is that new members like Mr Ellis come in and because ministers were falling like flies - we have lost two ministers and a premier this year - Mr Ellis, instead of having that time which for backbenchers is so important to learn the ropes of parliament, has been chucked into the ministry with really weighty portfolios.

**Mr Jaensch** - He is doing a great job.

**Ms O'CONNOR** - You might say that, but if you take away all the politics, it is not fair on a new, young MP. Ms Hughes' submission goes on to talk about the diminishing of the parliamentary committee system because you have backbenchers who are assigned members of four, six or eight committees. It is totally unsustainable. It means that the committees cannot do their work properly.

There are some great quotes. I was thinking of these quotes when Ms White was speaking. The former Labor minister David Llewellyn said on ABC radio in 2011:

... And obviously, you know, I think we're in this situation - and, again, probably one of the other topics - and Peg touched on it a moment ago, is actually the size of Parliament. And I could admit now, I guess, as being part of the government back in 1998 or 1997 in conspiring - I suppose that's not the best of words but I think that's what it was - ... - between the Liberal Party and the Labor Party to reduce the size of parliament on the basis that it would take more percentage from minor parties to actually win a seat. And I think that was wrong. I'll admit it was wrong. And I think we really should do something about that.

Bill Bale, former Solicitor-General, said:

I think the reduction in the size of parliament, and that is of, the House of Assembly, from 35 - 25, was a retrograde step. I don't believe that 25 people generally elected on a two-party basis, in Tasmania, there may be a third party, certainly a third grouping, I don't believe that leaves the governing party with enough people on its benches to provide a strong ministry, particularly if two or three ministers, as has happened fairly recently in this state, for one reason or another, find that they've got to resign, there's very,

very little on the reserve bench. And I simply don't believe that leads to good decision making.

Here is the former president of the Legislative Council, Sue Smith:

... I think significantly upstairs I haven't seen any disadvantage in the number cutting.

The upper House was cut from 19 to 15. It is a matter of record. Ms Smith said:

I can't say the same for the House of Assembly though. I think we made a significant error in the cutting of numbers in that House, and I think that's reflecting through the Parliament at this stage ...

Famous, wonderful journalist and *Mercury* commentator, Wayne Crawford, said:

... the extent to which the executive government can be held to account for its actions and decisions.

That is the sinister side-effect of reducing the numbers:

The Government backbench has been all but eliminated and is no longer strong enough to promote a culture that encourages (rather than forbids) the canvassing of dissenting views within the Government ranks. And the Opposition is now so tiny there are not even enough members to 'shadow' the Cabinet.

Cutting the numbers to get rid of the Greens did not work because, in 2002 we came back with four members and, in 2010, five Greens were elected, in 2014 three, and in 2018, two. We are still here and we will be back with more after the next election. In all likelihood, there will be other varied voices in here as well and that is good. Other Independents, thoughtful Independents, real community representatives, will make for healthier debates, a stronger parliament and a better contest of ideas.

A few years ago, when we moved our House of Assembly Restoration Bill 2018 and it was referred to a select committee, I had a few things to say about how ill-suited our parliament size is to the size of the growing state we live in. While the contemporary context has changed in the four years since that bill, the history and argument for change has not. One change we have had, and it is a big change that is relevant to this bill, is that we are joined by the Independent member for Clark, Ms Johnston, who is the first Independent elected to this House in their own right since the 1998 seat cut, so viva the Greens and Independents and a healthy democracy.

While the 1998 reforms failed in limiting the influence of the Greens, until the 2021 election they have quite effectively excluded Independents from this Chamber. For a bit of history, the first real chats about cutting the numbers began in 1983, coincidentally the same year Bob Brown entered parliament as the Greens Independent member for Denison on a countback following the resignation of Democrats MP Norm Sanders. Then-Liberal premier Robin Gray established an advisory committee which reported the next year and that was the Ogilvie report, Ms Ogilvie, which recommended against any reduction in the size of numbers.

Ten years later, following the breakdown of the Labor-Greens accord in 1992, Liberal premier Ray Groom introduced a pair of linked measures - and this was so cynical - a reduction in the House of Assembly from 35 to 30 members and a 40 per cent salary increase for the remaining MPs. These issues were untied during the parliamentary process and only the 40 per cent pay rise at that time was passed into law.

In 1994, premier Groom established a board of inquiry into the size of the Tasmanian parliament and the Morling Report was handed down in 1994, again recommending against any reduction in the size of the House of Assembly. In 1997, one year into the Liberal-Greens minority arrangement, with a defeated proposal for a referendum to reduce the size of parliament by removing a lower House electorate and reducing the size of the Legislative Council to 16, the issue reared its head again.

The timing of all these proposals, very clearly and not coincidentally, correspond with periods when the Greens were at the height of their influence. To this day, this reform is used as an example of political collusion in political science courses. Labor and the Liberals colluded to reduce the size of parliament in order to try to eliminate the Greens - well, hello. During the 1998 debate, the late Liberal MP Michael Hodgman made no secret that it was his sincere wish that we be eliminated, removed from the face of the parliament, so we can call that another failure to get rid of us.

From the Greens' point of view, plenty of Tasmanians vote to keep us in here because they know we have integrity, work hard, stand up for this island and its people, will not sell out to corporations, and will always stay true. We cannot be bought and we will not sell out.

It did not work. We had another balance-of-power parliament in 2010 and there will be other balance-of-power parliaments in the future and that is no bad thing. There may be one where the Greens are not part of that because there might be other members from other community interests.

Ms White talked about the 2010 letter where all three political leaders committed to restoring the House of Assembly. That was then-premier David Bartlett, then-Liberal leader Will Hodgman, and then-Greens leader Nick McKim. It was a signed letter with all three signatures. It looked like a commitment but of course the Liberals were the first to blink and then-premier Giddings decided pretty quickly thereafter that she did not have the courage to take it through on her own, so we had another wasted decade.

In 2018 we brought in our bill, and the select committee that was established into the Greens' House of Assembly Restoration Bill 2018 had on it two government members, I think two Labor members and a Greens, but that does not sound quite right because the numbers would not add up for the government. Whatever it was - off the top of my head I cannot recall - they overwhelmingly, unanimously heard the evidence and agreed that the House of Assembly needed to be restored.

There were only two recommendations in that report. The first was to restore the numbers in the House of Assembly and the mechanism for doing that at the time was the Greens bill; and the second was that we begin work on a process to establish two dedicated Aboriginal seats in Tasmania's parliament. That is unfinished business of this parliament. I know that the Minister for Aboriginal Affairs is working through the truth-telling and treaty process. I would say it is very slow, because it has been almost exactly a year since Professors Warner and

McCormack handed down their report. Making sure there is Aboriginal representation in the Tasmanian parliament should be something that guides us very strongly in here and I hope that is part of the discussions on truth-telling, treaty and justice.

On the cut in seats, Richard Herr is probably worth quoting:

The Liberal Party and Australian Labor Party combined in a bipartisan assault on the parliament itself in a misguided attempt to decrease probability of any future minority government. The stratagem the two parties adopted reduced the size of parliament to a level that they expected would prevent third parties from holding the balance of power on the floor of the House of Assembly.

This action has totally distorted the relationship between parliament and government to such an extent that it is arguable the Westminster tradition itself is in jeopardy.

He says:

Despite a great deal of sophistry about cost savings and the like, the driving force behind the change was an irresistible urge to secure majority party control of the government by raising the electoral threshold for the Greens to an unachievable level.

In the context of other like-sized jurisdictions, the primary objection that has been raised in the past to restoration, is that Tasmania has more politicians per capita than any other Australian state. It is not a salient measure and it is also not accurate in the broader context. Comparisons are often made between Tasmania and the ACT, which has a similar population and the same size lower House. However, this is a poor comparison for a number of reasons.

The ACT has a geographic area that is just 3.5 per cent the size of Tasmania. The ACT is far less spatially and socially disparate than Tasmania, which is a reasonable argument for needing less board representation. The ACT is also the seat of the Australian Government, containing 37.5 per cent of federal public servants. Access to federal politicians, public servants and public services is far easier in the nation's capital than it is in lutruwita/Tasmania.

The territory also has historical structural differences to Tasmania. The ACT was not self-governing until 1988, when the Australian Parliament passed the ACT Self-Government Act. The ACT has no constitutional protections or rights; it only has legislative power granted like the 1988 act which can be overridden at any time by the Commonwealth Government. As a result of the ACT Legislative Assembly's constituting document being Commonwealth regulations, the ACT was not able to roll through its own composition until amendments were passed in 2013. Subsequently, in 2014 the number of seats increased to 25.

Looking more broadly than the ACT, there are 30 countries in the world structured as federations like Australia. Within these, there are 574 sub-national jurisdictions, 496 of which have legislature data available. Those not included are the United Arab Emirates and Papua New Guinea which have no sub-national legislatures, and Sudan and South Sudan, which did not have data available for their jurisdictions. Tasmania's House in comparison does not



perform well, with the average size of a House for states with a population between 400 000 and 600 000 like ours, sitting at 45 members.

Of the 75 bicameral parliaments across the globe, Tasmania has the third-smallest lower House, beaten only by two states in the United States of America - the Northern Mariana Islands and American Samoa. These states have lower Houses of 20 and 21 seats respectively and populations of 54 000 and 56 000 thereabouts respectively, so about a tenth of the population of Tasmania.

Tasmania also has the seventh-smallest combined legislature of the 75 bicameral parliaments. Looking at both bicameral lower Houses and unicameral parliaments, Tasmania has the eighty-fifth smallest out of 574 states. Of the 84 parliaments smaller than ours, the Economist Intelligent Unit only classifies three as full democracies - Yukon, Northwest Territories and Nunavut.

It is worth noting that because we are a federation, Australian states have more responsibilities than average state equivalents in federal models of government. Australia's Constitution provides for one of the most extensive models of concurrent responsibility in the world. This means there are fewer areas where the state has no responsibility than in many other federal countries, increasing the number of ministries required for effective administration.

The bottom line is that by any measure, our parliament is a very small one and our state is growing and will grow more as more and more people seek refuge from the heat and want to live somewhere that is wild and beautiful and get out of the rat race. Our population will continue to increase and we need to have a parliament and governance structures that are capable of administering portfolios effectively, delivering good services and making sure that in this place we have robust debates, a strong backbench, a strong opposition and a strong and effective crossbench.

In winding up, I point out that there has been a broad range of people from across politics who have supported this legislation or the intent behind this legislation, including Liberal Senator Eric Abetz, Greens Senator Nick McKim, and federal Labor MP Julie Collins, all calling for reforms to see an improved pool of talent for ministries. Senator Abetz called for a restoration of the seats. We have had the former president of the Legislative Council, Jim Wilkinson, backing restoration; Greg Hall, former MLC, is very strongly in favour; and importantly, we have had the Tasmanian Chamber of Commerce and Industry back this legislation because they know it is important that we have good governance here.

Mr Speaker, I will briefly respond to something the Premier said in his second reading speech. I also acknowledge that he said:

I am not the first member of this House or the first premier to seek to put right the decision that was made in 1998.

Well, Premier, you are in fact the first premier to seek to put right that decision. I know it has been a bit difficult for you and I am sure that within the broad church of the Liberal Party there is a range of views about the approach you will take. I also know that as a result of that in part you sought the advice of the Tasmanian Electoral Commission, which handed you a report that very strongly made the case for the five seats of seven members and I am thankful

that you accepted the TEC's advice. I would be remiss, though, not to make the point that the Greens have been the only members in this place consistently prior to you who have sought to put right that decision; that is a fact.

This bill remedies the wrong of 1998. It will lead to a greater talent pool and a parliament with more capacity and better community representation. Who knows what the 2025 state election will bring but it will be a 35-seat election and I, for one, am excited to see what happens then because it will be a festival of democracy. Long live our precious and fragile democracy.

We have seen what happens when people get out to vote. We have seen it in the United States just this week. We have seen young people, Gen Z and women save America from collapsing into fascism, at least for now. Democracy is very important. It is a precious thing and we are all privileged to be able to vote and to be able to be part of it.

I strongly commend the Expansion of House of Assembly Bill to the House.

[3.06 p.m.]

**Ms JOHNSTON** (Clark) - Mr Speaker, I rise to speak in support of the Expansion of House of Assembly Bill today and provide a brief contribution. I agree with the Premier's sentiments in his second reading speech and thank him for having the political will to bring this on, as others speakers have recognised. A larger parliament increases the talent pool, despite what some naysayers contend. More members means more choice for ministries and shadow ministries.

An increase in members provides the necessary critical mass to provide a Cabinet, a backbench and the other roles. The importance of an effective backbench to keep the ministers honest is often ignored in the debate but is an important aspect of the Westminster system. A working backbench means ministers cannot rest on their laurels. Westminster government requires a backbench to keep the executive in check and accountable and that function has been severely limited with a 25-member Chamber. Hopefully, with the passing of this bill, we can now get back to quality committee work.

Then of course there is the all-too-obvious problem of overloaded ministers. No matter how capable a minister may be, it is an impossible task to keep on top of five or six portfolios. The results, as we have seen, is burnout and resignation, which is not an ideal situation for a functioning parliament. A 35-member parliament cannot come quickly enough.

Then there is the old chestnut that opponents of a larger parliament sometimes espouse that a 35-member House will advantage the Independents and minor party candidates. Their argument is that with seven seats per division, the quota for election under Hare-Clark is reduced, meaning fewer votes are needed to get elected, consequently bringing more non-major party members into the House.

I have consulted the website of Dr Kevin Bonham, the noted expert of election analysis, who has conducted meticulous modelling of all elections since 1998, the first year of a 25-seat parliament, to see that the results would have been much different if 35 members had been elected at those elections. He finds that at most elections, whether there were 25 or 35 seats made no difference to the overall outcome, so it is largely a furphy that Independents are advantaged by a larger House. The reason is of course that the lower quotas benefit the larger parties as well. They can look at three or four seats in each division if they campaign well.

It is a reality that members or candidates have to earn their seats in this place. Who will be elected is what the people want and a reflection of the make-up that they want. I hope that will mean in the future a swing to more Independents and minor parties.

The bottom line is that a 25-seat parliament barely works. To see someone of former premier Peter Gutwein's undoubted ability, whatever you think of his politics, abandon his post as premier is simply not good enough for Tasmania. We cannot have a Cabinet while we wait for the next minister to drop from sheer exhaustion.

The debate on this bill must focus on the capacity of the House to provide effective government for the Tasmanian people. The reduced quota needed to win a seat in a 35-seat House would improve the proportionality of the electoral system ensuring that representation more closely reflects what the will of the voters is. That is democracy, pure, plain and simple. As veteran UTAS political scientist Professor Richard Herr said a few years ago:

Parliament needs to be strengthened in order to do its job to protect the people of Tasmania from maladministration and the government from its own missteps and propensity to tunnel vision.

With those last thoughts Mr Speaker, I urge all members here to support this bill.

[3.10 p.m.]

**Mrs ALEXANDER** (Bass) - Mr Speaker, I rise in support of the Premier and this bill and I thank the Premier for his words. As the Premier noted, today is an important day, not just for those assembled here, but for those who come after us and the future of Tasmania and its people. Should this bill receive the support it deserves, long after the members here today are no longer members of this House, this bill will continue to have a positive impact for the future of our state.

As the Premier pointed out, since 1998, never have Tasmanians been represented by so few. This House was always a place of 30 members or more. Since 1998, when this House was reduced to 25 seats, our population has continued to grow as has the work of government and indeed the work of all members of this House. As we know, over the last two and a half years we have had a number of challenges and this discussion is really relevant.

I will not transverse into the history of 1998, only to say that it has long been recognised as being a wrong step. There have been a great many reports and inquiries, from the 2011 Boyce review to the 2020 select committee's final report, which have all argued for an expansion of the House of Assembly. Those messages have always been resoundly supportive of restoring this House because the fact is the current numbers in the House of Assembly mean there are fewer members available to sit on the backbench and perform their most crucial function of representing their communities and bringing their concerns forward to this parliament. This bill will address that.

It will allow for more appropriate and proportionate representation for the Tasmanian community. It will also enable this House to best fulfil its legislative and parliamentary functions including a fully functioning committee system and backbench. It will enable our parliament to work efficiently over all. While we cannot change what occurred in 1998, we can redress it now and today we have the opportunity to put this right. As the Premier has said, it might not be the most popular move, but it is the right thing to do and when things need

fixing we need to have the courage to fix them. Today, together, we have an opportunity to put this history to rights.

All parties in this place have agreed, at various times, to increasing the House of Assembly. In 2010, Labor premier Bartlett announced the agreement of all three parties to restore the House of Assembly to 35 seats. There was broad tripartite support at that time. However, in the wake of a weakening economy and budget at that time, the time was considered not right. Again, the matter was put on the backburner, but over all those years since 1998, I think all political parties in this house have retained an in-principle support for expanding the House of Assembly and have publicly articulated that support.

