PARLIAMENT OF TASMANIA

DEBATES OF THE LEGISLATIVE COUNCIL

DAILY HANSARD

Wednesday 28 October 2026

Preliminary Transcript

DRAFT

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The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

RECOGNITION OF VISITORS

[11.12 a.m.]

Mr PRESIDENT - Honourable members, I welcome to the Chamber this morning the grade 9 group from the Hutchins School. We have a formalised process when we open our sitting each morning and then we go on to other legislation later in the day. This is our Questions on Notice time. I'm aware that you've been to the other place, and you'll probably notice that the questions here and the questions in the other place have a different temperament. Honourable members of the Council at this time of day ask quite detailed questions of the government if they need information for committee work or in their electorates. We'll be working through our questions then motions and a few other bits and pieces, and then we'll get on to some bills. I know all members hope that you're enjoying your time in the Parliament of Tasmania and will make you feel very welcome to the Legislative Council.

Members - Hear, hear.

HOUSING LAND SUPPLY (MISCELLANEOUS AMENDMENTS) BILL 2026 (No. 15)

Consideration of Bill as amended in Committee of the Whole Council

[11.20 a.m.]

Mr VINCENT (Prosser - Minister for Housing and Planning) - Mr President, I move -

That the bill as amended in Committee be now taken into consideration.

Motion agreed to.

Amendments read the first time.

Amendments read the second time.

Amendments agreed to.

HOUSING LAND SUPPLY (MISCELLANEOUS AMENDMENTS) BILL 2026 (No. 15)

Third Reading

Bill read the third time.

SENTENCING AMENDMENT (PUBLICATION OF CRIMINAL ACTIVITY) BILL 2026 (No. 29)

Third Reading

Bill read the third time.

RECOGNITION OF VISITORS

[11.26 a.m.]

Mr PRESIDENT - Honourable members, before we move on to the next order, I'd like to welcome the second group of students from the Hutchins School, year 9.

What we've been doing at the moment is finalising some legislation. When a bill comes from the House of Assembly to the Legislative Council, we take it into consideration and it goes through three readings. You just witnessed the third reading of the bill. When the bills are read the third time and agreed to, they are then taken to the Governor, who signs off on behalf of the King and the bill then becomes an act and is enacted. We've done two today and we'll probably do a few more as the day goes on, but shortly we're going to have a motion of condolence for a former member of the Legislative Council and then we'll move on to the other bills, as I mentioned.

I know that members here love to see school groups coming through and we thank you for taking an interest in the Tasmanian parliament. Your member is the member for Nelson as your school is in the division of Nelson. You probably come from all over the place but we recognise we have members here from all over the state.

Ms Webb - Some are lucky in Nelson, though.

Mr PRESIDENT - Yes, some would be.

I know all members, including the member for Nelson and every other member here will make you feel very welcome to the Legislative Council today.

Members - Hear, hear.

CONDOLENCE MOTION

George Shaw OAM - Former Member for Macquarie

[11.27 a.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

> That the Legislative Council expresses its deep regret at the passing on 14 September 2026 of the Honourable George Shaw OAM, Member of the Legislative Council for Macquarie from 1968 to 1998 and President of the Legislative Council from 1988 to 1992, and places on record its appreciation

of his service to this State, and further, that this House respectfully tenders to his family its sincere sympathy in their bereavement.

Mr President, I rise today to pay tribute to the honourable George Arthur Shaw OAM, who sadly passed away on 14 September 2026 at the age of 94.

George was formerly the president of this Council, serving as the member for Macquarie for three decades and contributing to Tasmania well beyond the parliament itself, a remarkable life of service to his community over so many years.

George was born on 15 August 1932. He was educated at Whitemore State School and Launceston High School before undertaking technical training. At the age of 15 he began working in a blacksmith and engineering shop, and before entering parliament, he spent some 20 years working in mechanical engineering. This was a very different pathway into politics from those we often see today and shows the practical experience and outlook that George brought to the Council.

George's parliamentary career began almost by chance. In 1967, at the age of 35, he was approached by the then member of the House of Assembly and encouraged to stand for the legislative seat of Macquarie. George had never been to our parliament. Nevertheless, he embarked upon an intensive six-month campaign, and on 25 May 1968 was elected as the independent member for Macquarie. That began what would become an extraordinary 30 years of continuous service to the people of Macquarie.

George was re-elected to this place by his community repeatedly - in 1974, 1980, 1986 and then unopposed in 1992, this also being the year that my dad, Colin Rattray, was elected to the Legislative Council as the member for South Esk, hence I know the honourable George Shaw. I recall many positive comments by my dad about George and his advocacy for the people that he represented, and he spoke fondly of the time shared, not only as a work colleague, but also at many social events with George and his wife, Joyce, who was a wonderful support to George during his time as a community representative.

George retired on 23 May 1998, an incredible achievement of 30 years representing his community. Across that time George witnessed enormous change in Tasmania, and in this parliament. By the time of his retirement, he had served through the terms of numerous premiers, presidents of this Council, and speakers of the other place. But throughout all of that change, his central responsibility remained the same - representing his community in Macquarie. George's campaign materials described him as a full-time member who remained constantly in touch with his electorate, and who was available to discuss legislation, individual concerns and community projects. Indeed, one phrase used in his campaigning perhaps captured his approach better than most and that was: People are my concern. In later life, reflecting on his time as a member of this council, George said, 'You are there to help people. That is a great privilege.' A great insight into how George viewed public office.

He was also a strong believer in the role of the Legislative Council as a house of review, and in the capacity of members to bring their own judgement to the matters before them. George was an independent throughout his parliamentary career and spoke regularly about the importance he placed upon the independence of this Chamber. It was clear George's views over those 30 years were sincerely held and grounded in a deep respect for the institution in which he served. He believed strongly in the bicameral parliamentary system and took a serious

interest in constitutional questions, and the relationship between the two houses of this parliament, including making a detailed submission to the 1982 royal commission examining this relationship.

Within this Chamber, George took on significant responsibilities. He served as Chair of Committees from 1982 to 1986 before being elected President of the Legislative Council on 21 June 1988. He would serve as president for just over four years, until July 1992. Mr President, as you would know, to be chosen by one's fellow members to preside over this place is a considerable honour, and George brought to that position the parliamentary experience he had accumulated over the preceding two decades.

Following his presidency, he went on to chair the Public Accounts Committee between 1992 and his retirement in 1998 - a committee that remains of high regard in our parliament, as it has done over decades. George himself identified some very practical achievements from his parliamentary career. Looking back as he approached retirement, he regarded his involvement in the 1979 restructuring of the Tasmanian Fire Service, including arrangements affecting volunteer and professional brigades, as one of the decisions of which he was particularly proud. He also recalled introducing an amendment in the early 1970s to require P-plate drivers to have no alcohol in their blood.

George Shaw's contribution to Tasmania certainly did not begin or end with parliament. He served for nine years on the Longford Municipal Council, bringing with him an understanding of local communities and the practical work of local government.

His interests outside politics were extraordinarily broad. George was an accredited Uniting Church lay preacher and an active church man. He was involved in aged care, including as chairman of Glenrowan Homes for the aged, and had a long association with the Toosey hospital and the Perth Cemetery Trust. Young and older Tasmanians, people experiencing homelessness, and families affected by drug abuse all benefited from his work. George was also the inaugural president of Holyoake Tasmania, supporting family and friends of people affected by drug use.

Sport was another important part of George's life. He had an outstanding association with cricket, golf and bowls, and was a keen participant as well as an administrator and supporter.