However, until now, there has been no government bold enough to bring forward legislation to the House. This Government understands that a restored parliament is crucial in a functioning and healthy democracy. We understand that it is necessary and we note that the expansion is also well supported by key stakeholders, from the TCCI to TasCOSS, and also has received broad community support from Liberal, Labor, Green grassroots members, former members of this parliament and the Tasmanian people as well.

The reason for this is evident. More members in this place will provide for improved governance, which is extremely important; for greater diversity, extremely important as well; but also for increased ability for minister to tackle the wide range of portfolios; for a robust backbench which keeps ministers on their toes too; and more members to undertake a critical and important committee roles. The debate often centres around the workload of ministers but opposition parties in this place also have a key role which is to scrutinise legislation, examine expenditure, and appraise government's decisions and administration. That is equally as important. This is an important part of democracy.

A reduced House of Assembly reduces the capacity of every member. It stretches all of us which, in turn, affects the quality and quantity of the work we are all able to do. A restored parliament restores the capacity of all members to represent their communities more broadly and to represent the interest of the public and that is regardless of the legal persuasion. As one former premier said, 'It will foster a healthier democracy'.

I support the bill and commend the Premier for his courage in bringing this legislation before the House.

[3.16 p.m.]

**Mr ROCKLIFF** (Braddon - Premier) - Mr Speaker, I thank the members for their contributions today and their support for the bill. This is a significant day for the House of Assembly of the Tasmanian Parliament. I do want to support all those who have advocated for this day since 1998, almost a quarter of a century.

I was elected to this place four years after the change was made, in 2002, and right from that point there were MPs on all sides of politics, publicly although privately in the House, saying that was a mistake in regard to the reduction in the size of the parliament at that particular time. It is easy to reduce the size of parliament and talk about fewer politicians and all those sorts of things because it does engender support across the community, particularly when there are difficult times as the late 1990s was economically, and the like. I understand the politics of the day but it was the wrong decision and the wrong call. One of the reasons

referred to in the report and many people speak about is the work people do outside of the Chamber, the committee system.

As an opposition member of parliament, I got a great deal of value out of the committee system albeit a smaller parliament, in my earlier years as an MP. One of the joint House select committees was the container deposit inquiry -

**Ms O'Connor** - Which you would have been on with Mr Bartlett and Mr McKim.

**Mr ROCKLIFF** - I was, and with Mr Harriss and Mr Hall and others.

**Ms O'Connor** - There was a joint standing committee on environment.

**Mr ROCKLIFF** - There was and that was a very good committee. I was on that for quite some time and it made some recommendations, and through Mr Jaensch, all those many years later, we have that reform as well.

I also remember being on the joint House select committee, it must have been around 2008, with Mr McKim and others, investigating some form of integrity body. Others I have been on included the industrial hemp legislation, which has come to the fore. All those areas of really good scrutiny, bringing members of the community in to put forward their ideas whether for or against various aspects of those topics are now part of law in Tasmania.

From my understanding, that part of the parliament around the committee system has been weakened by a reduction in members and the number of people in the House of Assembly. Prior to 1998, we had 19 members in the Legislative Council, which we reduced to 15. Some day, no doubt, there will be discussion around the numbers in the Legislative Council. Today we are debating the Expansion of House of Assembly Bill back to 35 members, commencing in 2025.

**Ms White** - Do you know how much it will cost?

**Mr ROCKLIFF** - I did talk about cost in my second reading speech. We will have the Department of Premier and Cabinet and Treasury providing the costings. We should get sight of that in the 2023-24 budget. If I remember the second reading speech correctly, we have some figures from around 2019 that have been inflated, but the cost will be very clear for people to see in future budgets.

It is the other areas that people do not see that are important. It is the involvement of non-members of Cabinet. There is the greater involvement in making sure that they can have input into future policy directions through the committee system, which I think is really valuable. It is really great being on a committee where you have all sides of politics with a focus on the terms of reference of a particular matter that is important to the Tasmanian people and all working together - like the report we are referring to on a number of occasions today. There is great scrutiny and ideas and, at the end of the day, a united view on that committee. All colours of the parliament, if I could put it that way, coming to that fruition.

One of the members who was very passionate about the restoration was the former member for Franklin, Jacquie Petrusma. I am sure Jacquie would not mind me talking about her enthusiasm for the restoration of parliament. She was a member of the committee who

could see the benefit of a return to a 35-seat House. I thank Jacquie for the support she provided me in getting to this point.

**Ms O'Connor** - She was terrific. She was also very sharp with the report and one of the best proofreaders I have ever met. She disciplined us.

**Mr ROCKLIFF** - I can concur with that. Mrs Petrusma could find a spelling mistake from a thousand miles away, or a typo or whatever it might be. What Mrs Petrusma was presented with regarding documents or whatever it might have been, you could guarantee that they would be thoroughly read. You would need to be on your toes if you were bringing forward a matter of policy within or outside Cabinet.

I will address a couple of matters with respect to the contribution from Ms O'Connor. I recognise Ms Haddad as well, who was also part of the committee, and Ms Dow and Ms Hickey; I mentioned Mrs Petrusma, Mrs Rylah and Ms O'Connor.

I refer to a question that Mrs Rylah had on page 108 of the committee. It was a matter raised by Ms O'Connor concerning Aboriginal representation in parliament. In point 7.27 on page 108 of the report, when asked whether it was better to have two dedicated seats in the Legislative Council to avoid issues that might arise with a hybrid electoral system in the House of Assembly, Mr Michael Mansell reaffirmed to the joint community submission these were two dedicated seats in the House of Assembly. Mrs Rylah said:

Earlier today I asked some questions of some witnesses with regard to what they expressed as the potential or the realities of having a hybrid system within one house of Parliament - in other words, having some seats based on the electorate that is part of the state and other seats on a different basis. I asked them specifically about a state-wide basis, as you proposed. They are saying there is history that says there are problems when you have differences in the same house. Could I put to you two options? Either we consider changing the Legislative Council in this state to being elected like the Senate, in other words, on a state-wide basis and have Aboriginal seats in that House, or is it that Aboriginal seats would be best if it was on a state-wide basis in the Senate itself and not in the state house. Could you give me some comments on both of those options please?

That question was put to Mr Michael Mansell, who said:

The whole proposal is to give Aboriginal people a voice in the House of Assembly at the state level, not to review Government legislation but to be able to agitate Aboriginal issues in the house of policy, which is the lower House.

I want to talk briefly about the reform in this area. Mr Jaensch is very actively engaged in truth telling and treaty process. When it comes to this bill and our commitment to introduce legislation this year to increase the House of Assembly, such a significant and important reform would require deep and broad engagement with Aboriginal representatives. It would need to be underpinned by culturally appropriate consultation, respectful consideration and dialogue that is Aboriginal led.

The Tasmanian Government is committed to continue our journey towards truth telling and treaty, in partnership with all Tasmanian Aboriginal people. We are currently working to finalise the membership of an advisory group comprised of Aboriginal people, who will co-design with Government a clear and defined process for truth telling and treaty. I expect that this issue will be explored during the process for truth telling and treaty.

The Tasmanian Government also notes the Australian Government's commitment to a referendum to enshrine a voice to parliament and will be watching this process closely as Australia progresses down this pathway. I have taken great interest in the voice to parliament, the national discussion and the Uluru Statement from the Heart and provided a commitment to the Prime Minister, and as all premiers and chief ministers around the country have, to work towards that referendum and to ensure its success.

We look forward to continuing on the truth telling pathway to treaty journey. We must be mindful of whatever we can do in matters of closing the gap. We will update it every year. We need to be very mindful that the state has the second largest population of Aboriginal people across the nation and very mindful about First Nations history, a dark history and the importance of supporting Tasmanian Aboriginal people.

A lot has been said by the Leader of the Opposition in Ms White's contribution. I would have thought, given the history of the day, that there may have been a greater contribution of substance, given there has been a lot of tripartisan advocacy for this change. There was a lot of discussion from Ms White about our team. Every member of parliament has the right to choose when they leave this job. A number do on all sides of the parliament. When they do, and they are part of a cabinet team, there is inevitably a reshuffle. That was the same process under previous governments. When it comes to matters that are not only on our side but also on the Opposition's side, the Labor Party has also had two leadership changes since the election, they have had three members resign, two from parliament and one from caucus, and now we know where they are in terms of their federal party and the way they intervened on them, so it is a little hypocritical and I would have expected, given the significance of the day, a little more contribution of substance given we are talking about increasing the size of parliament.

I am sure there are many people in the community who will always say, 'We need more nurses before we need more members of parliament', and I can agree with the sentiment when it comes to that. I can talk at great length about the investment we are making across our health, education, public safety and child protection services in terms of increased resources. However, I was surprised, I have to say, once we made the announcement in May this year, that many people came up to me and said, 'Good move, that is exactly what we need to do'. It might not be a popular thing to do but people recognised, given the debate has been in and around our community for almost a quarter of a century, that we need a functioning parliament, a functioning democracy, one that, as Mrs Alexander pointed out, where members of Cabinet are scrutinised and feel the need to perform because of other members outside of Cabinet who want to be a Cabinet minister and make a contribution. That is part of the robustness of parliament. It drives greater skill, work ethic and hard work on members of Cabinet who want to remain in Cabinet and, indeed, in opposition.

I well remember coming into this place with the 'Magnificent Seven', as we were labelled in 2002. We could have a PLP meeting in a telephone box, or whatever Robin Gray might have said at the time, if I recall. He was right. It was a time with such small numbers as a team of seven that I never thought I would be a member of government. I really thought my entire

political career may well be in opposition because the numbers were so low at the time. It took us a little while to find our feet with four brand-new members of parliament in the 2002 election. The people decide the numbers across the Chamber, of course; it is the wonderful thing about democracy.

A greater size parliament to put more pressure on executive government and government to ensure that people are working diligently in the role they play and are responding to community need, I believe is a very important part of democracy as well, which we will benefit from when we have an increase in the size of parliament.

I thank the people who put forward submissions. We had six submissions to the draft bill, and I expected more against, but all those six submissions were for the restoration and change, aligning with the House of Assembly select committee on the restoration bill, the final report to which a number of members have referred.

Mr Speaker, I thank members for their contributions today and their support of the bill to have a tripartisan agreement on restoring the numbers of the House of Assembly. I want to thank people for their maturity in the discussion. I believe that following the next election we will have a parliament that well and truly represents the people of Tasmania.

**Ms O'Connor** - More diversity would be good.

**Mr ROCKLIFF** - We will be aiming, of course, for a majority. We will all be aiming for a majority, I am sure, and we will not be resting on our laurels at all, but we will have greater diversity. Members of the public will have two extra members of parliament to whom they can go in each electorate. It is an important thing. It is about accessibility. I believe we are accessible now. In some mainland states, many people do not ever see their MP and would rarely see their Premier or a minister, but in Tasmania we are very lucky. We can walk 10 seconds down the road and people will come up and say hello, good job or bad job or whatever they want, frankly, and that is the great thing about being close to the people. This bill will bring, in my view, the Tasmanian parliament even closer to the Tasmanian people and I commend the bill to the House.

**Bill read the second time.**

## **EXPANSION OF HOUSE OF ASSEMBLY BILL 2022 (No. 47)**

### **Third Reading**

[3.37 p.m.]

**Mr ROCKLIFF** (Braddon - Premier) - Mr Speaker, I also thank the staff of the Department of Premier and Cabinet and the Office of Parliamentary Counsel for the work they have done on presenting this legislation to the parliament today. I very much appreciate it

**Bill read the third time.**



## ELECTORAL DISCLOSURE AND FUNDING BILL 2022 (No. 25)

### Second Reading

Resumed from 27 October 2022 (page 90).

[3.38 p.m.]

**Ms HADDAD** (Clark) - Mr Speaker, I am very glad we are back here continuing the debate that we began in the last sitting week on this bill. I think I was about seven or eight minutes into my contribution on this very important piece of legislation, and I want to thank the Attorney-General for remaining firm in her commitment to bring this back to the parliament and this year.

I was reflecting on previous attempts and the fact that this has been long fought for and a very long campaign for change to improve Tasmania's electoral donation system, which we know is the worst in the nation.

I was reflecting on a private member's bill attempt that we had made in 2020 and some of the things I had said in the second reading debate of that bill that I was about to quote back into the *Hansard*. I stand by what I said at that time, which is that I know it is not lost on any of the 25 of us - soon to be 35 of us - who have the honour of filling one of these seats that we have a huge responsibility to represent the voices of more than half a million Tasmanians. Their values, their hopes, their needs and their fears are distilled and hopefully represented in the laws and the decisions that are made in this room. As I look across the Chamber at each of us I see those half a million Tasmanians who we are charged with the responsibility to represent.

Mr Speaker, being a small connected state with a small population and lots of connections between people and communities, members of the public feel much closer to their elected representatives in Tasmania at all levels of government. Indeed, we have had the Premier saying that very thing just now when we were debating the previous bill. People here are more likely to know their local member, or if they do not know them, they are likely to be able to get an appointment to see them pretty easily. That is just not the case in bigger cities and jurisdictions, because we are, after all, local members no matter the other roles we might take on in this place, and I think across the Chamber we all realise that. You cannot be a minister of the Crown without also being a local member and continuing to represent honestly and truly, your electorate.

We are all here to make our communities a better place, to improve our state and improve the lives of Tasmanians. Granted, we do come from different political parties, we have different values, different policy agendas, different motivations, different ways of working and different priorities. However, I do not believe that anyone who sits in this Chamber here, right now, is here for negative purposes, is here not to make a difference in their community. We might disagree in here and we do a lot, but each of us here is motivated by a desire to represent and improve our state.

Sadly, that is not something that is generally shared or recognised in the community, even though those of us who work in politics might know that to be the case. Many in our communities see all politicians as lazy, entitled, privileged, dishonest, or even corrupt. Part of the reason for that is the global mood around politics generally, some of which is outside of

our control but a big part of it is also the fact that our laws here in Tasmania are deficient, they lack transparency, and they allow parties and candidates to be less than open and transparent with the Tasmanian public when it comes to political donations.

Things like the 2018 election campaign when millions of dollars were poured into an anti-Labor campaign, run in the community to add cynicism and dismay that politics and politicians are held in. Things like the rumoured amount of money that Adam Brooks spent on his 2014 election campaign, rumoured to be in the vicinity of \$300 000. It might not be true but it is the rumour that we hear around these traps. The truth is no one will ever know because we do not have disclosure legislation and we do not have legislation that can rein in the amount of spending that campaign parties and candidates engage in.

Changing this is within our power and it is also within our reach, now that we are here debating these two bills tonight. These bills have been a long time coming and it is worth sharing some of that time frame. First of all, there was the election commitment from then premier Will Hodgman back in 2018 that if he was re-elected he would commit to implementing donation law reform. He called a community consultation which was conducted in 2018. That led to an interim report and an amending bill which made, in the main part, administrative changes to the Electoral Act dealing with things like nomination periods and postal votes as well as news coverage on polling day.

Recognising the significance and the need for more substantive change and a scope of what was needed, a second public review and second community consultation was conducted. That led to a broad community consultation and a report that was delivered to government in 2019. There were high hopes about that review. Many members of the public and civil society organisations submitted to that consultation but waited and waited while the report sat on a shelf, hidden from the public eye.

Not long after that report was delivered in December 2019, Peter Gutwein went on ABC radio in one of his first interviews as premier, early in 2020, and disappointingly seemed to walk away from the commitment of his predecessor, Mr Hodgman. In that interview, Mr Gutwein was asked if political donation law was still a commitment of his government and his answer was really telling. He firmly walked away. He said:

There was a commitment made by the former premier that we would look, at this and that is exactly what we will do, but I want to make the point again with it is about getting the balance right. ... I think we have this to ensure that people don't feel that they can't contribute or make contributions to the public debate by supporting a political party and feel that they are in some way going to be pressured as a result of that.

I found that response really disappointing and I saw it as a clear walk-away from that commitment from the government at that time. It was clear that at that time Mr Gutwein thought that having to be upfront about who is giving parties and candidates donations, that was somehow preventing someone from participating in the political debate or in our democracy and that is not a view that I share. People should be able to participate in public debate and in democracy by supporting candidates or parties of their choice but disclosing that support is in no way a limitation on that debate or a limitation on democracy. Quite the contrary.

During and after that time, the public pressure continued to mount on the Government to act. This was added to by a significant groundswell of demand for change from the public. I hazard a guess that some of that pressure was probably being brought to bear on the Government from within its own party.

Around this time, there was also the 2019 report conducted by Richard Eccleston and Zoe Jay at UTAS through the Institute for Social Change, which made a range of recommendations around donations, disclosure and spending caps. That was followed in 2020 by a report from the Australia Institute called Good Government in Tasmania, which similarly made a range of recommendations around disclosure, donations and spending caps.

There was the 2020 Labor private members bill that I mentioned and the 2021 Greens private members bill that I also mentioned. We copped criticism for our 2020 private members bill, including from people who were advocating for some of the changes that were in it. People were frustrated that the bill was not perfect and did not cover all of the changes that were required to truly bring our electoral laws up to scratch. That was true. At no time did Labor claim its bill did everything that was needed when it comes to electoral law reform or restoring trust in politics, but it was a far further step in the right direction than the Government was willing to take at that time. I believe that bringing on that private members bill was one of the many factors that kept the pressure on the Government to act. Without it, perhaps we would not be debating these bills today.

Our lack of political donation regulation adds to cynicism about politics in Tasmania. As I said earlier, there is no requirement for parties or candidates to disclose donations they receive in state elections, or any requirement on donors to disclose their donations. This matters to the public, who rightly expect the same level of transparency in Tasmania as operates in other states and territories around the country. In every other jurisdiction, apart from the commonwealth, there are strong and robust regimes in place that mean donations to parties, to MPs and to candidates are publicly declared. All these schemes, while operating in different ways, have one critical thing in common: transparency. They are about the fundamental integrity of our political process.

The bills before us today go a lot further than previous attempts. This is genuinely refreshing. Many in the public who were lobbying for a lot of this change were genuinely very glad when they saw the draft legislation released for comment that the bills contain the substantive changes that they do.

There are significant changes needed to the bills. I have already foreshadowed that we will be moving a series of amendments to the disclosure bill, but nobody could say that these bills are tokenistic or lightweight. They are substantive. They contain significant changes to our electoral laws and they represent a genuine attempt to put in place a robust system that will require political parties and candidates in Tasmanian elections to disclose the donations they receive. They would still be the weakest in the country if they pass as written, but they do go a lot further than many were expecting and I do want to acknowledge that.

The bills do the following: they prohibit some political donations - foreign donors and anonymous donors - mirroring federal legislation; they require a registration of third-party campaigners and associated entities; they set up a system where with parties and third-party campaigners any donations they receive are paid into and spent out of a separate campaign account; require election campaign returns for House of Assembly elections, updates of

Legislative Council requirements maintaining mostly the status quo, but updating language to ensure consistency; require the disclosure of donations received by parties and candidates over \$5000. Although that is a cumulative cap, we will be moving amendments to lower that disclosure threshold to a \$1000 cumulative cap. They require the weekly disclosure of those donations during the campaign period, which we support, but only six-monthly outside the campaign period, which is too long. We will be moving an amendment to change that time frame to monthly disclosures throughout the year.

This bill also proposes a public and administration funding regime similar to that used in every other state and the Commonwealth. While public funding is something members of the public might feel cynical about, it is a fundamental pillar in a well-functioning electoral system. It will take some time to change the culture of elections in Tasmania. However, the provision of both public per vote and administrative funding is an important step towards levelling the playing field and getting big money out of politics.

While this and other parts of the bill are to be welcomed, there are changes required to the bill if we really do want Tasmanian politics to be fair and take genuine steps towards having a level playing field. While these bills go further than many expected, if they pass they will continue to be the weakest in the country. We should aim for better than that. We should aim to be better than the bottom rung on the ladder.

One very significant area where this bill is entirely deficient is that it does not implement spending caps. Having electoral laws that allow for public funding but do not impose caps on how much money parties and candidates can spend is not just wrong, it is actually dangerous. These two things have to go hand in hand. It is not right for parties and candidates to receive public funding while also being able to seek donations and spend unbridled and unbounded. That will not lead to a level playing field that I know Tasmanian politics so desperately needs.

It is no secret that political campaigns cost a lot of money. People do not always know that. The cost of posters, billboards, flyers, advertising and other materials all adds up. Not to mention the cost of things such as radio, print and television advertising for those who can afford to use it. That is generally cost-prohibitive for many candidates. I suspect the majority of Tasmanian voters do not have a lot of insight into the financial contribution individual candidates make to their campaigns, even if they are not elected. Many of us take out loans, go into debt or save for years to fund the high cost of election campaigns.

For many Tasmanians the prospect of running for politics is completely unrealistic and out of reach because of that high and prohibitive cost. The truth is we do not have a level playing field in Tasmanian politics. Parties and candidates can spend vastly different amounts of money to one another. Nobody would ever know at the moment because there are no disclosure requirements. If the bills pass as they are currently written there will also be no caps on how much candidates and parties can spend. That means that level playing field will not be implemented.

Add to this the unique nature of our Hare-Clark electoral system and two candidates for the same seat, even from the same party, could be spending tens of thousands of dollars differently from one another. Adam Brooks apparently spent as much as \$300 000 on an election campaign. The other Liberal candidates in that election would not have spent anywhere near that amount. We do not have a level playing field between parties and we do not have a level playing field within parties. The fact that that kind of money can be spent

means it is shutting out a whole section of the community who could never imagine being able to run for parliament. That is not good for our democracy. It is not good for politics in Tasmania.

I believe that the person with the best ideas, the best policies and the best heart should have the honour to serve in this place, not just the person with the deepest pockets or the biggest cheque book. Right now, people with personal wealth and means are better able to fund a campaign. That does not lead to a parliament that truly represents our community. Elections in Tasmania have to be a battle of ideas, not a battle of bank accounts. That is why I will be moving a series of amendments to limit campaign spending by candidates, by parties and by third parties and other entities that participate in the political process. Without reining in the spending that we see on political campaigns we will never see a resolution to the fact that our political system is not there and does not have that level playing field.

We will also be moving amendments to lower the proposed disclosure threshold limit put forward in the bill. The \$5000 disclosure threshold is far too high. If accepted it would be among the highest in the country aside from the commonwealth disclosure, which is ridiculously high. I spoke about it when we started the debate last sitting week. In New South Wales the disclosure limit is \$1000, Victoria is \$1000, Queensland is \$1000, Western Australia is \$2500, the ACT is \$1000, and the Northern Territory is \$1500. South Australia is currently \$5000 but they have already announced since their election this year that the Malinauskas Government will be reducing that and improving their electoral donation systems as well.

Mr Speaker, \$5000 is just far too high a threshold. Members of the public want to see transparency and accountability when it comes to who is making donations to parties and candidates. I do not object to the fact that candidates need to accept donations. 'Donations' is not a dirty word because we have talked about the cost of running election campaigns. It should not just be people with personal wealth or capacity to generate their own debt and fund their own election campaigns who have the right to represent us here.

Elections are expensive. Billboards cost about \$3000 a month, corflute posters cost between \$10 and \$20 to print, and there is the cost of wood and steel to put them up. Flyers cost thousands of dollars to print. These are the lower end of the campaign costs. If people start booking radio, print and television advertising, those costs start to add up really quickly, literally to tens of thousands of dollars. I do not like the fact that elections cost that much; I think it should not be that way. I believe it should be much more affordable and much fairer to run an election campaign. With the realities right now, with the costs as high as they are, it is imperative that running for office becomes approachable for anyone wanting to run. Any citizen who wants to put up their hand for public office should be able to aspire to do that and have a genuine chance at election.

In reality, this means that candidates will seek donations. My campaigns, just by way of example, were funded in this way. I took out a loan to fund part of my campaign and I recognise that I am lucky enough to have a house I can take out a loan on. I also ran small fundraisers such as a movie night, a quiz night, and a footy tipping competition for AFL women's teams that is coming to a close, but they generate very little, a few hundred dollars. I have received a few small donations, from \$50 up to a few thousand dollars from friends and family. While I do not receive big buckets of donations, as I know some people do, it nevertheless really did come as a shock to me as a first-time candidate in 2017-18 that I was not required to disclose

those donations to anybody - not to my party, not to the Electoral Commission and not to the public.

Our amendments would lower the disclosure threshold so that parties and candidates would have to record each donation they receive, then have to disclose those donations received over \$1000, as well as donations from one donor who donates multiple smaller amounts that cumulatively reach \$1000 that would then become disclosable. It is not the case that only donations over \$1000 would need to be disclosable. I recognise that that is how the provision in the bill works now. It is a cumulative requirement, but at the moment under the Government's drafting, it would not be disclosable until donations from one donor reached \$5000. We will be moving amendments to reduce that disclosure threshold.

We will also be moving amendments that mean the disclosure would have to be made to the Electoral Commission more frequently, monthly throughout the term of government and weekly during the period of the election campaign, which is what is in the Government's bill. The Government has suggested six-monthly disclosures which we believe is too long. People have a right to know throughout a term of government who donates to the parties, candidates and MPs. We support the provision that would increase frequency so that donations would be disclosed weekly during the election campaign period.

Finally, we will moving amendments that implement those spending caps which will rein in spending, without which we will not see a level playing field. I have circulated our amendments to everybody around the Chamber. I have another amendment I will also be moving around the distribution per candidate, per party public funding. That was mentioned by Dr Kevin Bonham in his submission to the consultation draft legislation and again in an article he published last week. He has argued fairly strongly that the way the current bill is drafted in terms of the distribution of the public funding component is suitable for single-member, not multi-member electorates, and it could lead to unintended consequences if it is implemented as written, in terms of how Hare-Clark elections run. When we go into Committee I will also be moving that amendment; it is in the pack I distributed around the Chamber earlier today. I recognise that others will move amendments as well.

I will conclude by reflecting again that I am very glad we are debating these bills this week. Notwithstanding the fact that they would still represent the weakest regime in the country if they pass as currently written, it is a significant step forward in improving democracy and improving the way our political system works in Tasmania.

As I said earlier this week in this place, the fact that we have just now finished debating and have passed a bill to restore the House of Assembly to 35 seats is a significant step forward to improve democracy in this state that needed to go hand in hand with electoral donation law reform. We have a duty to the Tasmanian people to do everything we can to start to restore trust in politics. Some of the reasons that people are cynical about politics are things that are outside our control. Global factors, cynicism generally about politics and about party politics, et cetera, is widespread nationally and internationally. However, there are things that are within our control. Putting limits on how much parties and candidates can spend is within our control. Implementing a regime that means members of the public have a very clear picture of people who donate to political parties is within our control.

The people who stand to benefit from reform in this area are the Tasmanian people. People in Tasmania generally feel pretty connected to their local representatives. Our mainland

counterparts look at us and tell us we are over governed. They do not think that we deserve the 12 senators and five federal members and our state parliamentarians, let alone local government.

We know the work that happens in our local communities, in our electorate offices, in community advocacy. Legislative reform happens in this place, but the community does not always see that or share the views we have in terms of the things we are trying to do as representatives to improve our community. It is within our power and within our reach now to change that by passing this bill and many of the amendments that are proposed so we can do our part to start to restore trust in politics, even if that is just in our beautiful little state of Tasmania. We can leave restoring trust in politics globally to others, but we can do our part to improve our legislative regime and who stands to benefit from that is the Tasmanian people for generations ahead.

[4.03 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, the Greens will be supporting the two bills, the Electoral Disclosure and Funding Bill and the miscellaneous amendment bill. We have a number of amendments because we want to make sure Tasmania has amongst the strongest electoral and donation disclosure laws in the country rather than remain at the bottom of the table, which is what will happen even when this bill passes if it passes unamended.

I thank and congratulate the Attorney-General for getting us this far. It is something. It goes back to a promise that was made by former premier Will Hodgman in 2018 after an election about which everyone will have their different view or perspective on and the wash of money that came from vested interests towards the outcome. Whatever your perspective, there was within the community a sense of unease because people could see that more than any other state election in the state's history, and certainly any I have observed or participated in, the investment by vested interests was at a level we had not previously seen. There was a feeling in the community after 2018 that we needed to do better. The then premier, Will Hodgman, made a commitment that there would be electoral law reform. Even he got sick of the questions about us having the weakest donations disclosure and electoral laws in the country. It was disappointing when he retired and went to Singapore. We had a new premier and the new premier was tepid on the need for electoral reform. In fact, when asked about it in the lead-up to the 2021 state election he said to journalists, 'I believe the current system works well', and as we said at the time, 'Works well for who?'.

It works well for maybe the Liberal Party and occasionally for the Labor Party but it does not work well for democracy and good governance, and making sure that when you go to an election, people are judging you on your ideas and your policies rather than on how much money you can spend on advertising and attack-ads. That is what happened in 2018. Also in 2018, the ABC Fact Check, checking a statement that I had made as Greens leader, found Tasmania's donation laws would become the weakest in the country after the Victorian Government embarked on a reform agenda.

In the years since, Victoria has reformed its laws. New South Wales, Queensland, Western Australia and the Northern Territory also passed reforms enhancing their political donations and expenditure framework and this is in line with community expectations. People want elections to be clean. Tasmania has dropped even further behind the rest of the country than when it was declared to have the weakest donation laws four years ago.

The Government's proposed reforms would still leave us with the weakest laws in the country so they are a step ahead but they are not enough steps ahead. For example, the proposed donation disclosure threshold of \$5000 would leave us with the second-highest threshold of any state or territory, only marginally ahead of South Australia at a current indexed threshold of \$5576. We also will remain one of only two states or territories alongside Victoria with no expenditure limits which means, of course, that cashed-up parties can buy seats. The extension of that is that cashed-up parties can buy executive government.

While this bill will bring us in line with three other jurisdictions that have a ban on foreign donations - and let us not forget the Commonwealth Government banned foreign donations about three years ago and we are only now in Tasmania just catching up so it brings us into line with federal law - the bill still fails to adopt bans on other potentially corrupting donations from the property, tobacco and gambling industries. What we want to see is that donations do not come from vested interests of corporations but that they come from natural persons.

This bill also does not bring Tasmania into line with jurisdictions like Victoria, New South Wales and Queensland by introducing caps on political donations. The proposed disclosure time frames are ahead of many jurisdictions. However, even this Government fails to bring us into best practice by not including 24-hour disclosure within seven days of polling day. In short, this bill does not introduce a single measure that is nation-leading. It is another missed opportunity but we are equal or near-equal to last in three of the most important areas: donation caps, disclosure thresholds, and electoral expenditure caps. I will go to each of those issues shortly.

When I was looking through my massive manila folder file on this issue that goes back many years, I found the Liberal Party of Australia (Tasmania Division) submission to the interim report into the review of the Tasmanian Electoral Act and it makes quite the read. The author of this is apparently Sam McQuestin, state director. It is fair to say that the Liberal Party at that time certainly agreed with the premier at that time, Mr Gutwein, and was not persuaded of the need for any changes.

**Mr SPEAKER** - Ms O'Connor, sorry to interrupt you and I know it is a warm day, but the air-conditioner and the fan that is going beside the microphone is upsetting Hansard's ability to -

**Ms O'CONNOR** - Has Hansard said something?

**Mr SPEAKER** - Yes -

**Ms O'CONNOR** - When?

**Mr SPEAKER** - They have. The fan noise is coming through the microphone.

**Ms O'CONNOR** - For the *Hansard* record, this is an air-filter because we have been made to work in a Chamber with unmasked people during a global pandemic.

Mr Speaker, thank you, I will put it on the floor but I use this air-filter to try to keep myself safe from my colleagues who refuse to wear a mask and who cough and sneeze in this Chamber, unmasked.



It is fair to say that the Liberal Party was not supportive of the need for change. We see the phrase in this submission constantly: 'At this stage the Liberal Party is not persuaded of the need for change'. Another statement:

If you regulate the private funding of political parties, you require public funding. If you regulate the private funding of political parties you must regulate the private funding of third parties.

Yes, if you regulate the spending of political parties, you must regulate the spending of third parties.

As a matter of philosophy and policy principle, the Liberal Party does not support unnecessary increased regulation.

The Liberal Party did NOT take a policy to the last election to make changes to the regulatory system surrounding political finance. There is no mandate for such change.

I suggest that Sam McQuestin remains as out of touch as ever. It says:

Let us not regulate our healthy democracy out of existence.

That is comedy gold. It is not a healthy democracy when vested interests, gambling companies, mining companies, big fish farming can pour tens of thousands of dollars into parties of government because what that leads to is policy and legislation that works for the corporate interest and against the public interest.

Here we go, in the submission again:

The current debate about political finance in Tasmania stems from various conspiracy theories surrounding the last state election ...

The Liberal Party claims that in fact - even including the small number of gaming-related contributions that fell below the disclosure threshold - more than 85 per cent of contributions received by the Liberal Party had nothing to do with gaming-related interests. The corollary of that is that 15 per cent did, and that would have come from organisations like the Federal Group and 'Love Your Local'. We have here:

Changing the rules by lowering donation thresholds will almost make zero difference to the transparency of this funding as the funding will simply not occur.

The Liberal Party of Australia, Tasmania division strongly opposes the introduction of state-based disclosure rules in Tasmania.