These community roles paint a picture of someone deeply embedded in the life of his community. In 2007, these contributions were formally recognised when George was awarded the Medal of the Order of Australia for service to the Tasmanian parliament and to the community through church, aged care and sporting organisations. He was reportedly so humbled by it he initially had to consider whether he should accept this honour. George described himself as a very, very ordinary person and said that what he had achieved was a result of the people who had encouraged and supported him throughout his life.

He also used that occasion to acknowledge the role of his family and particularly his wife, Joyce. George and Joyce married in 1955 and together raised their sons, Markham and Stephen, and their daughter, Robyn, who we had the privilege of meeting at George's memorial service. When George retired from the Legislative Council in 1998, members spoke warmly of the support he had received from his close-knit family throughout his parliamentary career. George himself later said of Joyce, 'She has been a marvellous support.' You can just hear that, Mr President: 'a marvellous support'. That support should be acknowledged today as we reflect

upon the demands that three decades of parliamentary service inevitably place not only upon a member, but also upon those closest to them.

After his colleagues had spent considerable time paying tribute to his 30 years of service, George rose to respond. He thanked members for their kind words and then said he could sum up the entire experience in just one word: unbelievable. George said, 'Unbelievable.' Following his retirement, George was granted the right to use the title 'honourable' for life.

It may be known, after retirement George continued community involvement and remained engaged in public affairs long after leaving this Chamber. George Shaw's life was one characterised by service, representing the people of Macquarie for 30 years, this Council as its president for four, and countless more across his entire life. Following his passing, George was remembered for his fairness, wisdom, humility and quiet determination. Those descriptions sit comfortably with the record he leaves behind.

Mr President, yourself and I attended the service to honour George at his beloved Longford Bowls Club on Friday 25 September, where his children Mark, Stephen, and Robyn warmly welcomed those gathered and shared some special memories of George and Joyce and their incredible life they shared together. The former member for Pembroke, the honourable Peter McKay, spoke generously about George and his contribution to the parliament and reflected on the high esteem in which he was held during the time they shared together in the Legislative Council.

On behalf of the government, the electorate of McIntyre, which encompasses Macquarie, the entire population of Tasmania, and, on a personal note from my mum, Norma, I extend my sincere condolences to George's family and friends, his former colleagues and the many people throughout Tasmania whose lives were touched by George's service. George Shaw gave a substantial part of his life to the people of Tasmania. We remember that contribution today with gratitude and respect. Vale, the honourable George Arthur Shaw OAM.

[11.41 a.m.]

Mr GAFFNEY (Mersey) - Mr President, I thank the honourable Leader for allowing us this opportunity. I'm only going to speak briefly, but I did know George and Joyce when I came into this place through parliamentary bowls when we had the annual carnival. Joyce and George were both very good bowlers. We used the term 'gentleman' here recently with the passing of the honourable Don Wing and it was the same sort of feeling that George had; he was known to everybody and he was exceptionally friendly. And where there was George, there was Joyce. I always wanted him to be on my team because he was a very good lead and could play very well. He was very competitive but in a very nice way. He was a much better lead than the honourable Kerry Finch ever was.

I will add to this because I know it will go back to his family. There's a couple of paragraphs here from the Longford Bowls community, and I think it's worthwhile reading them into the record because they also reinforce my thoughts about George and what a lovely gentleman he was. They say:

> It is with deep sadness that we share the passing of our dear life member, George Shaw. George was a wonderful person, a dedicated club member, and a familiar, welcoming face who will be deeply missed by all who knew him. He is now peacefully reunited with his beloved wife and fellow life member,

> Joyce. Together, George and Joyce gave so much of themselves to our community. Their years of service, time, and unwavering commitment helped shape the club we love today. Because of George's health at the time of Joyce's passing, they were unable to hold a service for her then, making this combined farewell especially meaningful.

On behalf of the Longford Bowls & Community Club, I would like to endorse their words about such a wonderful man and his wife, Joyce.

[11.43 a.m.]

Mr PRESIDENT - I, too, with the indulgence of other members, would like to put on record the service of the honourable George Shaw. Certainly, the service at the Bowls Club at Longford highlighted the respect in which George was held in the local community and it was such an appropriate place to have the service because on the timber boards around the chamber in gold there were all the teams with George and Joyce's name on nearly every board, it was really good to see. He was also a French car fanatic, which I can understand, they're such wonderful vehicles, and he had several Citroëns through his life. So, you just don't know what you're going to find out about people in their memorial services. It was a great service. The Leader and I spent quite some time there catching up with different people and finding out all sorts of things about George and Joyce and the family. Certainly, within this place you talk to people who have been here for quite some time who worked with George. I won't embarrass Sandy by mentioning her specifically, but Sandy is a very good judge of character and she regarded George very highly and spoke, as the honourable members who have spoken, about George and Joyce being a team.

I now ask all members to support this motion by standing and having a minute's silence for the honourable George Shaw.

Members stood in their place and observed one minute's silence.

Motion agreed to *nemine contradicente*.

[11.46 a.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

> That a copy of the resolution be forwarded to the family of the late George Arthur Shaw.

Motion agreed to.

TEACHERS REGISTRATION BILL 2026 (No. 27)

Second Reading

[11.46 a.m.]

Ms PALMER (Rosevears - Minister for Education) - Mr President, I move -

> That the bill be now read a second time.

The purpose of this bill is to repeal and replace the *Teachers Registration Act 2000* with a new consolidated act that delivers a modern, child-safe and nationally aligned registration framework for teachers in Tasmania. It implements the government's commitments arising from recommendations from the 2025 *Teachers Registration Act* Review Final Report, the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, and the national extension of mandatory teacher registration to university qualified early childhood teachers working in regulated early childhood education and care settings.

Teachers have a profound impact in shaping the lives of children and young people. Regulation through teacher registration is an important way of recognising the role of the teaching profession, establishing minimum professional standards and promoting community confidence that teachers have the necessary skills and character to educate and support our children and young people.

The current act was introduced in 2000, and it has been in operation for 25 years. It now requires comprehensive reform to reflect contemporary professional, safety and regulatory standards.

The *Teachers Registration Act* review commenced in late 2024. Its objective was to make recommendations to ensure children are safe while they learn; teachers, including those in early childhood education and care settings, are high quality and meet professional standards; and the legislative framework reflects modern regulatory practice and is fit for purpose.

As the Minister for Education, I appointed a steering committee to conduct the review. It comprised an independent chair, representation at senior level from each of the three school education sectors and a person with regulatory expertise. Public consultation was undertaken to inform the committee's deliberations, and we thank those organisations, individuals, children and young people who contributed.

The review included consideration of how best to implement relevant commission of inquiry recommendations, to strengthen child safety and accountability. It also considered how best to give effect to the government's 2021 commitment to introduce registration for early childhood teachers in early childhood education and care settings. The committee delivered a detailed review report with 28 recommendations addressing the regulatory framework, registration standards, child safety and alignment with national frameworks and agreements.

By way of context, teacher registration in Australia is regulated by each jurisdiction and is guided by a framework agreed by all governments: the Framework for Teacher Registration in Australia. This framework sets out the uniform principles for the registration of teachers in educational settings, including teachers in early childhood and care settings, across Australia.

Under the current act, mandatory registration is limited to those teaching in government and non-government schools, including those teaching specialist vocational education and training programs in Tasmanian schools. Mandatory registration will continue for those teaching in schools.

In more recent years, there has been greater recognition of the value and importance of teaching and learning that is being delivered in non-school environments such as the early

childhood education and care sector and Child and Family Learning Centres. The regulatory framework set out in the bill reflects this shift. It provides an integrated approach that is based on the practice of teaching rather than on setting alone.

Registration of those teaching in non-school educational environments has the same benefits as it does for teachers in schools. It provides professional recognition, establishes minimum professional standards, and helps to protect children and young people from potential abuse. Only those employed in designated teaching roles as defined in this bill will be required to register. The framework will not apply to tutors, education support staff or vocational trainers operating outside regulated educational settings. This provides national consistency, ensures clear scope for registration, and prevents unintended regulation of non-teaching roles.