No wonder it has taken so long for us to even get here today. The submission goes on:

We already have a Federal system of disclosure rules that operate satisfactorily and we should not be trying to fix something that is not broken.

Again, it was clearly broken in 2018 and it is always broken when vested interests with no clear line of sight, no transparency to the community, can pour tens and hundreds of thousands of dollars into political parties in order to get themselves policy outcomes. The submission goes on with just a couple of more pearlers:

Introducing state-based draconian disclosure rules would be an unnecessary duplication of regulation and be a considerable expense to Tasmanian taxpayers.

Again, no understanding of a democracy untainted by corporate interest, but it is towards the end of the submission that things start to get quite hysterical. We have:

There is no evidence that the current system is broken.

The Liberal Party of Australia, Tasmania Division does not support state-based disclosure rules being introduced.

The Liberal Party of Australia, Tasmania Division does not support state-based disclosure rules being introduced.

The Liberal Party of Australia, Tasmania Division does **not** support public funding of political parties in Tasmania which would cost taxpayers millions of dollars every year.

The Liberal Party of Australia, Tasmania Division does **not** support a new state-based disclosure regime.

And on it goes. That statement is repeated 15 or 16 times in this submission.

**Ms Archer** - That's his view.

**Ms O'CONNOR** - Yes, that is his view, but he made that view on behalf of the Liberal Party of Tasmania. It is quite wrong-headed but it is also bordering on hysterical in the true meaning of the word.

Mr Deputy Speaker, the lack of the inclusion of donation caps in this bill is a significant disappointment. The argument for a limit on the value of donations is simple; money buys influence and the larger the sum, the larger the influence. The 2018 senate committee into the political influence of donations noted that:

Although proving that donations buy political outcomes is difficult, the anecdotal evidence of this link is compelling.

The relevance of the sum of money donated is well summarised by the comments of an anonymous politician in a 2018 study, and I think we have all heard this one before:

If someone donates \$1000, they support you. If they donate \$100 000, they have bought you.

Although the influence of smaller donations should not be discounted as they can contribute to long-term relationship building that influences policy in more subtle ways, it is much more serious when we are talking about donations that run into the tens and hundreds of thousands of dollars.

Of course, the Greens do not have the capacity to secure this sort of donation. We do not seek corporate favour because, other than having integrity in this place and standing up for this beautiful island and its people, we have nothing to offer those corporations. We cannot do them any special deals and, as a matter of principle throughout our history, we have never taken that kind of money. Our fundraising is through raffles, dinners, community events, members of parliament have a tithe taken out of their pay and we willingly pay it to help the party tick along. We do not take dirty money and we do not take money that has greasy strings attached.

In 2018 a former Liberal party treasurer, Michael Yabsley, described habitual soft corruption in the donations process, where donations are tied to a commitment to meet with particular ministers or political leaders. Yabsley called for a cap of \$500. The Senate committee recognised any donations cap is relatively arbitrary and, on balance, have recommended a donation cap of \$3000 per term per donor.

Various jurisdictions in Australia have banned donations from foreign actors, property, tobacco, and gambling industries. Canadian donation laws go further, allowing only natural persons who are citizens or permanent residents to donate to political parties. This is the Greens' preferred model, as we made clear in our submission to the Electoral Disclosure and Funding Bill 2021 and Electoral Matters (Miscellaneous Amendments) Bill 2021 in September of last year, more than a year ago.

To confine donations to natural persons who are citizens or permanent residents eliminates so many of the issues associated with taking money from corporate or foreign entities. None of us in here will forget - and we will certainly not let you forget - that the Hodgman Liberal government took donations from Huang Xiangmo, who was identified as a bit of a security issue by the Australia Security and Intelligence Organisation back in 2015-16 and the Liberals took \$30 000 from Mr Xiangmo's Yuhu Group of companies regardless, even though their federal colleagues had been told more than a year before that to look out for Mr Huang Xiangmo because of his ties to the Chinese Communist Party. Still, the state Liberals took that money and the record needs to reflect that.

If you have it confined to natural persons it reduces the prospects of gaming the system by using shell corporations, for example, or other shadowy structures to avoid the donation cap threshold. While a range of corporate interests have the potential to corrupt politicians and governments, property, tobacco, and gambling are some of the more notorious and harmful industries that influence policy through donations. They get what they pay for by the major parties in government. You only have to look at this country's absolute retrograde approach to real climate action because neither of the major parties can get off the teat of fossil fuel donations. It is literally destroying this country, destroying our children's futures and cooking the planet. That is because we have weak donation laws that allow vested interests that are raping and plundering this planet to pour money into the major parties, knowing they will get an outcome.

The Albanese Government, for all its talk on climate, is opening up the Beetaloo Basin gas over in Western Australia. Tens of thousands of square kilometres of the ocean floor are

given out for exploration to fossil fuel companies. That is how you see dirty money corrupting good outcomes and worse in this case, dirty money being the antithesis of life. It is very disappointing this bill has not included bans from these industries, which would be a big step in the right direction.

Tasmania's donation disclosure framework is currently only covered by inadequate federal law. Federal laws require reporting by February on the previous financial year's donations. This means donations can take up to 18 months to be revealed and even then, we do not know the full story. There was general agreement amongst submitters to the 2018 Senate inquiry that disclosure in real time was the most desirable approach to donation disclosure. Real-time disclosure means setting a relatively brief timeframe from the time of receipt to the public disclosure of a donation. Under the current system, disclosure is at a fixed date, which could well be after an election when a report of all donations required to be disclosed must be submitted.

Queensland requires donations to be disclosed seven business days after being received, except in the seven days before polling day when donations must be disclosed within 24 hours. This ensures virtually all donations received before an election are publicly available for scrutiny, and of course they should be. When voters go to the polls, they should know which corporations, companies and vested interests are pouring how much money into which political party in the hope of what policy outcome.

While the Government's proposal for donations to be disclosed seven business days after being received during an election period is welcome, the Queensland model is much better at improving transparency in the last seven days of a campaign, and I can indicate we have some amendments here as well. The proposal in this bill is for a donation disclosure threshold of \$5000. Perhaps the Attorney-General could explain to the House how that very high disclosure threshold was arrived at, given that it is second in the country only to South Australia, which is a bit over \$5500 indexed. This is well short of the recommendation of \$1000 from the 2018 Senate committee.

It is also relevant that federal Labor have foreshadowed changing the federal donation disclosure threshold to \$1000. This would mean every candidate and party registered to run candidates in a federal election would be required to comply with the new \$1000 donation disclosure threshold. That is the federal law that is coming into effect. That was the recommendation of the Senate inquiry, so why are we in here debating a disclosure threshold of \$5000, which is very high? It is only \$600 more than the \$4400 private donors and corporate interests paid to have dinner with the Premier last week in which he promised the Brazilian butchers from JBS and Cooke that he would do their bidding against the wishes of Tasmanian coastal communities and certainly against the interests of our beautiful marine environment.

If the federal government changes their donation disclosure threshold, you would have one disclosure threshold there and the state would want candidates or parties registered for state elections to only have to comply with the state threshold of \$5000 and that is just ridiculous. This means it is feasible there will be an uneven playing field before the next election, with some candidates declaring donations above \$1000 and some only declaring over \$5000.

Tasmania and Victoria are the only Australian sub-national jurisdictions without expenditure caps for lower House elections. Federal elections also do not have expenditure caps although the Albanese Government has flagged its intent to move for expenditure caps.

Most jurisdictions impose a cap on spending for independent candidates and caps on parties. This cap can often be distributed across electorates in excess of a candidate's electorate cap.

The Liberal Party staunchly opposes expenditure caps. I read out some of the submission before, nominally on the basis that they may have a distortionary effect. The reality is, the opposition is based on the fact that the Liberal Party routinely spends more on elections than other parties and often more than other parties combined.

In Australia, public funding of election campaigns operates as a reimbursement of electoral expenditure based on the lower value of a dollar figure per first preference vote or total electoral expenditure. The intent of public funding is to level the playing field for candidates and reduce the reliance on and influence from private donations. Every Australian jurisdiction other than Tasmania and the Northern Territory has public funding of elections. It is good policy.

Progress has been made in the Northern Territory, with a 2018 inquiry recommending public funding. The Northern Territory Government accepted this recommendation in principle but has not yet enacted it. It is worth noting that the 2011 inquiry into the funding of political parties and election campaigns by the federal parliament, JSC, on electoral matters found that public funding scheme at the time had not been effective at curbing the increase of election spending. Our assessment of expenditure since then suggests this is still the case.

This suggests that in a vacuum public funding has done little to curb the influence of political donations, but the federal scheme has not operated in an environment with strict expenditure and donation caps or with bans on donations from corporate interests. It is therefore quite cynical that the Liberals would pump for one of the highest public funding rates in the country but not move for spending caps.

In a system where there is public funding and expenditure caps there is no motivation to chase excessive levels of political donations because there is a guaranteed funding stream and a ceiling on how much can be spent. Under the Liberal's proposal, its party will still, no doubt, chase down every cent of questionable donations. No doubt, so too will Labor, given its history, in a bid to outspend the competition to the greatest extent possible.

While the Greens do support public funding of election campaigns, the purpose of public funding is to reduce reliance on donations, not to top up a party's corporate funding war chest with public funds. Without expenditure caps, public funding does not achieve one of its purposes. That is why we have a number of amendments to move in this regard. Each jurisdiction, where public funding for elections occurs, requires a minimum of 4 per cent of the primary vote for eligibility, with the exception of 6 per cent in Queensland. The four per cent minimum vote threshold was criticised by the federal parliament joint standing committee on electoral matters which noted:

Minor parties and independent candidates can attract significant electoral support without passing the four per cent threshold for receiving public funding. The only rationale for a threshold canvassed by the committee was for cost saving purposes and the cost savings here are likely to be minimal.

The Liberals' choice is to include a 4 per cent threshold and that is counterproductive. It has also been noted by respected psephologist Kevin Bonham that this is likely to have a distortionary effect on elections.

As I flagged earlier, we have a range of amendments on donation disclosure thresholds, the level of public funding, caps on expenditure, caps on donations, restrictions on who can donate, and real time disclosure. It has been a revolving chair today, Mr Deputy Speaker. You are the third person who has been in there since I have been standing.

In our submission to Government we put forward a series of recommendations, every one of which was ignored. Kevin Bonham, a very respected psephologist, has made a number of submissions to the Government about electoral reform and also on restoration of the numbers in the House of Assembly. All of his proposals, as we understand it, have been ignored too. You want to start listening to the experts rather than to people like Sam McQuestin.

We proposed in our submission that the draft bill be amended to include a cap of \$3000 on aggregate political donations from the same source, per electoral term, in line with the recommendations of the Senate committee. That the draft bill should be amended to only political donations from natural persons who are citizens or permanent residents. That it should be amended to reflect Queensland's real time disclosure framework, requiring donation disclosure seven business days after receipt and within 24 hours during the seven days before polling day. That the draft bill should be amended to include an expenditure cap for House of Assembly elections of \$81 000 for individual candidates, \$810 000 for political parties in 2020, indexed by \$1000 and \$10 000 respectively a year. That is a lot of money. If you spent \$810 000 on an election campaign, that is a huge amount of money. The Greens have never spent anywhere near that.

We recommended that public funding in the draft bill be linked to an expenditure cap and the draft bill be amended to reduce the public funding rate per first preference vote to the commonwealth rate. That the requirement that a candidate or party receive 4 per cent of the primary vote in order to be eligible for reimbursement be removed from the draft bill. We have an amendment. The draft bill needs to be amended to introduce truth in political advertising laws and that they should be modelled on the South Australian legislation, which would only require the commissioner to be satisfied that the advertisement is inaccurate and misleading to a material extent.

Consideration should be given to establishing a political advertising commissioner, along with specific funding for this role.

It looks like we are going to have a bit of a late night. I will take a guide from the Attorney-General on this.

**Ms Archer** - I have no idea how long it will take or if we come back to finish the Committee.

**Ms O'CONNOR** - Let us have a crack at getting through the amendments.

**Ms Archer** - We have one more speaker.

**Ms O'CONNOR** - Tonight? We have one more speaker? Okay. In closing, I thank the Attorney-General for finally bringing this legislation forward. It has been a tussle and it has been three years since it was promised. It has been much longer than we have needed to reform electoral laws in Tasmania. This is a step forward but we need to take stronger steps forward to make sure we have a robust democracy and a level playing field in election campaigns. It is not about money. It is about ideas, values and policy. We look forward to working through our amendments.

[4.33 p.m.]

**Ms JOHNSTON** (Clark) - Mr Deputy Speaker, I am pleased to see this legislation come before the House to reform electoral laws. However, like legislation we have recently seen to reform the poker machine regime, it does not go far enough. It is unfortunately another opportunity squandered. In many areas, it scarcely scratches the surface of what is needed. In others it is just plain wrong. The Attorney-General says in her speech -

The Government is committed to ensuring Tasmanians have confidence in our electoral system and that a key premise of this is ensuring our electoral system is fair, transparent, effective and contemporary.

It is a pity that this legislation fails in many ways to meet these lofty ambitions. For instance, the donation disclosure measures are inadequate. I want to be very clear: no individual or organisation makes a significant donation without expecting something in return. There is a strong argument that the source of all political donations should be disclosed, no matter from whom and no matter what the amount is.

There is a place for non-disclosure of small donations but this should be below a threshold where it could be not reasonably construed the donation may purchase political influence or access. The question therefore is what is that threshold? The \$5000 disclosure threshold appraised by the legislation is far too high. If this was not a serious issue I would call it a joke. In a small state like Tasmania, where politicians are accessible and visible, I believe any five-figure donation could be perceived as potentially favouring the donor.

I note that Victorian reforms require public disclosure of donations above \$1000. However, \$1000 or even \$500 could easily prefer the donor in the eyes of the beneficiary. My view for a long time has been that all donations bigger than \$200 be disclosed. Disclosure at this low level also mitigates against donors bothering to aggregate multiple donations under the limit in order to avoid disclosure of larger amount.

Mr Deputy Speaker, money does talk. No donation above \$200 should be anonymous. The Attorney-General said she wants these laws to be transparent. It is hard to think of anything less transparent than an anonymous donor giving an unspecified donation. It is essential that voters know when a donation is given, at the time it is given. Consequently, all disclosed donations, no matter when received, should be published on the candidate's or party's website in real time or as close to - that is, within 24 hours of receipt.

I support a cap on the aggregate amount in cash or in-kind that any one individual or corporate donor can make to a candidate or party. This is to avoid real or perceived influence of large donors on our political decision making. The donation cap should apply to political parties, candidates and associated entities to guard against wealthy donors buying access or influence. This legislation completely ignores an important break on possible corruption.

There should also be a ban on some donations and donors altogether. It is against the public interest for politicians to receive donations from some entities such as tobacco, gambling, alcohol, property development and non-renewable energy industries. I am pleased to hear that donations from foreign interests will be banned.

I support the disclosure provisions of the bill relating to the associated entities and the third-party campaigners, providing amendments are made to require third parties to disclose all political donations. As I say, my threshold is \$200, but I accept that is a debate that is probably not going to be won in this particular argument. There is a transparency measure which allows the public to see where donations are applied.

I will now move on to the public funding of election campaigns. I do not support public funding of candidates and parties. That is not a view shared by other members of this House and I know most other jurisdictions have or plan to instigate public funding of elections but that doesn't necessarily make it right in my book. There is a bucket of taxpayers' money and politicians want some. That is the issue.

I have not heard a cogent argument as to why the public should fund election campaigns, particularly in the absence of election caps on spending. If anyone here went and stood on a street corner and asked passers-by if their taxes should fund political parties, I know what the answer would be. To my mind, the whole point of public funding is that it should go together with a complete ban on political donations. Eliminate political donations and you eliminate donations potentially corrupting political decisions. Then, and only then, should there be public funding.

What this bill proposes is a double dip: a generous donation threshold and taxpayer's money. I suspect the main reason public funding is so universally accepted by politicians, is that the established parties have lost their relevance to voters, resulting in declining donation support. Why should taxpayers have to step in to cover the parties' inability to relate to voters? All public funding does is perpetuate political parties which do not meet voter needs. Why should the general public fund election campaigns for candidates and parties who cannot garner commensurate support amongst voters?

If we must have public funding of election campaigns, and I think I am reading the dollar size here, at least make the system fairer. Respected Tasmanian political expert, Kevin Bonham, very persuasively argues that the by-candidate model that this legislation proposes, lifted from the federal legislation, is not suitable for our Hare-Clark electoral system. It creates distortions and inequities that have not been anticipated by the drafters. This legislation has not been properly thought through. I would appreciate a response from the Attorney-General on this. To quote Dr Bonham from his website:

There is no excuse for a by-candidate model and no justification has been given for using funding by candidate for Tasmania. The obvious thing for anyone wanting to draft a funding model for Tasmania to do would be to look at how funding is handled in the ACT which is the other jurisdiction with Hare-Clark.

There are other deficiencies in this bill which I will briefly touch on before I conclude. For instance, a better and fairer electoral system must include campaign spending limits. I accept that this is a complex area of policy reform, particularly in relation to multi-member



electorates where the settings would need to ensure that parties were not advantaged over independents. However, that is no reason to completely ignore it, as this bill does.

Limits are set in many jurisdictions around the world, including the USA, Canada, New Zealand and many countries in Europe. A review of these jurisdictions would be necessary and welcome.

The Australia Institute in its submission on the bill has made several more recommendations which I support. The definition of 'gift' needs to be broadened. The bill should explicitly include common contributions such as membership fees and fundraising events within the definition.

In addition, the bill should have included 'truth in advertising' provisions. As the Institute points out, in Tasmania it is perfectly legal for political parties to lie during an election campaign. There are laws in Australia against misleading or deceptive conduct in commerce but not in politics. It is no wonder that the public does not trust politicians and that is something that we should be concerned about. I draw to your attention that in 2020 the ACT unanimously passed truth in advertising laws, while South Australia has had similar laws in place since the 1980s. I would be interested to hear why these have been ignored in this particular bill.

Mr Deputy Speaker, I wind up my contribution now, as brief as it is, but I confess to be frustrated by the inadequacies of this bill. When I first saw the ground it covered - electoral expenditure, third party donations - I was genuinely excited but that soon turned to deflation once I saw the details. It could be and should be so much better. As I said at the beginning, this legislation will not instil confidence or deliver fairer and transparent effective and contemporary electoral system, like our community deserves.

It is far from perfect or best practice but it is marginally better than nothing. I hope that the Government is open to the amendments I know that colleagues will be putting forward and I think that will strengthen the bill and as a consequence strengthen democracy so I hope that the Attorney-General is open to that discussion when we move into the Committee stage.

[4.41 p.m.]

**Mr YOUNG** (Franklin) - Mr Deputy Speaker, I rise today to speak in favour of the Electoral Disclosure and Funding Bill 2021. This bill brings about new disclosure and funding for Tasmanian elections. It introduces public funding with regard to those elections. The aim of the bill is to modernise Tasmania's current system and make sure it is more transparent and effective.

The bill implements recommendations 3 through to 11 of the final report of the Electoral Act Review. These recommendations relate to terms of reference 2 and 3 of the review which were:

- (1) whether the state-based disclosure rules be introduced and, if so, what should they include;
- (2) the level of regulation of third parties, including unions, during election campaigns.

The final report makes 11 high-level recommendations to modernise Tasmania's current system and to establish a political donation disclosure regime specifically adapted for Tasmania. Once again, we are delivering on a commitment to the Tasmanian people. These reforms ensure and reinforce our commitment so the public can have every confidence in our electoral system, that our electoral system is fair, transparent, effective and contemporary.

The Electoral Amendment Bill 2019 was passed in this parliament on the 4 April 2019 and commenced on the 18 April 2019. The reforms in this 2019 bill were concerned with technical and procedural matters under the Electoral Act 2004. The next steps in the legislative reform process are this bill, the Electoral Disclosure and Funding Bill along with the Electoral Matters Bill 2022 which is being progressed as well.

A lot of work has gone into these bills to make sure there is a balance between increasing transparency and fairness. I commend the Attorney-General and her department for the work done. This will allow the public to continue to have confidence in the outcomes of the elections into the future. As the Attorney-General has noted, in simple terms this bill establishes a disclosure regime for political donations and electorate expenditure.

This bill is of a very technical nature and brings some concepts that exist elsewhere in Australia but will now be introduced into the Tasmanian Electoral System. These include:

1. Associated entity which is an incorporated or unincorporated entity that operates for the benefit of a political party. The intent is to make sure that such entities are treated in a similar way to that of political parties, especially with regard to the accounting treatment for political donations and expenditure that forms of the election campaign. The features of an entity that make it an associated entity are that it is controlled by one or more registered parties or it operates wholly or to a significant extent for the benefit of one or more registered political parties or it is a financial member of a registered party or has voting rights in that registered party.
2. We also introduced a third-party campaigner. Third-party campaigners are defined in the bill as individuals or organisations who are not members, candidates, registered parties or associated entities and who incur at least \$5000 of electoral expenditure during a House of Assembly election campaign period. These campaigners need to be registered, appoint an official agent and have a campaign account. With the ever-increasing role that some of these campaigners are playing in elections, it was felt that there be transparency as to how these campaigners are involved in elections in Tasmania. Third-party campaigners could include a charity, representative or community group or a business that engages in another activity that is not electoral activity as defined by the bill. The bill only regulates the operation of these organisations to the extent they receive political donations.

An important difference between how the bill regulates associated entities and third-party campaigners is that associated entities must register with the Tasmanian Electoral Commission if they are to receive political donations or incur electoral expenditure at any time. In contrast, third parties are only regulated during the election campaign period. The bill defines a significant political donor as a donor who donates \$5000 or more to a single candidate,

member, third-party campaigner or recipients from the same registered political party during a reporting period.

The bill provides that this can be a single donation of \$5000 or more or the cumulative value of smaller donations during the reporting period. The donor is required to disclose the reportable political donation to the TEC once total donations reach the \$5000 threshold. These provisions ensure that the election process is open and clear. There is no aim to discourage political donations.

The Attorney-General also spoke about a concept introduced in the bill, that of an official agent. The bill introduces a similar concept for party agent. Both of these concepts are about the people legally responsible under the bill for ensuring the compliance of the individual or the entity they represent with the requirements of the bill. The difference between them is that official agents act on behalf of third-party campaigners, associated entities, independent candidates, independent members and significant political donors, whereas party agents undertake the same functions on behalf of registered political parties and its endorsed candidates. These agents have important fiduciary and legal responsibilities under the bill. The bill also sets out eligibility requirements for a person to be appointed as an agent of either kind.

The bill introduces some more key concepts. These concepts are important to support the system and include definitions of gifts, political donations, reportable political donations and election campaign period. There is a requirement to keep information, including name and contact details, of any person who donates more than \$100. To not do so would be an offence under the act. The requirement to get such information means that the total amount of donations made can be added up and it also means that the donor may be identified as a prohibited donor. This is important because the bill prohibits certain kinds of political donations in Part 3.

One of the major kinds of donations prohibited by the bill is donations from foreign donors. This prohibition is based on the existing Commonwealth provisions under the Commonwealth Electoral Act 1918. Cash donations over \$100 are also banned. This stops the movement of untraceable funds and once again ensures transparency. Under \$100 means that political branches, for example, can still run local fundraising - and we do love a good raffle. There is also a ban on registered political parties or their representatives making donations to independent candidates or independent members.

The bill will also provide greater consistency between provisions that apply to the House of Assembly elections and the Legislative Council elections. However, it retains key existing requirements in relation to Legislative Council elections, including electoral expenditure caps, restrictions on who can expend for a Legislative Council election campaign and the ability to appoint an election agent, now called an official agent, as previously outlined.

The bill deals with the disclosure of electoral expenditure through election returns. The bill requires returns to be lodged with TEC in respect of both House of Assembly and Legislative Council elections. These returns need to contain the following information: disclosure of all electoral expenditure incurred during the campaign period; disclosure of the details of all reportable political donations received during the campaign period; and disclosure of the total amount of political donations received during the campaign period.

Electoral expenditure is defined in the bill as expenditure incurred for the dominant purpose of creating or communicating electoral matter in relation to an election. The bill introduces a new public funding system that applies to state elections. For the House of Assembly, this is based on first-preference votes and the aim of this is to provide for electoral expenditure.

The bill provides for the TEC to keep and administer an election campaign fund and sets out the criteria for eligibility for public funding for House of Assembly elections, registered parties, and their candidates for independent House of Assembly candidates. It also sets out the amount to be paid in each case, entitlements to advance payments, handling of claims and approval of payments and that the TEC may audit claims. It also includes the requirement for the TEC to publish claims.

There is a range of provisions in the bill including where there is a death of a candidate, where deductions can be made from, from overpayments and debts owed, and that payments are conditional on certain matters, including lodgement of donation disclosures and election campaign returns in accordance with the act. The bill provides the TEC is to keep and administer an administration fund and sets the amount of annual payments to registered parties and their members for independent Assembly members. Payments are conditional on matters including lodgement of donation disclosures and election campaign returns. The TEC may audit claims and deductions can be made from overpayments and debts made.

The purpose of the administrative funding is to address the increased administrative burden faced by parties with members of parliament and by independent members due to the disclosure and reporting requirements of the bill. The bill also contains a range of enforcement, compliance, investigation and offence provisions, including powers for the TEC to require the provision of documents and information for the appointment and identification of inspectors by the TEC and in relation to entry, search, and seizure in accordance with a warrant issued by a magistrate in certain limited emergency circumstances, these offences relating to the provision of false or misleading information or funding claims, failure to keep records, continuing offences and other matters. It also includes an ability for infringement notices to be provided by regulations.

The bill requires certain information to be published online, that being all registered established under the bill, all guidelines issued by the TEC, all claims for both forms of public funding, all donation disclosures and all election returns. The TEC retains the capacity to decline or publish a document or part of a document where the TEC has reason to suspect the information is vexatious, false or misleading.

Mr Deputy Speaker, the bill underwent a five-week public consultation process. There have also been two previous thorough public consultation processes during the Electoral Act review. This is an important reform that has significant community and stakeholder interest, with all feedback and submissions being received and taken into consideration before finalising the bills for the parliament.

[4.54 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Mr Deputy Speaker, sorry for the pause. I thought Labor might put up a second speaker on such an important bill.

**Ms O'Connor** - How long have you been here?

**Ms ARCHER** - Uncanny, I know. I thank members for their contributions. I know that Ms Haddad and Ms O'Connor appreciate the work that has gone into such a major overhaul of this disclosure system. We all have differences of opinion in some of the clauses, as evidenced by the necessity to go into Committee for obvious reasons. There is a number of amendments that Ms Haddad and Ms O'Connor wish to make. I observe that some are the same. That may or may not save some time. I have the minor amendment that I undertook to make, which Ms O'Connor identified needed clarification in a briefing. Members will be aware I am always willing to do that on the floor of the House.

I thank those two members in particular for their supportive comments, and my colleague, Mr Young, the member for Franklin, for his supportive comments as well. It is a pity Ms Johnston, yet again, comes in here and cannot seem to read the room; that we are all wishing to have a debate tonight that, yes, while we have different opinions, let us be respectful of each other at the same time. That is all I will observe but I am getting used to contributions being made like that.

This has been a long journey. I appreciate and admit that. Gosh, I find it hard to see Ms Haddad through that screen now. I have one of my deputy secretaries here, Ms Bourne, who has been involved in a number of the rounds of consultation that we have done. She has been providing advice to me from the departmental perspective for quite some time. I know that this has been, we will call it a journey, that we have encountered together. It is not easy introducing these sorts of reforms because we all come from different places.

Having said that, there are many things that members can agree on as well. Tabling these bills delivers on our commitment to introduce a much fairer and more transparent and, indeed, modern political donation disclosure scheme in Tasmania. It fulfils another important commitment of our Government, as I said, that will increase transparency while ensuring that the public continues to have confidence in the outcomes of elections into the future.

Again, I will reflect on Ms Johnston's contribution. We are very lucky to live a society that values our democracy, that we have elections that we can have confidence in the results, and that we have free speech in our country. We protect and guard that fiercely. Some of us are very fierce advocates for freedom of speech and other rights that we have, whether they are under our constitution, whether they are human rights, obligations or similar to that. I believe that the public has confidence in our electoral system. This will go to increasing that.

It will provide for the disclosure of political donations, reporting electoral expenditure and public funding at an appropriate level for both administrative and per vote funding. This is important in ensuring that all the parties, including any Independents in this House, have that per vote funding that we have federally. That works well, particularly when you are reducing the threshold with respect to donations. I also note that it brings Tasmania in line with other jurisdictions which have stake-based requirements for the disclosure of political donations and expenditure.

Again, I will make the observation that it has not been a speedy process nor has it been a hasty process. The Government has taken the opportunity to thoroughly review the electoral laws in this state. We have had rounds of consultation. We have observed and analysed the results of High Court cases and done another round of consultation in relation to one particular High Court case.

The bill is an important first step to increasing awareness of our electoral system in the state. Information gathered and made publicly available under this system will inform whether further regulation or restriction, such as banning certain groups or individuals is warranted. Some members have made the observation that certain things have not been done in this bill. That is because as a result of our consultation, there are some things that need to be monitored and we will consider some of those things.

I will move to some of the commentary and some of the questions. There has been a level of expression that this bill is the weakest in the country. I dispute that. There has been a lot of noise about the appropriate threshold for disclosing donations. Jurisdictions across Australia approach this in different ways. The bill's disclosure threshold is \$5000. It is calculated as an aggregated total of donations made by a donor over a financial year. Clearly, that is much lower than the Commonwealth threshold, which is, at present, \$15 200. South Australia is currently at \$5838 dollars. That is due to some level of CPI.

Under the bill, donations over \$5000 must be reported weekly during an election period. We have established two types of time periods. Obviously, there is more regular reporting required during an election period and rightly so. This is the same time frame as Queensland, the ACT and South Australia, while all other jurisdictions have much longer reporting intervals. Again, we do not have the weakest laws in that regard.

The bill does not have an expenditure cap for the House of Assembly, which puts us in the same position as Western Australia and Victoria. This initial position was based on recommendation 4 of the final report of the Electoral Act Review, pending further evidence gathered under the new disclosure regime, which, as I said, we would monitor. A cap set at too low an amount would inhibit the dissemination of ideas and policies by all involved in the electoral process. A cap set too high would achieve nothing also.

Other features of this bill will also ensure a robust approach to election disclosure and funding, including regulation of associated entities and third-party campaigns and the inclusion of donor obligations. I am pleased to say this bill clearly delivers a fairer, more transparent and modern electoral system for Tasmania.

There has been a question of why we went with the \$5000 threshold. During the 2021 state election campaign, the Tasmanian Liberal Party announced that it would commence voluntary disclosure of donations over \$5000. As I said, Commonwealth is at \$15 200 and South Australia was \$5838. I know that Western Australia is \$2500, and the Northern Territory is \$1500. Victoria is indexed; I think it is currently at \$1050. It could be more now since my notes were drawn. The lowest threshold is \$1000 in Queensland, New South Wales and the ACT.

Across the country, there are differing thresholds and we went with \$5000 as we feel it is a balanced threshold. Tasmania is not dissimilar to South Australia in many ways. I know that we do not have the same voting system but certainly felt that South Australia was comparable. In relation to not implementing caps, I want to confirm as per the final report recommendations, we agree that caps can be dealt with at a later stage if appropriate. We are agreeing with that recommendation from the report that states there is currently insufficient evidence to determine whether caps are genuinely needed or if problems exist that would be resolved by the introduction of caps. If we have a robust and transparent disclosure regime

then Tasmanians know who is donating to whom and in a timely manner then they can be confident the system is working.

This reform will be a sensible and balanced approach to ensure accountability and transparency in our state elections and we would like to monitor that as to whether or not caps are even necessary. At this stage we do not believe that it is necessary in this bill. In relation to caps, the level of donating and expenditure in state elections after this comes into force is obviously not yet known or what impact it might have. Therefore, setting a cap at this stage would be arbitrary, uninformed and potentially unconstitutional. If the level is too low it will stifle political discussion and public debate on issues important to Tasmanians. If it is set too high the cap serves no purpose at all as I said previously.

In the High Court decisions regarding the implied freedom of political communication to which I referred especially the case that we shorten the name to union's number 2 case. The High Court highlighted the importance of a clear evidence base to justify any burden on the implied freedom. There was also the issue raised about truth in advertising and that relates to the electoral matters Miscellaneous Amendments Bill and not the bill we are currently debating. I had sought some advice on that. I am prepared to answer it because it might save a bit of time, it does not matter when we do it perhaps.

The Electoral Act review final report touched on the issue of truth in political advertising laws as part of its consideration of section 197 and determined that it was out of scope of the review. Instead the final report recommended some amendments to section 190 to 7 to include additional offences in relation to electoral matters that could mislead an elector in casting a vote. For example, that voting is not compulsory, that the electoral matter is an official communication for the Tasmanian electoral Commission or that could result in an elector casting an informal vote.

During consultation on the bill some submitters suggested that the act should be amended to introduce laws prohibiting false statements in political advertising during election campaigns. It was suggested that these laws be modelled on relevant legislation in the ACT and South Australia which prohibit the dissemination or publication of an electoral advertisement that contains a statement purporting to be a statement of fact which is inaccurate or misleading to a material extent.