Mandatory registration will apply to early childhood teachers who hold an early childhood university teaching qualification approved by the Australian Children's Education & Care Quality Authority and are employed in designated teaching roles within regulated early childhood education and care settings. This includes long-day care centres and other services regulated under the *Education and Care Services National Law Act 2010*. It will also apply to any early childhood teachers employed in designated teaching roles in services regulated under the *Tasmanian Child Care Act 2001*. It will not apply to educators employed in non-teaching roles such as assistants, centre managers, relief staff or family daycare providers who do not perform teaching duties.

Extending registration to early childhood teachers in these settings aligns with the National Early Childhood Education and Care Workforce Strategy, which was agreed by all governments in 2021. It also aligns with recommendations from the national 2023 Review of Child Safety Arrangements in Early Childhood Education and Care Settings, which endorsed teacher registration in this sector as a key mechanism to enhance child safety. Most other states and territories have implemented this national commitment, while the remaining jurisdictions, Queensland and the Northern Territory, are working towards implementation.

The vast majority of stakeholders in this sector in Tasmania support early childhood teacher registration. They were consulted ahead of the national commitment in 2021 and have continued to advocate for Tasmania to implement registration since that time. Further extensive targeted consultation was undertaken with the sector as part of the Teachers Registration Act Review, and the majority of stakeholders strongly supported the introduction of teacher registration in this sector.

It is understood approximately 300 degree-qualified educators working in early childhood education and care settings may be eligible for registration. Of these, only those specifically undertaking the role of an early childhood teacher would be required to register.

To ensure a smooth transition, this new requirement will be implemented as soon as practicable and within a maximum of three years. Early childhood teachers will need targeted support to understand what is required of them to register, as will the services in which they work. The Teachers Registration Board will develop and implement registration processes tailored to a cohort of teachers working in settings that differ significantly from schools, ensuring that the system is responsive to the unique characteristics of early childhood education and care environments. It must also be done in a way that is not in conflict with the requirements providers must meet under the national law. This timeframe will allow the necessary work to be done in a way that provides both the sector and the board with adequate time to prepare.

Registrations will also be required in other non-school educational settings where teachers are performing duties aligned with the Australian Professional Standards for Teaching and they meet the qualification requirements of the Teacher Registration Framework in Australia. In effect, this will bring those teaching in Child and Family Learning Centres within scope of the updated act and recognises the importance of the work they do with, and for, Tasmanian children. As I said earlier, it focuses on the practice of teaching rather than on the setting alone. As with the early childhood education and care sector, this change will be implemented as soon as practicable and within a maximum of three years to ensure a smooth transition for those impacted.

The revised regulatory framework now provides for practising and non-practising teacher categories. A practising teacher is a registered teacher who is employed at a school, or in a non-school setting, such as a long day care service to teach students. This includes those who hold provisional or full registration.

A new non-practising teacher category has been included in the bill to better support the needs of teachers as their career and life circumstances change. This category would be available to fully registered practising teachers who are not currently performing teaching duties in educational settings but wish to maintain their professional registration status. This could, for example, include those working as school counsellors or those on secondment to the central areas of the Department for Education, Children and Young People (DECYP).

The Specialist Vocational Education and Training registration category continues as in the current act.

Under the act, registration pathways also include 'Limited Authority to Teach'. The board may grant this authorisation for up to two years, subject to specific conditions, to individuals with specialist skills and knowledge where a suitable teacher is not available, or to students completing a teacher education program. This pathway would continue under the new act and has been renamed 'Alternative Authorisation to Teach', consistent with the Framework for Teacher Registration in Australia.

The commission of inquiry made seven recommendations about teacher registration to improve safeguarding of children. These relate to information sharing, better tracking of who is teaching, the power to issue infringement notices for non-compliance with the act, immediate suspension where there is an unacceptable risk of harm to children, automatic mutual recognition, professional development and child safety training, and funding for the Teachers Registration Board. Given the government's commitment to implement the commission's recommendations in full, the steering committee did not re-prosecute those issues but made recommendations on how best to implement them.

In line with the commission's recommendations, the information sharing provisions have been significantly strengthened to ensure the Teachers Registration Board is able to get the information it needs to make informed decisions as to whether or not to register a person as a teacher and to undertake investigations. These provisions are tied tightly to the functions of the board.

As with the current act, the board will also be able to share information with other relevant entities where such requests fall within the scope of the new act. The board can,

for example, share information with corresponding registration authorities in other states and territories. Further, the bill also amends the Child and Youth Safe Organisations Regulations 2023 to include the Teachers Registration Board as a body which may share information between other bodies under that legislation that relate to reportable conduct. A person's registration or alternative authorisation to teach where that person has been charged with a serious offence. The term 'relevant offence' is used in the bill as these offences are more serious and are generally heard in the Supreme Court of Tasmania. They carry a term of imprisonment that includes matters such as murder, rape, child sexual abuse, and persistent family violence.

The bill goes further than the commission's recommendation. It enables the board to immediately suspend a teacher's registration or alternative authorisation to teach where a person is charged with a relevant offence. It requires the board to suspend a registration when that relevant offence also relates to the safety or wellbeing of a child or young person.

The commission of inquiry's scope was to consider the government's responses to child sexual abuse in institutional settings. The bill ensures those recommendations relating to teacher registration will flow on to those teaching in non-government schools, as the same registration requirements apply regardless of school setting. The bill also goes further than child sexual abuse and encompasses protection of children from all forms of abuse.

Similarly, the proposed new regulatory framework means that the commission's recommendations would extend to early childhood teachers in the early childhood sector. The extension of the commission's recommendations on teacher registration to all forms of abuse and to the non-government schools and non-school settings will better protect children and young people.

The Teacher Registration Framework in Australia provides that a teacher should have an initial period of registration before meeting the requirements for full registration, and that full registration should be attained within five years of receiving provisional registration. Provisional registration is intended to allow new graduates to be employed as a teacher and undertake the workplace learning and development that equips them to demonstrate they can meet the Australian Professional Standards for Teachers at the proficient level and progress to full registration.

There is no requirement in the current act for full registration within a set timeframe. Through consultation, we heard that the provisional to full registration process was inhibitive for teachers to undertake. This has led to a situation where, of the approximately 12,000 teachers in Tasmania, almost one-third are provisionally registered and have not undertaken the process to be fully registered. This means that approximately 4000 teachers in Tasmania have never demonstrated that they can meet the proficient standard of the Australian Professional Standards for Teachers. This number includes experienced teachers who have taught for many years. Mandating the requirement to move from professional to full registration within five years will bring Tasmania into line with other jurisdictions. It will demonstrate that Tasmanian teachers meet the standards set by national frameworks to best support children and young people's education.

Changes to the current full registration process have also been recommended. This would further streamline it, while ensuring it remains robust, to help support teachers to make the transition from professional to full registration. While a streamlined process will better support

teachers moving from provisional to full registration, the new requirements will affect nearly 4000 provisionally registered teachers who would need to be fully registered within five years. There are significant workload issues, particularly for principals and the Teachers Registration Board, in managing the process. Against a backdrop of a national teacher workforce shortage, there is also a workforce retention risk, particularly in relation to those who are towards the end of their career who have chosen to remain provisionally registered.

On balance, a deeming process provides a pragmatic solution and was proposed by the Australian Institute for Teaching and School Leadership in its submission to the review. Under this approach, experienced teachers who meet clearly defined eligibility criteria would be deemed fully registered without undergoing the standard provisional to full registration process, instead undertaking a robust streamlined process. This includes experienced teachers in non-school settings such as the early childhood education and care sector. The process would need to be completed at the latest within three years, and this would help to spread the workload for schools and the board. This solution seeks to strike a balance between managing regulatory burden and ensuring teachers meet expected standards. While the bill sets up the broad requirements for deeming, most of the process will be worked through in implementation. I expect the board will work closely with stakeholders, including the Tasmanian Principals Association, in developing the process to ensure it maintains professional standards while easing the regulatory burden on teachers, employers and the board.

Mr President, all states and territories, with the exception of Tasmania, have legislated minimum requirements for continuous professional learning as part of teacher registration renewal. These requirements typically include 100 hours of professional practice and 100 days of professional learning over a five-year period, consistent with the Framework for Teacher Registration in Australia. Currently, teachers working in non-school settings are not required to complete any mandatory professional learning relating to the Australian Professional Standards for Teachers or specifically targeted to the teaching profession.

While employers and teachers are responsible for ensuring teachers have the skills needed to undertake their role, legislating minimum requirements for professional learning brings Tasmania into line with all other jurisdictions and agreed national frameworks. This bill requires teachers to complete professional learning as a condition of registration renewal. This will be set at 100 hours within each five-year registration cycle, and this is in line with the Framework for Teacher Registration in Australia. Most teachers already fulfil this obligation through their normal course of employment and teaching duties, including by attending employer-mandated compulsory professional learning days. A wide range of activities will be available to be counted towards professional learning, providing flexibility for teachers working across a range of contexts and settings. Mandating this requirement ensures Tasmanian teachers maintain contemporary professional knowledge to inform their teaching practice and brings Tasmania into line with other jurisdictions.

The commission of inquiry recommended the completion of child safeguarding training for all teachers as a condition of registration and renewal. Such training is mandated in the bill for each registered teacher and alternative authorisation to teach holder.

The bill also includes a range of provisions that reflect modern regulatory practice. This includes an objects clause that sets out the purpose of teacher registration in Tasmania. Such a clause assists regulators to regulate in accordance with the act. It creates clarity about the purpose of the act and assists in interpreting provisions where there is uncertainty or ambiguity.

The bill also includes a principles clause, which sets expectations as to how functions or powers will be exercised. It consolidates the principles that apply to the regulation of teacher registration in Tasmania, which are currently spread across two acts. These principles have been tested with children and young people and received extensive support in consultation.

Amendments have also been made to a number of provisions in the current act to ensure clarity or to tidy up issues that have arisen in day-to-day operations. This includes, for example, a new provision that enables a teacher to voluntarily relinquish their registration.

Mr President, the reforms set out in the bill will deliver a modern, nationally aligned, and responsive teacher registration framework for Tasmania.

A range of issues were raised during consultation that relate to implementation, and these will be managed during that process. Successful implementation will take time. Registration of teachers will need to continue while the Teachers Registration Board develops new systems and processes and works with stakeholders to ensure they are ready.

It is anticipated that the legislative reforms in the bill will commence by proclamation, and sections of the legislation coming online when the system is ready to manage new requirements, while ensuring the ongoing operation of the Teachers Registration Board.

All Tasmanian students are entitled to an education of a quality that will enable them to reach their potential and maximise their achievements and contribution to the community. The reforms proposed in the bill will support these outcomes that: children are safe while they learn; teachers, including those in early childhood education and care settings, are high quality and meet professional standards; and the legislative framework reflects modern regulatory practice and is fit for purpose. I commend the bill to the House.

[12.11 p.m.]

Mr HISCUTT (Montgomery) - Mr President, I rise today to speak on the Teachers Registration Bill. I will indicate that I am likely to support the bill as most of what it looks to introduce is common sense and has been requested either due to the commission of inquiry recommendations or general updates. The consultation appears to have been extensive and, apart from some concerns about the broadness of some definitions, it does not seem to have much opposition. Broadly speaking, the bill sets up a system for ensuring that teachers are registered in Tasmania and that safety is increased by this process. I just have a series of broad questions about the legislation, and I trust that the minister will be able to answer these. Many have been asked in briefings, but I would like the answers on the record.

One element that I have a few comments on is the use of 'is to' versus 'must'. I don't need the minister to give me the definitions in her answers as we're all able to read the *Acts Interpretation Act* and provide them. In fact, I will do so now just so that the minister doesn't need to in her reply. It is described in section 10A(1) of the *Acts Interpretation Act*.

(a) the word 'must' is to be construed as being mandatory;

(b) the words 'is to' and 'are to' are to be construed as directory; and

(c) the word 'may' is to be construed as being discretionary or enabling, as the context requires.

I went to my good friend the *Macquarie Dictionary*, 5th edition - I probably should update it -

Ms Rattray - Thank goodness, you didn't go to AI.

Mr HISCUTT - to get a definition of 'directory'. It defined it as: 'a book containing an alphabetical list of telephone subscribers and their numbers'. This wasn't very helpful. However, thanks to the power of Google, I was able to get a much better definition. This definition is from the *Law Handbook* glossary of the Legal Services Commission South Australia - I couldn't find a Tasmanian one - which defines directory as, '(A provision) that does not have to be strictly complied with; not mandatory'. I would like to hear the government's definition of 'directory' so that I have that for future reference. I recognise that this is a long way to get to the point, so I'll move there now.

There are many instances of these terms in the bill, more than I will note below, and I would like to understand their rationale for inclusion in that form. The examples I would like clarification on are as follows: clause 7, this clause applies to how to determine if someone is of good character. To determine if a person is of good character in relation to an application to the Registration Board to become a registered teacher, apparently the board 'must' consider if the person has previously had a registration suspended or cancelled, but it is not mandatory to consider if they have been convicted of an offence, if they have been refused a Working with Vulnerable People card or if their Working with Vulnerable People card has been revoked. It seems odd to not have to consider these things, only 'is to'.

Another example is clause 95 regarding employers to notify the board in the case of allegations such as sexual misconduct, the grooming of a child, or physical violence. There is a positive obligation, i.e. the word 'must' used to describe that a person reports the action as shown in clause 2. However, regarding when they have to report this, section 4 states that the notification 'is to' be made within three days, so it's not mandatory to do so. An argument was given that the wording is to allow for administrative issues, but what happens in the scenario that 20 days after becoming aware of an allegation, someone tells me that I need to report it and I say, 'Yeah, I'm planning to, I'll do it next week'? As long as I do it, then I have complied with section 2 and I don't have to comply with section 4. So, how would this interaction evolve? Why have a time limit at all if it's not enforceable? Would it be better not to have one? These are legitimate concerns.

This also raised concerns about consistency of punishment. If I fail to raise an allegation of abuse within three days and maybe I do it in a week, apparently I do not get punished. However, we see in clause 27, if Mrs Jones, who moves schools, accidentally forgets to tell the register in exactly 14 days, she could cop a $2000 fine. Why is this clause not 'is to' when it seems of a much less serious nature, especially if the argument given for the use of 'is to' in clause 95 is due to a potential administrative situation? That could happen for Mrs Jones moving schools just as easily. Why are these two provisions so disproportionate? There are probably many other examples of this in this bill, but I'll leave it there and see if the explanation for these examples gives me a greater understanding of the issues.

I'll move on to another area of the bill on which I have a few questions. Once again, I note that these were discussed in briefings, but it is useful to hear the explanations again.

Regarding the remuneration of the board, it is set out in Schedule 1 under clause 4 that the minister decides upon the remuneration and allowance for the board. I recognise that the government has a very detailed policy regarding the set of the remuneration level for board members, but the act does not say that the minister has to have regard for this policy. Was there any consideration to adding a message as such to the bill, and if not, why not?