Whilst it is acknowledged that there is support for truth in political advertising laws amongst some stakeholders and potentially in the wider community, there are also significant concerns about the operation and administration of such laws. For example, in its report on the 2020 ACT Legislative Assembly election, the ACT Electoral Commission expressed concerns that the assessment of political statements requiring complex and often subjective judgment of concepts, policies, figures and theories and is outside of what the commission statutory function should be.

It was also suggested that investigating complaints would significantly increase the commission's workload during election periods. In addition, the ACT Electoral Commission was concerned that its determination of the truth or otherwise of political advertising could raise accusations of political partisanship and effect the commission's reputation which is based on neutrality and independence.

The ACT Electoral Commission also raised issues around enforcement, suggesting that political participants may decide to risk post-election sanctions in the hope of electoral advantage. If the consequence of a positive prosecution for a breach of the truth in political advertising laws is formally disputed in an election through the Supreme Court, this could provide for potentially long periods of electoral uncertainty following the conclusion of each election.

The truth in political advertising issue is therefore quite complex. Any proposal to introduce such laws would require careful consideration and consultation. This has not occurred at this stage, given that the issue was considered to be out of scope of the Electoral Act Review and was not included in the draft bill which went out to consultation. The ACT Electoral Commission make some very good points about this: that it is not a simple matter of only saying we need truth in advertising. It is a difficult matter to adjudicate.

I note that the Joint Standing Committee on electoral matters in the Commonwealth Parliament have fairly recently been asked to inquire into and report on all aspects of the conduct of the 2022 Federal Election campaign. One of the terms of reference of this inquiry is the potential for truth in political advertising laws to enhance the integrity and transparency of the electoral system. Again, it seems hasty to proceed at this stage with including a provision in our legislation prior to the outcome of this federal analysis which may give us some direction to head in as a consistent approach which would be no doubt optimal.

In relation to the Greens comments re any potential reduction in the federal disclosure threshold, our government will look with interest at any changes that arise at the federal level. I am not sure if it is likely in the near future with the Commonwealth Joint Standing Committee on electoral matters still receiving submissions and conducting hearings as part of their review of the 2022 election. The Tasmanian Government is committed to moving forward with its reform as soon as practicable based on the extensive research and consultation that we have already done in our state.

Finally, in relation to Ms Johnston's question on anonymous donations, I restate there is no capacity to give an anonymous donation over \$100. Under the bill, a political donation of over \$100 is only allowed to be received if the gift recipient records the donor's name and contact details.

In response to the criticisms of Dr Bonham, I would respectfully offer the following. While I acknowledge the incredible and extensive knowledge and understanding of Dr Bonham in this area, I do not agree that the bill will have dire consequences that have been foreshadowed. The bill was drafted to use the 4 per cent per candidate model to reflect the fact that under our system, we do not have above the line voting for the House.

Although the ACT shares our Hare-Clark system, they do also have an option for above the line voting. This fact makes it impossible to ascertain which specific candidate received a first preference vote from each elector, if that elector chose to vote above the line. It was therefore decided that the 4 per cent per candidate model was more appropriate. In relation to Dr Bonham's belief that the 4 per cent per candidate model would result in parties actively seeking to have voters not vote for their own members, I cannot see that this would be so.

I encourage Ms Johnston before she comes in here, to actually do the research. It reminds me of when she attacked a former member for Clark in this place and then went outside and



repeated something that was actually incorrect and had to withdraw it and apologise. It is really important to get facts straight, particularly in such a detailed debate. I note that she is no longer here, makes a short contribution and then does not stick around for the length of the debate like other members do in this place, which is disappointing. If you have a great enough interest to make a contribution, you should hang around for the rest of the debate.

I again thank members for their contribution. We are going into Committee. We have a number of different clauses to get through. I am having a quick flick to see if there is anything else I should address in my summing up before we take a vote and move into Committee.

There are a few things in relation to the Legislative Council that we have not touched and other things that we have tweaked. I respect the comity of the Houses. We each are masters of our own destiny. I hope that the other place also respects that the laws as a result of this bill will impact on members of this place. I would not like to think that members in the other place would make significant amendments that impact on matters that would not concern them. I say that with the deepest of respect for members of the other place.

**Ms O'Connor** - Is it called the comity principle.

**Ms ARCHER** - Yes, I was talking about the comity of each House and we are a master of our own destiny. We have made some tweaks to the other place, but it does not impact them to the same extent it would if they moved amendments that deeply impacted on members of this place but not them. I would ask that there would be that fairness and respect and adherence to that comity.

I also thank my office. I have thanked the department but I wanted to thank all my staff who have worked on this. This is one of those bills that has been in that development phase for some time and many people have worked on it. I thank everyone who has worked on this bill, including current staff in my Justice space. I commend the bill to the House.

**Bill read a second time.**

## **ELECTORAL DISCLOSURE AND FUNDING BILL 2022 (No. 25)**

### **In Committee**

**Clauses 1 to 4 agreed to.**

**Clause 5 -**  
Interpretation

**Ms ARCHER** - Madam Chair, I have two amendments to this clause. I move -

**First amendment -**

Page 31, definition of "party subscription", paragraph (a), after "\$5000"

*Insert "per annum".*

## **Second amendment -**

Page 31, definition of "party subscription", paragraph (b), after "\$5000"

*Insert "per annum".*

As I said in the second reading speech, Mr Whitton in Ms O'Connor's office picked this up. We agreed with it and I committed to changing it. From time to time, particularly with such a long bill, we can expect a few little errors or things that need clearly defining.

**Ms O'CONNOR** - We were thankful to the Attorney-General and to her office for being so constructive about this one. As the Attorney-General said it is obviously a typo. There was no conspiracy here. We were concerned that it was so open-ended and not temporal.

The Attorney-General wrote to us on the 25 August after we had raised this issue with her about party subscriptions. She said:

I understand that at the briefing you raised concerns about the definition of 'party subscription' under clause 5 of the bill. I have been advised the provision as it is currently drafted may have the potential to inadvertently enable much higher subscriptions to be paid with no requirement for disclosure. I therefore asked the department to look at this as a matter of urgency prior to debate occurring.

Thank you for bringing the matter to my attention.

I say to the Attorney-General, it is pretty good working with you. I do not mean to do faint praise but we have certainly found in the last couple of years, particularly, that your office is really receptive to policy discussion or advancing policy or legislative reform in a consultative and collaborative way. We are glad that you have made this fix to the bill.

I will foreshadow - and I know the Attorney-General and Ms Haddad know this - but we have an amendment which we will move after yours, which is consistent with our position on disclosure thresholds which changes the subscription from \$5000 to \$1000. We will deal with this amendment now so we have fixed up the timing and then we will look at ours, hopefully.

**Ms HADDAD** - Yes, for the same reasons we have just heard from the Greens and the Attorney-General, we will be supporting the Attorney-General's two amendments to clause 5 which specify that those subscriptions are a per annum amount rather than open ended, which makes sense and is fixing a typo. As Ms O'Connor foreshadowed, I will move two amendments to clause 5 after we have dealt with this one.

**Ms ARCHER** - I will say one thing. Obviously it is an inadvertent error because it is an annual subscription that we were referring to. It is one of those things that is an unintended drafting issue with the bill. I again thank the Greens for bringing that to our attention.

## **Amendments agreed to.**

**Ms HADDAD** - I will just speak briefly on this because when we come to clause 13 I am sure we will have a more substantive debate on the disclosure threshold. I know that

Ms O'Connor and I have mirror amendments to reduce the \$5000 donation disclosure threshold from \$5000 to \$1000 cumulative. This is in line with that and it would just be reducing the disclosure of the subscriptions that we have just talked about in the Government's amendment from \$5000 to \$1000. I do not feel like I need to say a whole lot more about that at this stage because I know that we have a lot of amendments before that. I will leave my comments at that and have a bit more of a discussion when we come to the amendments to clause 13.

**Ms O'Connor** - Can I ask if you are moving your amendment?

**Ms HADDAD** - Yes.

**Ms O'Connor** - Did you read it in? Sorry.

**Ms HADDAD** - No. I did not read it in, sorry. Thank you. Maybe it is a good idea that we are adjourning because my brain is not working tonight.

I move the following amendments -

**First amendment**

Page 31, subclause (1), definition of "party subscription", paragraph (a).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Second amendment**

Page 31, subclause (1), definition of "party subscription" paragraph (b).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Ms O'CONNOR** - Of course, we support the amendment. Ours is not dissimilar, except ours is redundant now because the Attorney-General put 'per annum' into the clause, but we want to change the definition, as Ms Haddad does, to 'a party subscription from being limited to a fee less than \$5000 to \$1000. The amendment would also require the threshold to be aggregated across the financial year. The number is the same as the number the Liberals' proposed donation disclosure threshold, which is \$5000, and our amendment moves it into line with our proposed threshold.

Putting aside the donation disclosure threshold, \$5000 is a manifestly generous threshold to consider as a party subscription. It is certainly not a fee that many members of the Greens could or would want to pay. It would also allow for an individual to subscribe to a premium \$4999 subscription and potentially make a \$4999 donation for a total of \$9998 and escape the \$5000 disclosure threshold.

It is more concerning to us that the subscription can be annual, or any other subscription of less than \$5000. I think we have fixed that. It means that the fee of up to \$4999 is exempt

from calculation towards donations, regardless of it is paid annually, quarterly, monthly, weekly or daily. We will support Labor's amendment.

**Ms ARCHER** - It will come as no surprise that we do not support that amendment. I note that a lot of changes, I think, that we are embarking on will basically be these threshold issues of changing the figure of \$5000 to \$1000. I can indicate that we do not support that.

**Amendments negatived.**

**Clause 5, as amended, agreed to.**

**Clauses 6 to 12 agreed to.**

**Clause 13 -**

Meaning of 'reportable political donation'

**Ms HADDAD** - I will seek guidance from you. Can I do these as a block?

**Madam DEPUTY CHAIR** - Yes.

**Ms HADDAD** - I do not have to read out -

**Ms Archer** - Yes, you do.

**Ms HADDAD** - We can debate them as a block but I need to read them out. Let's see how I go.

**First amendment**

Page 48, subclause (1).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Second amendment**

Page 49, subclause (2), paragraph (a).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Third amendment**

Page 49, subclause (2), paragraph (b).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

#### **Fourth amendment**

Page 49, subclause (2), paragraph (c).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

#### **Fifth amendment**

Page 49, subclause (2).

*Leave out "other donations is \$5 000".*

*Insert instead "other donations is \$1 000".*

#### **Sixth amendment**

Page 50, subclause (3), paragraph (a).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

#### **Seventh amendment**

Page 50, subclause (3), paragraph (b).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

#### **Eighth amendment**

Page 50, subclause (3), paragraph (c).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

#### **Ninth amendment**

Page 50, subclause (3).

*Leave out "other donations is \$5 000".*

*Insert instead "other donations is \$1 000".*

### **Tenth amendment**

Page 51, subclause (4), paragraph (a).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Eleventh amendment**

Page 51, subclause (4), paragraph (b).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Twelfth amendment**

Page 52, subclause (4), paragraph (c).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Thirteenth amendment**

Page 52, subclause (4).

*Leave out "other donations is \$5 000".*

*Insert instead "other donations is \$1 000".*

### **Fourteenth amendment**

Page 52, subclause (5), paragraph (a).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Fifteenth amendment**

Page 52, subclause (5), paragraph (b).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Sixteenth amendment**

Page 53, subclause (5), paragraph (c).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Seventeenth amendment**

Page 53, subclause (5).

*Leave out "other donations is \$5 000".*

*Insert instead "other donations is \$1 000".*

**Eighteenth amendment**

Page 53, subclause (6), paragraph (a).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Nineteenth amendment**

Page 52, subclause (6), paragraph (c).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Twentieth amendment**

Page 53, subclause (6), paragraph (d).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

**Twenty-first amendment**

Page 54, subclause (6), paragraph (e).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Twenty-second amendment**

Page 54, subclause (7), paragraph (a).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Twenty-third amendment**

Page 54, subclause (7), paragraph (c).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Twenty-fourth amendment**

Page 55, subclause (7), paragraph (d).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

### **Twenty-fifth amendment**

Page 55, subclause (7), paragraph (e).

*Leave out "\$5 000".*

*Insert instead "\$1 000".*

That is the entirety of our amendments to clause 13. They all deal with one thing. Despite me sounding a little like an auctioneer, reading out all those numbers, basically, what this will do is reduce the proposed disclosure threshold that the minister has in the bill from a cumulative threshold disclosure of \$5000 to a culminative threshold of \$1000. In effect, what this will mean, is that candidates and parties and MPs will need to record every donation that they receive. You do not know whether one donor might donate to you \$50 and later in the year another \$50 and eventually over the course of the disclosure period, reach the \$1000 threshold.

I acknowledge that is how the \$5000 dollar threshold is intended to work as well. However, what it would mean is that candidates, MPs and parties would have to record every donation they receive. Once donations accumulatively add up to \$1000 from one donor that would be disclosable under the regime. Similarly, any donation in its own right that is over \$1000 automatically has to be disclosed under the regime. A \$1000 culminative threshold does not mean that people would be able to get around it. That is what some people have said to me when I have tried to explain Labor's position of a \$1000 dollar threshold. They feel that \$1000 is still too high.



In actual fact, I think that is partly a hangover from how the Commonwealth system works. The Commonwealth system is very deficient. I acknowledge a committee being chaired by Kate Thwaites, the member for Jagajaga right now, will look at the Commonwealth system. Right now, the Commonwealth disclosure limit is ridiculous. It is over \$14 000 but it is one-off. Somebody could donate \$13 000 one day and \$13 000 the next day and it is not disclosable. That does not meet any kind of public interest expectation and I doubt it meets the parliament's expectation.

What is being proposed in the Government's bill is quite different from that but what our amendment would do is improve it further. It means that the threshold is lower. People would still need to record every donation they receive. If a donation they receive is over \$1000 dollars, they automatically disclose it under the scheme. If they receive \$100 dollars and then \$50 and then later in the year, say \$200, from a friend or a family or another donor, that would be disclosable once that individual has donated \$1000 dollars or more.

Labor's position is that \$5000 is too high. I recognise that South Australia does have \$5000 disclosure threshold at the moment. On election, earlier this year, the new Premier in South Australia, Peter Malinauskas announced that he would be making changes to their electoral roles. They are potentially quite dramatic and sweeping changes, at a minimum, reducing that threshold but potentially doing a lot more in that space. Meanwhile, all the other jurisdictions, except for the Commonwealth, have much lower thresholds. The figures I have here are not the exact figures because they all change with CPI and in other ways. Roughly speaking, New South Wales does have a disclosure threshold of around \$1000; Victoria the same; Queensland the same; Western Australia is a little higher \$2500; the Australian Capital Territory \$1000; the Northern Territory \$1500. I argue that the Government has jumped to the highest available disclosure threshold. Lowering the disclosure threshold to \$1000 is a reasonable expectation and would meet some of the public expectation of what should be disclosed by parties, MPs and candidates when it comes to the donations they receive.

As I said in my second reading speech, I want to see big money out of politics. I want to see election campaigns being able to be run for a lot less money. Notwithstanding that, I think generally Tasmanian election campaigns probably do not see the same big dollars as New South Wales, Victoria or Queensland, and yet their disclosure thresholds are lower, at \$1000. I really do think that \$5000 is too high. I understand the logic that the Government had in jumping to that figure, but the intention of each of these amendments I have just moved is to lower that disclosure threshold keeping in mind the knowledge that it is a cumulative threshold. It would in fact capture many donations, quite possibly all donations that are made from donors to Tasmanian candidates, parties and MPs.

**Ms O'CONNOR** - Madam Chair, this is the same series of amendments that the Greens had planned to move, so our amendments mirror exactly those put forward by Ms Haddad. I guess it is a plea from others in the House to Government and to the Attorney-General to understand that first of all the federal law in all likelihood would change, because the Albanese Government flagged its clear intent to lower the disclosure threshold from its current level which sits around \$14 000 to \$1000. I heard what the Attorney-General said about a Senate process now, which will have a look at some of these things. It seems clear that is where the Albanese Government at least is heading.

I point members to the submissions to the draft bill, and the Greens made a submission. There were submissions from the Integrity Commission; a group of concerned citizens called

Tasmanian Election Inquiry; Human Rights Law Centre; Australian Conservation Foundation; the Australia Institute; and there was lobbying from a number of people who advocated for a \$1000 threshold, remembering that the Senate Inquiry also recommended a \$1000 threshold.

Ms Haddad went through the thresholds in other jurisdictions. It is pretty amazing when you have a look at the comparisons across states and territories, how high we have pitched it. If not for the indexation that South Australia puts on its disclosure threshold, we would be the same as South Australia, close to the highest in the country - but the smallest state. If Queensland and New South Wales - the two most populous and wealthiest states - and Victoria, which is only \$40 over \$1000, can have a disclosure threshold of \$1000, I do not see there is an argument for maintaining a \$5000 disclosure threshold.

To us it is patently absurd that you would maintain a commitment to the \$5000 threshold, but you know the federal government is moving and you can see what is happening in other states and territories, and you do want to pass the sniff test.

Potentially, once the Commonwealth law changes, you will have two different types of candidates here with different disclosure requirements. I guess you can see some clarity in the High Court about which one you are subject to, but you would end up with \$1000 disclosure threshold anyway.

We support this series of amendments. This is the disclosure threshold that is based on evidence, based on community expectations and what other jurisdictions have in place, and the strong likelihood of reform at a federal level.

**Madam CHAIR** - The question is that the amendments be agreed to.

**The Committee divided -**

**AYES 11**

Dr Broad  
Ms Butler  
Ms Dow  
Ms Finlay  
Ms Haddad (Teller)  
Ms Johnston  
Ms O'Byrne  
Ms O'Connor  
Ms White  
Mr Winter  
Dr Woodruff

**NOES 12**

Ms Archer  
Mr Barnett  
Mr Ellis  
Mr Ferguson  
Mr Jaensch  
Ms Ogilvie  
Mr Rockliff  
Mr Shelton  
Mr Street  
Mr Tucker  
Mr Wood (Teller)  
Mr Young

**Amendments negatived.**

**Madam DEPUTY CHAIR** - The question is that clause 13 be agreed to.

**The Committee divided -**

**AYES 12**

Ms Archer  
Mr Barnett  
Mr Ellis  
Mr Ferguson  
Mr Jaensch  
Ms Ogilvie  
Mr Rockliff  
Mr Shelton  
Mr Street  
Mr Tucker  
Mr Wood (Teller)  
Mr Young

**NOES 11**

Dr Broad  
Ms Butler  
Ms Dow  
Ms Finlay  
Ms Haddad (Teller)  
Ms Johnston  
Ms O'Byrne  
Ms O'Connor  
Ms White  
Mr Winter  
Dr Woodruff

**Clause 13 agreed to.**

**Clauses 14 to 29 agreed to.**

**New Clauses A, B and C**

**Ms O'CONNOR** - I move -

*After* proposed section 29

*Insert* the following new division.

Division A - Corporate Political Donations.

**A. Object of division A**

- (1) The object of this Division is to secure and promote the actual and perceived integrity of elections by reducing the risk of corporate or organisational interests exerting (or being perceived to exert) undue or improper influence on the outcomes of elections.
- (2) This Division aims to achieve this object by restricting the receipt and use of political donations made by anyone other than a natural person.

**B. Limitations on eligibility to make donations**

- (1) No person or entity other than a natural person who is a citizen or permanent resident of Australia may make a political donation.

Penalty: fine not exceeding 200 penalty units or imprisonment for a term not exceeding 12 months, or both.

- (1) A person must not make a political donation on behalf of another person or entity.

Penalty: fine not exceeding 200 penalty units or imprisonment for a term not exceeding 12 months, or both.

- (2) A person or entity must not provide a gift or loan to a person with the intent of facilitating a political donation.

Penalty: fine not exceeding 200 penalty units or imprisonment for a term not exceeding 12 months, or both.

### **C. General capped.**

- (1) A political donation must not exceed the general cap.
- (2) A person must not accept a political donation if the political donation would exceed the general cap.
- (3) A person may accept a political donation in contravention of subsection (2) if the political donation, or so much of the political donation that exceeds the general cap, is made for Commonwealth electoral purposes and is paid into a federal campaign account.

- (4) A contribution by a candidate to their own campaign account is not included in the general cap in respect of that candidate.

- (5) A contribution made by

- (a) an endorsed candidate or a party; or
- (b) a councillor within the meaning of the Local Government Act of 1993; or
- (c) a member of the Australian House of Representatives, or Senate; or
- (d) a member of the Council or the Assembly -

to a party of which they are a registered member; is not included in the general cap in respect of that party.

- (6) In this section general cap means -

- (a) a political donation of \$3000 or more; and
- (b) any number of political donations from the same donor within a four-year period that cumulatively amounts to \$3000 or more made to the same recipient;

That is our proposed amendment. I might say it introduces two new divisions dealing with donations from anyone other than actual persons who are citizens or permanent residents, and it introduces a general cap on political donations. The proposed new division A, we are pleased to see progress in Tasmania in the form of a ban on foreign donations, but these are by no means the only form of donations that can have a corrupting influence. Various jurisdictions in Australia have banned donations from foreign actors, property developers, tobacco and gambling industries.

The Greens preferred approach is the Canadian donation laws. These allow only natural persons who are citizens or permanent residents to donate to political parties. Similar provisions were attempted in New South Wales in 2012, which limited donations to persons registered on the electoral roll. This law was overturned by the High Court in 2013 on the basis it failed to satisfy the Lange Test. This was because no clear purpose was articulated for the prohibition.

Our proposed amendment deals with this by limiting the donations to natural persons rather than the more restrictive electoral roll requirements and by the proposed new subsection A which articulates the object of the division. The wording in this section mirrors section 18 of this bill which is presumably also for the purpose of satisfying the Lange Test. The citizens or permanent resident requirement is justified by the existing section 18 of the bill.

On the proposed new Division B, which is a general cap, one of the more disappointing elements of the Government's bill is the lack of any sort of cap on political donations. This is, unfortunately, an area where most of the country is lagging. Only Victoria, New South Wales and Queensland have donation caps. Of these three, Victoria is the only one to have a particularly restrictive cap at \$4160 per term. Queensland is more generous at \$10 000 and New South Wales has the very high cap of \$26 400. The Victorian cap demonstrates that a \$1000 per year cap will not cause the sky to fall in. The rest of the country's recalcitrance on this issue is no excuse for Tasmania not to take action.

The relevance of the sum of money donated is well summarised by the comments of an anonymous politician in the 2018 study, who I quoted in my second reading 'but if someone donates \$1000 they support you, if they donate \$10 000 they have bought you'.

In winding up, also in 2018, a former Liberal Party treasurer, Michael Yabsley, described habitual soft corruption in the donations progress. The Senate Committee into the political influence of donations noted that, although proving donations by political outcomes is difficult, the anecdotal evidence of this link is compelling. The committee recognised any donations cap is relatively arbitrary and, on balance, recommended a donation cap of \$3000 per term per donor. Given the federal three-year election cycle, this equates to \$1000 a year.

Attorney-General, we note that while this number is somewhat arbitrary, the average amount Australians donated to charity in 2017-18 was \$764. This equates to about \$3000 over a four-year term, which is close to the \$3000 donation cap proposed by the Senate Committee.

The reason I bring this up is that one of the issues with large political donations is that it disproportionately gives influence to those with more wealth. This data shows that the \$1000 per year cap would bring maximum allowable donations down to the same level that is spent on average by people on issues that matter to them. In essence, this confirms

\$1000 per year is a reasonable cap for the purposes of the level playing field. I commend the motion.

**Progress reported; Committee to sit again.**

## **ADJOURNMENT**

[6.03 p.m.]

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

That the House do now adjourn.

## **Tribute to Veterans on Remembrance Day**

[6.04 p.m.]

**Mr BARNETT** (Lyons - Minister for Veterans' Affairs) - Mr Deputy Speaker, tonight, being the day before Remembrance Day, I pay tribute and honour Tasmania's 17 500 veterans and their families. Originally known as Armistice Day, Remembrance Day marks the end of the First World War when at 11 a.m. on 11 November 1918 the guns of the Western Front fell silent after more than four years of continuous warfare.

World War I claimed an estimated 17 million lives around the globe, including more than 60 000 Australians. More than 15 000 Tasmanians enlisted to serve their nation in World War I, and of these more than an estimated 3000 lost their lives and many more suffered physical and psychological injuries.

On the first anniversary of Armistice in 1919, two minutes silence was instituted as part of the main commemorative ceremony in London.

Remembrance Day is an important opportunity to honour all our Tasmanian and Australian Defence Force personnel who served or are serving in war conflicts and peace-keeping operations. Their selfless courage, service and sacrifice has helped shape the Australian character and values that we cherish today.

Many Australians have served their country answering our nation's call, serving with courage and distinction in the decades following World War I, during the Second World War, during Korea, Vietnam, the Middle East, and more recently Afghanistan. In so doing they helped forge the nation's soul of courage, endurance, mateship and sacrifice. It is this service and sacrifice that we honour tomorrow, a reflection of those who gave their tomorrow so that we can enjoy the freedoms that we have today.

This week there will be memorials dotted all across Tasmania and the country that will be a silent witness to the magnitude of the sacrifice made by even our smallest communities, to acknowledge both our gratitude to those who have served and our responsibility to stand beside those who have returned. Remembrance Day marks the end of World War I, a four-year conflict.

Today I have the pleasure, together with my colleague Madeleine Ogilvie, Minister for Advanced Manufacturing and Defence Industries, of welcoming the USS *Tripoli* to our shores. It is the largest US vessel in more than a decade. We were pleased and proud to meet with Captain John Kiefaber from the USS *Tripoli*, along with crew, as well as the United States Consul General, Kathleen Lively. The USS *Tripoli* has a complement of over 1200 US sailors and can carry over 1500 US marines and many others. Members of the crew of the USS *Tripoli* and the United States Consul-General will join Tasmanians to commemorate the Remembrance Day services tomorrow at the Hobart Cenotaph. It is also Veterans Day in the United States. It will be a special day to spend time together.

The Australia-US alliance is often described as being founded on shared values and bonds of friendship. One of the clearest examples of Australia and the United States working together has been that defence relationship, shared democratic values, common interests, cultural affinities and in so many other ways promoting peace and stability in our region. It is at the top of our list. The US-Australia alliance has been strong for many decades.

In 1908 Prime Minister Alfred Deacon welcomed the Great White Fleet to Australia as it circumnavigated the world. The Great White Fleet was the popular nickname for the group of the United States navy battleships with a mission to make friendly courtesy visits, stopping in Sydney, Melbourne and Albany. It was the first time that a naval fleet from outside the Commonwealth had visited Australian waters since the days of federation.

Our relationship with the United States goes back all that time. It goes back to the Battle of Le Hamel, which showed the attentive and considerate details by Lieutenant General John Monash. He was a brilliant tactician utilising all means available for a successful outcome. It was prior to the Battle of Hamel that the United States soldiers of the American Expeditionary Force had arrived on the Western Front lacking combat experience. The decision was made for some elements of the American forces to support the five Australian infantry brigades commanded by Lieutenant John Monash, the first time elements of an American force were commanded operationally by a non-American officer. The Monash Centre, a multi-million-dollar centre in northern France, was built in his honour thanks to Tony Abbott and the former Coalition government. That commitment was supported by so many across the parliament.

The Battle of Hamel was famous. It brought the Australian and the United States forces together. The Australians and Americans have been fighting shoulder to shoulder ever since in World War One, World War Two, Korea, Vietnam, the Gulf Wars, the Middle East, and Afghanistan.

It is just a few weeks to go until 1 December, which will be the 80-year anniversary of Teddy Sheean VC, going down with the ship, the HMAS *Armidale* in 1942, defending his mates, defending his ship and defending Australia.

We will remember on 1 December that 80-year anniversary where we pay a tribute to Teddy Sheean, but we pay tribute to his family, to Garry Ivory who campaigned for 32 years for the VC for Teddy Sheean. To all Tasmania's 17 500 veterans and their families, I hope and pray that tomorrow will be a very special day for you. Lest we forget.

## **Tasmanian Amnesty Southern Group - Age of Criminal Responsibility - Petition**

[6.11 p.m.]

**Ms HADDAD** (Clark) - Mr Speaker, I want to speak about a gathering held on Parliament House lawns today organised by Amnesty International, in particular by the Tasmanian Amnesty Southern Group. It was attended by many community members and supporters of the campaign to raise the age of criminal responsibility to 14.

I attended together with the member for Franklin, Dr Woodruff, and the member for Nelson in the other place, Meg Webb. The three of us have been handed a petition that we have agreed to jointly seek leave of the two Chambers to table in this place and in the other place.

Tasmanian Labor supports the raising of the age of criminal responsibility to the age of 14. We recognise the long-heard international calls and local calls from organisations such as Amnesty but also the United Nations that 14 should be the absolute bare minimum age. The current age of criminal responsibility in Tasmania is just 10. That is far too young. At 10 years old a child's brain is still developing, especially when it comes to things like impulse control, reasoning and decision making.

Fourteen-year olds are still children and we need a reformed criminal justice system that recognises that. A criminal justice system that recognises that young offenders are children, does not mean that young people will not be held accountable when they engage in offending behaviour. It does not mean crime will not be taken seriously. Rather a child-focused criminal justice system recognises and works on the causes of crime, recognises that young people have the right to receive the services and the supports that they and their families need to prevent a pathway of offending or to allow people to move away from a pathway of offending: one that recognises that the systems that we have in place in our state fail young people and fail their families routinely; a system that recognises that young people deserve the right to a second chance to programs and rehabilitation so that they do not end up in and out of the criminal justice system.

In Tasmania, we have a failing youth justice system because we know that far too many people who spend time in the youth justice system go on to spend time in the adult justice system. That is the definition of a failing system. It is not helping those young offenders to prevent them from going on to continue in an offending pathway. It is not reducing crime and it is not keeping communities safer. That lies at the feet of successive governments, which have failed to act on the evidence and failed to build a truly preventive and rehabilitative youth justice system.

Leanne McLean, the Commissioner for Children and Young People, made a recent statement about this and I will read part of it into *Hansard* tonight. She said:

Children detained at Ashley have been locked down for varying lengths of time each day since June this year. We are told that restrictive practices are needed to ensure the safety and security of the centre because there is not enough staff available.



However, the Government knew this situation was coming. It was on the horizon for months. Put simply, not enough effort was made to prevent this situation from happening.

Locking children down is seen as a reasonable solution in detention, but it would not be seen as a reasonable solution in a school, a foster home, a hospital or a disability service.

Lockdowns breach our obligations to uphold the rights of children under the UN Convention on the Rights of the Child.

The commissioner doubts they would comply with our own youth justice legislation either, especially the rules around isolation. She continued and said lockdowns joined the litany of evidence demonstrating our model of youth detention is not therapeutic and it is not safe for children. Our entire youth justice model is not fit-for-purpose, it does not make our community safer, and it ignores the rights of Aboriginal children to remain in community and connected to culture.

The time is right for Tasmania to act and to lead the nation when it comes to raising the age of criminal responsibility. Other jurisdictions have raised the age to 12 which is ignoring the evidence and it is delaying what needs to happen which is an evidence-based approach to recognise that young people who find themselves in the youth justice system have already been failed and need a therapeutic response and a support response that will give them the supports that they need to prevent future offending. There are three reasons why it is absolutely the case that Tasmania could act right now and lead the nation:

- (1) the Government has already announced a closure time for Ashley Youth Detention Centre
- (2) it has already raised the minimum age of detention to 14 which is just part of the problem but does not solve the entire issue. It is an important move but it only solves part of the issue.
- (3) finally, we know it is very infrequent for children younger than 14 to be detained at Ashley. The majority are 16 or above and right now there are no children under 14 detained at Ashley.

These three things combined present the prime opportunity for Tasmania to amend our legislation and raise the age right now. Doing so will represent best-practice following evidence-based policy but it is also a very important part of reforming our youth justice system into one that not only focuses on prevention but also one that keeps young people, their families and the community safer.

There is no need to wait for a national decision as other jurisdictions take a staged approach. Tasmania is best placed with those three factors that have already taken place in this state - the time frame for closure of Ashley, the age of detention having been raised and the fact that there are very few times where children younger than 14 are detained. Together those three things mean that Tasmania can lead the nation and raise the age of criminal responsibility to 14 right now.

Mr Deputy Speaker, together with Dr Woodruff and Meg Webb in the upper House, I seek leave of the House now to table a petition that has been signed by 4381 supporters in Tasmania alone and note that there was a national petition signed by more than 100 000 Australians that has been delivered to premiers and chief ministers of all states and territories. This was delivered today to the three of us who attended the event on the parliament steps this afternoon. I seek leave of the House, because it is not a parliament petition, to table that petition this evening.

**Leave granted.**

### **USS *Tripoli* - Visit to Hobart**

[6.18 p.m.]

**Ms OGILVIE** (Clark - Minister for Advanced Manufacturing and Defence Industries) - It is a great pleasure to rise on the adjournment and express my welcome to USS *Tripoli* which arrived into Hobart today as do Mr Barnett and the Premier. We would like to extend a welcome to everybody who has come to our port on the *Tripoli* today. We welcome its arrival and this is the first visit by a large US navy ship in over a decade. It is something to be celebrated.