It is also notable that the board can establish a committee, place themselves on that committee, and then be paid an amount determined by the minister again. Is there any limit to the number of committees that a board member can sit on? And, although we will be able to determine the extent of this issue in its annual report, if this provision were to be a problem or abused, is there a legal mechanism to enact if the board were to do this to stop it? I note quickly that I mean no disparagement to the current board and cast no aspersions. This is just a future hypothetical board. I'd just like to know if a situation like this could occur and how that would be handled.

Moving on, I would like an explanation of how the handling of fees is managed, or just the handling of money in general. I admit that this is a question of ignorance and curiosity. Are the board's finances separate to the government's? Do the fees go into consolidated revenue for the state or just for the board? How is it funded to do its functions? I would appreciate a lesson in this area.

I have a quick question about the establishment of the board. In section 20, the board is to enter into an agreement with the secretary that includes a number of matters. What happens when you enter into an agreement with the secretary that includes a number of matters? What happens in the event of a dispute or if an agreement cannot be reached?

There is also the provision in the act, under clause 33, that an independent review of the board can be established. I wonder if this should be strengthened to require a review every few years. This would seem prudent. Could the government explain the rationale to have this as something only to be used if required, not as a routine exercise? I know that performance reviews are very helpful to know how an organisation is going.

Regarding the terms of the board, it seems that there is no limit. The government has only recently changed the laws regarding GBEs to a two-term limit; three under certain circumstances. I recognise the need to keep skills and knowledge, but the reason that change was made for those organisations was that renewal was occasionally needed. How does this not apply here? Could the government explain this approach?

I also have a few questions on the privacy disclosure clauses in the bill, starting with clause 75, which talks about complaints. I wonder about the requirement for a complaint to be identified. I understand this would help with vexatious complaints, but is there a fear of recourse if a name is required in this instance? Second, I note that there is another fine example of 'may' and 'is to' and 'must' on this clause. It doesn't have to disclose the name and address but 'must' sign it. Perhaps I've just answered my own question.

Clause 100 is along similar lines. This is about the board refusing to disclose information. One of the reasons the board may refuse is that it could increase the likelihood that another

person may be harassed or discriminated against if that information is provided. The question I have is about the balancing of needs. Perhaps it is still more important that the information be released. I know that this clause does say that the board may take this into consideration. I'm just wondering if I could get an understanding of how the discretion provided here could be used.

Lastly, on this section, I would like a better understanding of clause 104. This seems to essentially put any information held by the board behind a screen that a right to information request cannot cross. Can I please get an understanding of why this would be necessary and if this is common on similar boards and what is the rationale here?

Lastly, I note that there is a small typo in the original introduction of the text, which I think is included in the reprint in clause 112(4)(c) where 'may' is repeated in the clause and the subclause. I assume this can be fixed on the vellum and does not require an amendment.

I recognise that this is a large number of questions, some of which have consequences and some of which were more of an inquisitive nature. I will note to my fellow members that I've made these questions available to the minister well prior to the debate, to ensure that she and her staff have sufficient time to provide, hopefully, succinct answers. If I have follow-up questions, I'll note them and then ask them on the relevant clauses in the Committee stage.

As for the remainder of the bill and the general concept, I think that there are no major issues. Others will provide context of the history and consultation, I'm sure, and the minister's second reading speech did a pretty good job too. I look forward to the answers and the continued debate.

[12.20 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I acknowledge contributions from other members. I rise to speak to the Teachers Registration Bill 2026. It's a bill that comes to us after at least two years of consideration and with two separate consultation processes. It's a methodology that's measured and reflective of best practice. We now have a bill before us, which is all set to arrive with us having completed its thorough examination in the other place. However, it was a short visit, which saw it skip through without amendment or even having to go through the Committee process and was set to arrive with us, all within a week. That was a bit of a surprise for me. That's despite numerous suggestions in the second reading contributions from members in the other place that there was significant potential for amendment. However, it appears its ability to do so was beyond its control and should be best left as something for us to contemplate and act on.

This is an interesting situation, even more so when we consider the Leader of the Opposition is a qualified teacher, as are two members of the government. Between all three of them, they cover primary, secondary and VET sectors. I was even more surprised that there was no debate or clarification of the bill in the Committee stage. It just appeared to simply float through like a piece of paper in the wind.

Despite the government's desire to hasten the bill's progress, I thank the minister for listening and acting on the concerns of the members in this place. She has wisely given us more time to fully consider what is a highly significant bill, not only in its implications, but it's also 172 pages long. Yes, we had been supplied with summaries of the government's response to key points from submissions, but now we have had the opportunity to consider the

contributions in the other place, and to consider the bill in the context of the 15 written submissions on the consultation draft and other contributions. The pause has given us time to engage with stakeholder perspectives and to explore possible amendments to address issues which can strengthen the bill, and also to ask questions in this place, so that they'd also be clarified by the minister.

I assume one of the key drivers in bringing this reform are the findings from the commission of inquiry. One of the most significant is bringing early childhood educators into the mix, in particular, the requirement that those teaching in non-school environments, in designated teaching roles and with a university-based early childhood teaching qualification must be registered with the Teachers Registration Board, the TRB. With the potential to include up to 300 degree-qualified educators in early childhood education and care - which I refer to as ECEC - settings it does have the capacity to highlight the importance of those roles. It may also create some confusion over when it is teaching in an ECEC setting and when it is simply engaging with young children in an empathetic manner. Is the government able to offer a workable and unambiguous definition to make it easier for ECEC staff and employers to get it right? We only have to look back to the impact of changing regulations in the operation of such facilities. One change in such matters has forced the closure of two dual-educator models of child care services in my own electorate. If we couple it with the increasing and unmet demand for childcare across Tasmania, the new registration requirement for ECEC educators could be a brand-new critical factor in establishing and maintaining the viability of these essential services. I would welcome an understanding of what level of support will be given to ECEC services and educators that may be caught up in these changes.

The last point segues neatly into another concern. Teaching is very much seen by teachers and their unions as being a profession. Teacher registration and accountability is very much part of that, as it controls who can be a teacher and who may be struck off and how. Yet we still have state-based registration rather than a national system. There are several reasons for that, mostly to do with the fact that public education is a state-owned and -operated system, whereas non-government schools have a national approach. Therein lies a weakness which has in the past has potentially allowed disreputable members of the profession to be moved around the country and sometimes jump across systems and jurisdictions to evade discovery and investigation.

Mr President, I must ask if the government has a view on the scope in developing a national teacher registration system. It's probably in the same way as the health practitioners under the Australian Health Practitioner Regulation Agency, or AHPRA, and heavy goods vehicles under the National Heavy Vehicle Registration Scheme. Only then can we have full confidence that teacher registration is not just a parochial measure but a national scheme with full powers to maintain standards and probity.

As a welcome development, the bill strengthens the TRB's authority to ask questions about a registrant's background from a variety of sources, but it only allows a request to be made outside of Tasmania, which again speaks to the need for national registration and true accountability. However, it is an incremental improvement allowing the TRB to build a more complete picture of a person's provenance and professional reputation, and one which, to a point, can cross jurisdictions. However, that's assuming a cross-border request from the TRB is responded to in an open manner. At the same time, it's gratifying to note a balance where the rights to procedural fairness are retained by a registrant, which gives the opportunity to examine the detail of any action.

I wonder if the new provisions for enhanced investigative powers by the TRB may produce information that is not publicly available. Can the information be accessed by a potential employer of that person and before a final employment decision is made? How might that work in practice if the TRB is aware of pending matters, aware of technically confidential information or knows of any other unresolved matters, all of which may affect a person's suitability to be immediately employed in an educational setting?

It's an issue that relates to circumstances to ensure due process for State Service employees who may have been stood down or suspended pending further investigations into a concern or a complaint. The bill speaks to the principles of natural justice and procedural fairness. How is that going to work in current circumstances in Tasmania that has seen dozens of public servants suspended on full pay for many years as investigations continue? There's a double-edged sword in this as no doubt both a complainant and a suspended employee would like to see a timely resolution of an investigation.

In the case of TRB investigations, under the provisions in the bill, will it have sufficient resources to deliver timely resolutions, especially so in a time of yet to be determined operational efficiencies?

Mr President, to reinforce a point I made earlier, the Tasmanian Association of State School Organisations (TASSO) expressed the view that teacher registration should operate in a comparable manner to those professions regulated under AHPRA. It's one which has a publicly accessible national register and one with a wealth of additional information over and above the simple name, number, registration type and expiry date that the TRB shares. The AHPRA register includes the name and status of the practitioner, the registration type, expiry and any conditions or limitations, disciplinary actions or restrictions including undertakings or reprimands, educational qualifications and endorsements, primary place of practice or region, and finally, code of ethics or professional standards the individual has committed to.

Mr President, to me that's an expansive list of relevant facts and information, and one that's shared by a variety of other professions with public registers. I can understand the rationale for the exclusion of disputed or unverified information. However, as teaching is viewed as a profession, then professional standards and qualifications need to be recorded and openly available. If teachers are uncomfortable to share that sort of information, then perhaps a selection of those can be made available. Information such as educational qualifications, postgraduate training, subject expertise and current role can enhance public appreciation and understanding of a teacher's capabilities and experience, and the level at which they teach and any leadership roles they occupy.

Yes, there is due process and procedural fairness in the bill wherein the case of disputes and complaints information and findings can be challenged. However, if a complaint is upheld and a condition placed on registration, is that information going to be publicly available, or is that dependent on the TRB's choice to do so or not?

Mr President, with the apparent desire to strengthen child safety provisions with the new bill, I am surprised that it has also not taken the opportunity to introduce a system of public registration for what might be termed education paraprofessionals and other ancillary staff. That is, staff who work in complementary support roles in schools, such as teaching assistants, education support officers, integration aides, Aboriginal education workers, school support

officers, wellbeing or pastoral care staff, tutors or coaches, and early childhood educators without tertiary-level teaching qualifications. It's quite a list, but it does name up a few of the many essential education support roles within our schools. These are all roles that, at the very least, require some form of recognised vocational qualification or more to be employed. They must also be subject to the same probity and safeguarding checks as teachers, so will already be on some sort of internal database.

I must ask what has prevented the government from considering such a move, as many of these workers, and teaching assistants in particular, play an increasingly significant role in education - especially so if reports of increasing class sizes and teacher vacancies are correct. If teaching is a profession, then surely those in support roles are, to all intents and purposes, needed to be acknowledged as supporting paraprofessionals, complete with an openly available registration process.

Yes, I'm aware there are other acts that can be used to establish the veracity and probity of student-facing staff not currently covered by the TRB. However, if adult employees are working with school-aged students, it seems entirely appropriate that they have a registration process, and one that has greater safeguards that go beyond the Registration to Work with Vulnerable People, or the RWVP card. It's a card that now becomes almost a tick-and-flick process.

The other side to this is with anecdotal reports of failures in the system to remove registrations in a timely manner, and others that have led to public vilification of suspended cardholders from incomplete investigations. Perhaps a subsidiary register for ancillary staff working with students, under the aegis of the TRB, would be a welcome development in restoring confidence as another safeguard in the verification system.

Once qualified, and with a fresh degree in hand, that's only the start of a newbie teacher's place in the TRB. That's where the provisional registration comes in and the requirement to prove that you can do the job to the TRB's satisfaction and then gain full registration. The acquittal process, in the past, has been impossibly difficult and compared by some as being harder than gaining a master's degree. It was a process that involved assembling and annotating a 37-descriptor evidence portfolio, maintaining a sustained reflective journal, and presenting to a formal panel while carrying a full classroom load.

The result, obviously, was a bureaucratic logjam, with 31 per cent of teachers stuck on a provisional registration. It's a point I raised in Education Estimates earlier this year. Apparently, the portfolio process has been updated, and that's welcome. The reflective journal has been done away with - that's welcome - and the panel presentation has bit the dust. So far so good, as the number of provisional registrations has apparently dropped by 6 per cent from 3692 to 3475. I would welcome an update on those figures if the minister has them to hand.

Given that the new bill brings in a five-year time limit to achieve full registration and the new requirement for full alignment with the Australian Institute for Teaching and School Leadership (AITSL) 2024 framework, how does the government plan to address what may be close to a quarter of all teachers panicking at the thought of being struck off? I assume that this quote from the fact sheet may have some part to play:

> In addition to streamlining the provisional to full registration process, the Bill also provides for provisionally registered teachers to be deemed as fully

> registered, provided they meet certain criteria. This process will be open to those with more than five years' experience and will be open for a three-year period.

Can the government help us to understand how this grandfathering clause will work in practice? Are there documented protocols that we can be aware of and examine as part of our deliberations? I am certain that there are lots of teachers with provisional registration teachers out there who would love to know, and we need to understand how it will operate as well.

As a former teacher with 30 years in the sector, I have a keen understanding of the pressures involved in maintaining professional standards in the face of evolving department and regulatory expectations. It's almost like the goalposts are constantly moving, and that's alongside growing community expectations and technological changes.

Gone are the days when you could rely on reporting to the parent and student at a parent-teacher meeting without a huge array of paperwork, data and statistics, with ever-increasing and changing assessment protocols and procedures. We are now in a situation where even the use of AI by students is being experimented with. What these developments mean is that teachers have an ongoing need to update their skills and practices to be the best they can.

The example I just described is use of generative AI, and I acknowledge the honourable member for Hobart's prior questions in this place. They're about Hellyer College students' concerns with the trial of the South Australian EdChat system. I understand it's also being trialled at Don College, with similar student concerns about its usefulness and whether it can be trusted to deliver accurate references rather than making something up to simply please the user. If anything, I suppose it's a unique way of instilling essential critical thinking skills in our younger generation.

The last point is a neat segue into the new requirement to prove a minimum of 100 hours of professional development every five years. It's something that's not actually in the bill and alluded to in the government statement as a policy requirement, which I will assume will be decided by the TRB to align with national standards. Has the government given any consideration how that may evolve? Will 100 hours be enough to give teachers the opportunity to adapt to the latest departmental decrees and changes in technologies? Can the government also assure us that the 100 hours will not become the new maximum in terms of what the department will allow and fund? Lastly, can a teacher be certain that professional development will meet their needs to develop their skills rather than a box-ticking exercise to sign off on 100 hours, as the bill does give a lot of opportunity to sidestep bespoke learning?

The submission from Laurel House reflected its work as a highly respected advocate for victim/survivors, as well as providing tangible support services across the north and north-west. I note that the government obviously appreciates the advocacy and expertise it offers and has acknowledged and acted on several of its recommendations on the bill. I further note the submission's interest in trauma-informed professional learning. Support for students who may have been impacted by trauma is something Tasmania has led the nation in supporting. It first came in as part of Tasmania's 2018 bilateral education funding agreement, with a unique and specific multi-tiered framework which was designed to support students in our public schools with trauma-related educational adjustments. It's a program that's gained increasing levels of

budget allocations over the years and is now at the stage of being embedded practice with the DECYP.