We are very keen on making sure that the crew of the *Tripoli* have a very good experience in Hobart. Today, we were fortunate to be provided with a tour of the ship which went extremely well. From a defence industries perspective, which is why I am engaged in these conversations, it was marvellous to see the technology on that ship, what it does, and the way it is able to manage the assets it has on board. It was really something.

The *Tripoli* is an America-class amphibious vessel and it has been operating in the United States' seventh fleet area operations on its maiden deployment. This is brand new technology and a brand-new ship, so it is very exciting to see. I would like to also acknowledge for the record that Premier Jeremy Rockcliff, who is a supporter of the visit, said that the USS *Tripoli* and her nearly 1200 crew will visit Hobart as part of routine operations in the Indo-Pacific and it will be staying in port for three days. This visit comes after a number of years of engagement, including with the then Under-Secretary of the Navy, the Honourable Thomas Modly.

On behalf of the Tasmanian Government, our Premier presented a formal letter of invitation to recommence such ship visits. Since then, there has been further engagement. Of course, I have engaged as Minister for Advanced Manufacturing in Defence Industries. I cannot help but hope that some of the work that we have done at the Defence Industry's conferences with the Americans, particularly Admiral Paparo, have charmed them into wanting to come back again. Let us hope we see more visits.

The Port of Hobart is obviously an incredibly popular port for navy personnel. Already we have seen the people of Tasmania be very welcoming indeed. The crew of the ship come from California. They are based in San Diego, an area I am very familiar with, and they are really good and decent people. We have such a shared culture and shared set of values with our American friends that I think they will have an excellent visit and we will all make them feel at home.

To put my Small Business minister's hat on, the visit will be exceptionally good for our local businesses. They are here in time for the Salamanca Market. Our restaurants and pubs, our shops and hotels, tour offerings, accommodation are all available to the visiting sailors. I cannot tell you how many small businesses have already reached out to say 'Great, fantastic, this is really good. The pandemic has been hard and this will give us a boost' I am really pleased that we as a government have been able to host this vessel.

I hope that Tasmanians will make the most of the opportunities presented by the visit to go on board the ship. I know my kids are excited. Others will be excited. I am old enough to remember when the USS *Enterprise* came to town and the fun of that - I see nods in the Chamber - from Ms Butler - as a late teen, going to see the ship and going on board and the fun of that and the friendships that were developed between the Australians and the Americans. Now we are at a stage where we really want to reaffirm our friendships and those connections with our friends and allies.

I share, with Mr Barnett a love of history, particularly, the history of Australians at war, a subject I studied many moons ago at university. I always like to do a little bit of research about historical reasons, particularly around naming ships and how that works. The USS *Tripoli* is named after an important battle, where the Americans and the Swedes combined to fight a fierce battle in Africa. It is a very unusual thing. Who would have thought?

I will wrap up there, but I really do hope that Tasmanians continue their warm embrace and welcome of the Americans who are here. I am hoping very much that we will see many more visits and that the friendship will remain and grow in strength.

### **Tasmanian Amnesty Southern Group - Age of Criminal Responsibility - Petition**

[6.23 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, it was a beautiful sunny day outside and a group of feisty people on the lawns rallied to raise the minimum age of criminal responsibility. I want to thank Amnesty International for their efforts around Australia, in Tasmania, and overseas, in making detention systems and justice systems work for the people who are in them and to prevent the harm and damage that is done when children are locked up.

Children in Tasmania can be criminalised in the justice system from the age of 10. From the age of 10, 11, 12, 13 and 14. These are children in fourth grade, fifth grade, sixth grade and year 7.

They are truly children whose brains and emotions are fast developing. They are driven by hormones. They are rapidly changing and highly impressionable. Their desire to fit into the social group is overwhelming. They are desperate to be part of a group and very vulnerable in that context, especially children who have families that are not there to support them - too often families that are abusive or neglectful and have no capacity to support a child who is fickle and wilful and impulsive in their behaviour who are themselves suffering from trauma. They are the children who too often end up being picked up and charged by the police and detained in Ashley Youth Detention Centre.

These are children who should not be in detention. They should not be in a court. They should not be in a paddy wagon or a police cell and they should not have to sit down and try and explain in a rational adult way why they did what they did when they are more than incapable themselves of understanding exactly what is happening for them from one moment to the next.

We have to change our response to working with children who are traumatised or who have been abandoned or badly misused by their family. Instead of having a justice approach, we need to have a therapeutic child-centred, child-protective approach. We do not need a jail or a court: we need a loving family or a loving step-in family.

This is an old campaign. For years, people have been presenting the evidence, which is now overwhelming and widely supported by groups representing the medical, mental health, child welfare and legal professions as well as the human rights bodies, such as Amnesty International and the international UN organisations that represent the Convention for the Rights of a Child and representing the best interests of children all around the world.

What we need is to end the idea that putting young children into the youth justice system will mean that they will do anything other than end up in a life where they are likely to reoffend. That is what we understand and know happens too often. When young children enter into those institutions they become institutionalised. They are vulnerable to being criminalised.

The member for Clark, Ella Haddad, has sought the leave of the House to table the petition that was presented to the rally and presented to the representatives of the Greens and the Labor Party and to independent MLC, member for Nelson, Meg Webb. I was very pleased on behalf of the Greens to receive the names and the signatures of 4318 Tasmanians who have signed the petition to raise the age of criminal responsibility for children to at least 14 years old.

We want to hear now from Ms Archer. I believe she has will in this space to do what is right for children but she is being inconsistent. She is maintaining that Tasmania, on the one hand, needs to not go ahead of other states but she is also quite clear that she knows as the Attorney-General and the first law maker that Tasmania can make any law it sees fit for our jurisdiction so that is what we are calling on her to do. The Greens have always stood up for the rights of children and their safety.

We recognise in a week where there was an apology from the Premier and the Leader of the Greens and the Leader of the Opposition on behalf of the parliament and previous governments and the current Government, an apology to people who were abused as children in state institutions.

This is the week where it is also appropriate to hear of the harms that are done to children in our institutions now: children who are locked up, locked down, we know, in recent times, for 23 out of 24 hours a day, children under 14 kept in cells by themselves. This is causing harm and we want to not have to be in a situation where in 10 years' time, we will have another apology from the parliament - an apology to the children of Ashley, because they are already deserving of our apology, and we want to call an end to that today, and raise the minimum age to 14 as soon as possible.

**Time expired.**

**StudentWorks - Closure - Petition**  
**Australian Maritime College**

[6.31 p.m.]

**Ms O'BYRNE** (Bass) - Mr Speaker, I have two issues that I wanted to raise. One was the petition that I was going to table last week, and had some discussions with the Education minister about. It is a slightly dated petition, as one of the provisions in the clause does actually call for action that the Government then took. With respect to those people who have signed it, I do wish to table it, and it is to do with the decisions surrounding StudentWorks and the Government's original plan to close StudentWorks by withdrawing funding. The funding ceased effectively on 1 July, which would see it close by the end of the year.

In response to a number of concerns that were raised, the minister did in fact say that he would have a review. That review has been undertaken. The situation, however, has not changed, and it is very clear that StudentWorks will be StudentWorks in name only, when it re-opens next year, as it will in fact T4 hybrid model, and not the vocational educational pathway that it has been since its commenced in 1978. I do still urge the minister to rethink this. I think this is a poor decision. I think it is one we will regret, and one day when we go to reinvest in a vocational educational pathway, we will wonder why on earth we made that decision. With that, I seek leave to table the petition. It was the one we talked about the other week.

**Leave granted.**

**Ms O'BYRNE** - Thank you, Mr Speaker. The other matter that I wish to raise is in relation to the decision by the Australian Maritime College to divest itself of the *Bluefin*. In fairness, most of the students who have done their Bluefin do refer to it as the 'Spew Thin'. It is not the most pleasant of experiences. It has been a valuable learning site and training opportunity for students, and it is one of the reasons that students come to the Australian Maritime College, because they can have that practical experience, that sea-time experience on the *Bluefin*, admittedly, in some of the less pleasant waters as they journey into Bass Strait.

I have been extremely concerned about the approach the university has taken toward the Australian Maritime College. I hold the Australian Maritime College in extremely high regard. In fact, up until very recent years, the Seafarers International Research Centre in Cardiff used to rate the AMC as one of the top-three training facilities in the world for seafarers. It has produced seafarers of amazingly high quality.

What we have seen over some time now with the takeover of the AMC by the university are changes that I think are to the detriment to the AMC seafaring training. They will talk about their significant investment and the Government's work in defence training, and that has absolute merit, and I do not decry that. However, what we are seeing is seafarer training falling over. There was very little said. In fact, former premier Hodgman was advised about the submarine's contracts going to Adelaide sometime before the decision was made and he did nothing to intervene to try to get the AMC some of that work. We lost the Pacific patrol boats to Queensland, and the government took no action to intervene to make sure our bid was supported. The Queensland government certainly supported the bid up there. We had senior, highly respected, academic staff made redundant and replaced with staff not at the level of seniority that they had, and once again, the Government said nothing.

In fact, when I wrote to then premier Gutwein, he explained that everything was fine because of the defence contract money that was coming into the university - and now we see the *Bluefin* being sold. We have seen again and again the devaluing of the Australian Maritime College, which has been our premier training facility in maritime industries. We know, particularly through COVID-19, about our dependence now on supply chain. We know that we need to have a high-quality, trained workforce, particularly as we start to see reinvestment in coastal shipping.

Mr Deputy Speaker, I do not understand why the university does not value the seafaring teaching arm of the Australian Maritime College, but I know the seafaring industry does, and I know the quality of students that we have been producing have been some of the best in the world. I call on this Government to take whatever action it can, in its relations with the Australian Maritime College and the University of Tasmania, to stop this diminution of quality training and education in Tasmania.

**The House adjourned at 6.36 p.m.**

## Appendix 1

### RESPONSE TO PETITION

#### Petition No. 11 of 2022 House of Assembly

The petitioner of the undersigned Residents of Tasmania draws to the attention of the House:

- Government imposed vaccine and mask mandates have not stopped the spread or mitigated the risks of contracting COVID-19 in Tasmania.
- Vaccine and mask mandates have added significantly to already existing healthcare and education crises.
- There is increasing public concern that vaccinations and masking are unsafe, especially for children.

Your petitioners, therefore, request the House to call on the Government to:

- (1) Lift all mandates - for employees to be vaccinated and ensure employers state-wide follow suit.
- (2) End requirements for masking in schools, medical clinics and transport services.
- (3) Return to Tasmanians the right to choose medical interventions on a personal basis.

#### GOVERNMENT POSITION:

- Vaccination requirements under the *Public Health Act 1997* were introduced in 2021 and applied to employees in certain high-risk and vulnerable settings.
- There is no longer a vaccination requirement for certain employees under the *Public Health Act 1997*. However individual workplaces may require vaccination as part of their work health and safety practices.
- More than 99% of Tasmanians over 12 years of age have received two doses of a COVID-19 vaccine. Most of these people were not subject to mandates.

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- While the Tasmanian Government strongly recommends that all eligible people stay up to date with their COVID-19 vaccinations, as has been the case throughout Tasmania's response to the COVID-19 pandemic, decisions regarding medical treatments, including vaccination, remain those of the individual.
- There is no longer a requirement to wear face masks in certain settings pursuant to the *Public Health Act 1997*, other than on aircraft and while a person is a close contact of someone with COVID-19.
- Separate from requirements under the *Public Health Act 1997*, workplaces may require vaccination or face masks based on their workplace health and safety risk assessments.

## RESPONSE:

### 1. Tasmania's COVID-19 response

Coronavirus disease (COVID-19) is an infectious disease caused by the SARS-CoV-2 virus. Most people infected with the virus will experience mild to moderate respiratory illness and recover without requiring medical treatment. However, some will become seriously ill and require medical attention. Older people and those with underlying medical conditions like cardiovascular disease, diabetes, chronic respiratory disease, or cancer are more likely to develop serious illness. Anyone can get sick with COVID-19 and become seriously ill or die at any age.

According to the World Health Organization, as of 13 July 2022 there have been 555 446 890 confirmed cases of COVID-19 worldwide, and 6 353 692 deaths worldwide.

Throughout the COVID-19 pandemic, the Tasmanian Government has prioritised the health, safety, and wellbeing of all Tasmanians, and this remains the case. Tasmania's response to COVID-19 pandemic has been measured, responsible and based on the available public health advice.

Risk-mitigation measures in Tasmania are informed by the current epidemiological conditions, as well as advice provided by the Commonwealth and Tasmanian Government Departments of Health, the Australian Health Protection Principal Committee (AHPPC), National Cabinet, and several peak bodies in Australia including the Communicable Diseases Network Australia



(CDNA) and the Australian Technical Advisory Group on Immunisation (ATAGI). Experts in these groups continuously review best practice both nationally and internationally and update recommendations as the pandemic evolves, including about measures such as vaccination and mask-wearing.

Using stringent border measures throughout much of 2020 and 2021, Tasmania was able to largely avoid the Delta subvariant of COVID-19 which was responsible for a significant burden of disease elsewhere in Australia and around the world. By mid-December 2021, very high rates of vaccination in Tasmania supported the easing of border measures. This meant that the arrival of the Omicron variant of COVID-19, and establishment of community transmission, occurred in the context of a highly-vaccinated population – a highly unusual situation worldwide. Omicron is highly transmissible but is associated with less severe disease than Delta. These factors, combined with prudent measures such as mask-wearing and vaccination, have resulted in Tasmania having a lower incidence of severe disease, intensive care admissions, and deaths, relative to infection rates, than comparable jurisdictions.

## 2. Vaccination

Vaccination offers strong protection against severe illness (needing hospital admission and/or intensive care) and death. A third (first booster) dose of COVID-19 vaccine provides high vaccine effectiveness in the first one-to-two months after vaccination against severe disease, and moderate protection against symptomatic infection. Effectiveness against infection wanes at four-to-six weeks following vaccination. However, effectiveness against severe disease (including hospital admission and death) lasts for up to six months and possibly longer.

The Australian Technical Advisory Group (ATAGI) is a group of vaccine experts who carefully consider the risks and benefits of vaccination and make recommendations which can be found here: [Australian Technical Advisory Group on Immunisation \(ATAGI\) | Australian Government Department of Health](#).

Regarding vaccine safety, the COVID-19 vaccines have been approved by the Therapeutic Goods Administration (TGA) under the same processes as any medication approved for use in Australia. In its assessment of medicines, safety is a key consideration for the TGA. The TGA continues to review rolling data on COVID-19 vaccines, including the paediatric formulation of the Pfizer vaccination, using Australia's well-established safety monitoring processes for vaccines. This includes a robust vaccine vigilance system for

early detection and investigation of suspected side effects (also known as adverse events). Weekly reports can be found here: [COVID-19 vaccine weekly safety report | Therapeutic Goods Administration \(TGA\)](#).

Tasmania has achieved very high rates of vaccination coverage: over 99% of people aged 12 years and above have received two doses of a COVID-19 vaccine since the vaccine rollout began in February 2021. Vaccines for children aged 5-11 were approved to begin in January 2022 and since then, 58.68% of children aged 5-11 have received two doses. 72.56% of Tasmanians aged 16 and above have now had their “booster” (third) dose of vaccine. Most of those who have been vaccinated were not subject to a vaccine requirement.

The Tasmanian Government, based on public health advice, continues to recommend that all eligible Tasmanians stay informed about, and up to date with, their COVID-19 vaccinations. However, like all medical treatments, the decision to be vaccinated is a personal one that must be made by individuals.

### **3. Face masks**

Use of facemasks remains an effective intervention against transmission of COVID-19 and other respiratory viruses, like influenza. If you are unknowingly infected with the virus, face masks can provide protection to other people with whom you may come into contact, including people at risk of severe illness, and slow the spread of illness in the community.

There are no longer mask-wearing requirements in place under the *Public Health Act 1997*, other than on aircraft and for close contacts in indoor spaces other than their homes. However, Public Health continues to recommend that people wear face masks when in public indoor spaces and/or where it is difficult to maintain physical distance, especially at times of high COVID-19 risk.

Throughout the pandemic, the above Public Health recommendations have always only applied to children 12 years and older. Children in middle primary school (i.e. from grade 3) can be supported to wear face masks if they are comfortable to do so. There is no evidence of harm to children from wearing face masks. Children under the age of 2 should never wear a face mask.

### **4. Duties of workplaces under work health and safety law**

Under the *Work Health and Safety Act 2012*, persons carrying on a business or undertaking (PCBUs) have a duty to provide a safe workplace for employees and visitors. In order to fulfil this obligation, PCBUs must conduct a risk

assessment including for COVID-19 and to implement lawful and reasonable measures to mitigate risks identified. Depending on the workplace and on the risks identified, these measures may include vaccination and/or wearing face masks.



Jeremy Rockliff  
Premier  
Minister for Health

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