I would like to draw our attention to the work of Dr Elspeth Stephenson, an early childhood education specialist at UTAS. She's a nation-leading and highly practical academic in the field of working with students of all ages affected by trauma. She also leads professional development training in working with students affected by trauma in schools across Tasmania. Her other quiet achievement over the last few years is in having units of working with students impacted by trauma as an essential part of every UTAS Education degree, which is a great thing. Given that foundational knowledge on trauma is now included as part of every teaching degree in Tasmania, perhaps the Laurel House recommendation can be acted on to build on Dr Stephenson's inspirational role. It's something that needs to be explicitly built into the UTAS student teacher professional experience programs so that student teachers have the real-world opportunity to understand the importance of, and application of, those skills.

In closing, it's a frustrating paradox on a bill that's been a calm and considered two years in the making, and is now one which has arrived with us and entirely devoid of any committee considerations from the other place. Once again, it's another bill which was simply wafted through on a nod and now it's up to us to properly examine it at the house of review. To quote a classic phrase from some of my old school reports, dare I suggest the other place 'could do better' or should we have a more modern-day affirming approach with the description of being capable of stronger results with continued focus and encouragement?

The trouble with the bill before us is that we don't have the chance to understand what potential changes may have been considered and why. The bill has been tabled and we must work with it as it is. To me, that's something of surprise as with the newly expanded lower house that comes complete with lots of extra staff, we are in a perplexing situation where I don't believe this has received the attention and scrutiny it was due, or it is simply with more members, which means more time is taken up with second reading speeches that leave little to no time for a Committee of the whole house to examine its clauses, and it's not the first bill in recent weeks that has come to us without any Committee consideration in the lower House.

Mr President, only recently I received feedback from a member of my electorate who wrote to me with the following comment, and I digress a little bit:

> The expansion of the number of MPs back up to 35 is the embodiment of Parkinson's Law, where the number of workers in public administration tends to grow regardless of the amount of work to be done, as a perfect coefficient of inefficiency.
>
> In the case of this bill and others, it appears that with more members, less actually gets done. In a brave new world of operational efficiency, is it time to go back to 25 members in the other place and simply tell them to get on with it?

Mr President, whilst this may be considered a backward step by some, I do believe my constituent raised a valid issue. From my perspective, we are once again having to pick up the unfinished work left to us by the other place. The safety of students in our schools and early learning facilities is paramount. We should remember that in the rush to meet national standards, we must not end up gold-plating our standards just because we can turn a 'should'

into a 'must'. Regulations must be workable and easily understood by everyone involved. Those who are guilty of abusing children must be found, removed and prosecuted with everything the law can allow.

I'd like to think the final version of the bill will give the department and the government the tools to make sure our children are safe and to allow our fabulous teachers to flourish in their chosen profession. I would like to go back to the minister and say thank you very much for giving me time to look into this bill that I would not have had if it had been brought on earlier, so, Mr President, I am supportive of this legislation and the work that's been undertaken. I've raised some questions and issues, as have other members, and I look forward to listening to other members' contributions before going into the Committee stage.

[12.43 p.m.]

Ms GLADE-WRIGHT (Huon) - Mr President, I rise to support the Teachers Registration Bill 2026.

As I've worked through the bill, the clause notes and the various submissions, it was apparent that there is actually a fairly broad level of support for this legislation. Many stakeholders may disagree on aspects of implementation, but there seems to be a common view that the existing framework is due for an update. Child safety must remain at the centre of the system and professional recognition should extend to qualified teachers working beyond traditional school settings.

One of the most significant changes is that registration will no longer be focused solely on teachers working in schools. The bill recognises that teaching takes place in a range of educational settings, including early childhood education and care services and Child and Family Learning Centres. To me, that is sensible reform. If a university-qualified teacher is delivering educational programs, assessing children's learning and undertaking the responsibilities we associate with teaching, it seems reasonable that they should be part of the same professional registration framework.

I note that organisations such as Goodstart strongly supported this change. They argued it would recognise the professionalism of early childhood teachers and help strengthen the status of the sector. That is an important point. For a very long time we have spoken about the importance of the early years and this bill takes a practical step towards recognising the professional role of those educators.

I also welcome the bill's strong focus on child safety. Many of the reforms flow directly from the recommendations arising from the commission of inquiry and are designed to ensure that concerns are identified earlier and that information can be shared appropriately so that risks to children do not slip through the gaps in the system.

The Commissioner for Children and Young People, the Office of the Independent Regulator and other safeguarding organisations all broadly supported that direction, particularly encouraging as the fact that the bill introduces specific protections for children who are involved in inquiries, including access to support persons, consideration of potential harm and culturally appropriate supports for Aboriginal children. That reflects a more contemporary understanding that systems should not only protect children but also ensure that children are treated fairly and respectfully when engaging with those systems.

I'm also pleased to see the introduction of a non-practising registration category. That may sound like a small administrative change, but for teachers who step away from the profession for family reasons, career changes or for any other circumstances, it provides a pathway to maintain professional standing and potentially return later without unnecessary barriers. The bill also introduces a clearer pathway from provisional to full registration, which many stakeholders supported. At the same time, some of the submissions reminded us that legislation can only do so much. The Tasmanian Principals Association raised concerns about whether sufficient mentoring capacity exists within schools to support teachers through the registration process.

The Australian Education Union highlighted the challenges that professional learning requirements may pose for relief teachers, part-time teachers, regional teachers and those returning from parental leave, and I do think those concerns are valid. The success of the bill will depend not only on what is written in the legislation, but also on whether teachers are properly supported through the implementation.

For me, the overall question is whether the bill moves the system forward; on balance, I believe it does. To finish, teachers play an extraordinary role in the lives of our young people. Parents place enormous trust in them. Our registration framework should reflect both the professionalism of that workforce and our shared responsibility to keep children safe. I commend the bill to the House.

[12.47 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Thank you, Mr President. A fairly brief offering to this bill, albeit acknowledging the two years of work and a substantial piece of legislation before us. I acknowledge the A3 document that came as well from the minister's office, which was a summary of the stakeholder submissions and the changes, and that clearly identified the implementation and I felt was very helpful. I just want to acknowledge that having that information come alongside the normal suite of documents that come with a bill I felt was very useful. I just wanted to place that on the record.

The three principal elements were: teachers, including those in the early childhood education and care (ECEC) settings, being high quality and meeting professional standards; the children being safe while they learn, and we know that child safety is paramount; also, the bill encompasses the legislative framework that reflects modern regulatory practices and is fit for purpose.

I acknowledge the member for Mersey's contribution around a gold standard, but it has to be practical; you have to be able to implement it and you have to have everyone on that journey. I thought that was a really good point that the member made about that, because we have to always be careful in this place, what sort of standard we set; we always want a high bar but we also want people to meet that bar. I certainly was impressed with what I received. I've enjoyed the contributions thus far and expect I will in the further comments that members will make in their contribution.

I also had a couple of questions, Mr President, and I almost thought that the member for Mersey was reading my homework, around the full registration and within that timeframe. I was very surprised to read that we've got approximately 12,000 teachers and one-third of them are provisionally registered and have not undertaken the process to be fully registered. I know the honourable member for Mersey asked for some updated numbers on that, and I'll certainly

be interested in that. I'm just interested in how that's been allowed to happen, if you like, especially when it says that a number of these teachers are experienced and have taught for many years. I mean, whether it's just something that's gone through to the keeper or whatever else. I'd like some background on that just for my own information - I've become quite inquisitive, like the member for Montgomery, who asked a lot of inquisitive questions in his speech - to have some understanding of that because I found that interesting, given that we all know how important our teachers are.

On that point, I would like to declare that I have a daughter who is currently teaching. Whether she's actually got a full registration, I'll probably need to check on that. It's not something I've asked of recent times, albeit very important. I'm interested in what the minister can provide in and around that, and about the proficient standard of the Australian Professional Standards for Teachers. What does that look like in the practical sense? Because when we turn further over the page in the second reading speech around professional standards, and it talks about all states and territories, with the exception of Tasmania, have legislated minimum requirements for continuous professional learning as part of teacher registration renewal, and these requirements typically include 100 days of professional practice and 100 hours of professional learning over a five-year period and this will be consistent with the Framework for Teachers Registration in Australia, does that mean that there'll be more student-free days so that there's more opportunity for teachers to gather? I think they often gather in their cluster, if they're still called clusters, but that's how it used to work. You might go, for instance, the north-east cluster might turn up at the Bridport Primary School and all of the primary school teachers have a PD day and the kids, the students, stay at home that day. I notice they're often at the end of a long weekend or at the start of a long weekend. So, it ends up being quite a break from school, but that might just be because of how things are managed. I'm interested in that process.

It then goes on to talk about how this will be set at 100 hours within each five-year registration cycle. Again, I'm interested in the practicalities of this because, as we know, there are a lot of job-sharing arrangements, particularly in our education system. I think most of us would possibly know of those arrangements where you have one teacher for three days a week and then you have another teacher for two days a week and then it turns around the following week, where the one who did three last week will do two next week. So, how does that work in the practical sense for those teaching arrangements? And what about that relief teaching pool that I understand is quite extensive because, if things get a bit overwhelming at your school and you decide to step back, but then you come back in on a relief teaching arrangement - again, how does that work? What are the requirements around relief teaching and complying with those obligations under this new framework? Just a few questions there.

Again, I acknowledge two years' worth of work, but I also was appreciative of the opportunity to have a bit more time to look at parts of the bill that were of significant interest. I have a couple of questions that I will ask through the course of the Committee stage as well. But, again, I acknowledge the work of the minister and her team on this. It is significant and the obligations to meet the recommendations of the commission of inquiry have been an enormous amount of work for the people who have lived and breathed it for some time now. As we know, there is still more to do, but I'll come back to the point that I made earlier: if this supports child safety, then I'm certainly supportive of that. The education of our young people is absolutely the most important thing that we can do and support through the course of our work here. So, I support the bill.

[12.56 p.m.]

Ms FORREST (Murchison) - Mr President, I welcome the opportunity to speak on the Teachers Registration Bill 2026 - a bill that actually replaces an act now 26 years old and does so in direct response to some of the most harrowing and egregious findings we as Tasmanians have confronted: those of the Commission of Inquiry into the Tasmanian Government's responses to Child Sexual Abuse in Institutional Settings.

I appreciate we would all have a deep-seated and heartfelt desire to keep all children safe from all forms of harm. I also wholeheartedly support the principles that clearly name the best interests of the child as paramount. That learners have a right to participate in decisions that affect them in an age-appropriate manner, and that the opinions of the learner, the child, are taken into account when determining their best interests, is important. I accept the bill's objective relates to the registration of teachers' regulation and recognition of the teaching profession; the upholding of standards expected of the teaching profession, ensuring public confidence; and the protection of all learners in a safe, professional environment with appropriately qualified and competent teachers, where all participants in an educational setting work collaboratively to achieve the best educational outcomes. These words are wonderful. The delivery of these objectives is critical, and we'll only know if they've been achieved through rigorous and outcomes-focused evaluations. I welcome any commitment the minister can provide that we will be in a position to measure and evaluate outcomes, not just activities, from this bill.

This reform goes beyond routine modernisation of the current legal framework that guides the registration of teachers. It is legislation that goes to the heart of how Tasmania protects children in the care of the teaching profession and how it ensures the profession remains competent, safe and accountable.

I appreciate the briefings that we've received and the willingness of the minister to fully engage with members on this bill. I, and I assume most others here, have read and engaged with what the commission of inquiry found - as harrowing as that reading is - and my reading of the accounts given in those pages pales into insignificance next to the experiences of those who had the courage to share their experience with the commissioners. I sincerely thank all of those people who had the courage to do so, their families and loved ones, and also those who have carried and shared their pain and suffering.

Whilst this is one of many pieces of legislation coming to parliament in response to the commission of inquiry, it is a significant and important piece. Our job is to assess whether the bill, as much as we can be sure, as drafted, will actually do what it claims to do. Review of the *Teachers Registration Act 2000* has a long and, I think, appropriately rigorous history. It began with a discussion paper in May 2025, so it's been on the go for a little while. It drew 18 written submissions and 85 questionnaire responses and produced a final report in December 2025. A draft bill was then released for a further four-week consultation period closing on 2 June 2026, attracting 15 further submissions from bodies including the Teachers Registration Board, the Australian Education Union, the Independent Education Union, the Commissioner for Children and Young People, Laurel House, the Sexual Assault Support Service, and the Child Safety Reform Implementation Monitor. That is a wide, incredible cross-section of stakeholders and is reflected in the bill's structure. I acknowledge the work of the steering committee and the project team in producing it.

The Council suspended from 1.00 p.m. to 2.30 p.m.

QUESTIONS

Homes Tasmania - Future

Ms LOVELL question to MINISTER for HOUSING and PLANNING, Mr VINCENT

[2.30 p.m.]

Minister, this morning in the other place, you said you only learnt last week that Homes Tasmania's future as a going concern was in doubt. The board must have known far earlier than that. Why didn't the board tell you earlier?

ANSWER

What I actually said was I got the Auditor-General's report, not the board's report, a week or so ago when he sent me a draft copy and I worked through that. The board works within the budget it is allocated every year and the timing of finances for Homes Tasmania is on a debt basis on every year for its borrowings on what it builds and purchases in land. So, the board is still working within its parameters of the financial year. I haven't heard anything different or that changes that. The board operates on an annual allocation of debt or payments to cover that debt. The Auditor-General's report is a snapshot of that given period, not on the continual trading of where the board is at. I hope that clarifies some of those points for you there.

Supplementary Question

Ms LOVELL - Minister, just to clarify, you said that what you received last week was the Auditor-General's report. That was the first you'd heard of that. Had the board raised any concerns with you about its financial position prior to that? If so, when?

Mr VINCENT - To ensure I get right, I'll just seek some advice. I just wanted to clarify that I was right in my thoughts there. Both the Treasurer and I have been comfortable with the board with where it's trading at the moment as within the budget period that they are dealing with. The Auditor-General has totally his opinion on what he's looking at as a snapshot; we are different because we're looking at it year on year as those funds need to be borrowed or paid back to continue building houses in Tassie, and that's what we are focused on getting done. If you look at the number of houses, that's been increased over the last 12 months and the amount of land being purchased to keep things going forward. Yes, it does put pressure on finances but that's an annual review and we run into, like we are about to, the budget period, where both the Treasurer and Treasury look at that in consultation with the CEO and chair of the board to make sure that the next 12 months is correct and accounted for. Thank you.

Homes Tasmania - Increase in Borrowing Limit

Ms LOVELL question to MINISTER for HOUSING and PLANNING, Mr VINCENT

[2.34 p.m.]

Minister, TASCORP approved an increase of almost $200 million in Homes Tasmania's borrowing limit in August, subject to the Treasurer's approval. Did the Treasurer tell you, or

were you aware, that the Treasurer was being asked to approve almost $200 million in extra borrowing for an agency in your portfolio?

ANSWER

Yes, we were aware of it with discussions with the Treasurer, because we both sit in on the meetings with the Chair. Thank you.

Homes Tasmania - Corporate Plans

Ms LOVELL question to MINISTER for HOUSING and PLANNING, Mr VINCENT

[2.35 p.m.]

Minister, the law requires the Homes Tasmania board to prepare a corporate plan every year, yet the Auditor-General found none had been approved since 2023. Over that time, it seems Homes Tasmania's finances have been completely decimated. Has the board submitted any draft plans since 2023, and if so, why have none been approved?

ANSWER

I will take that one on notice because it's not something that I am familiar with, but I am happy to get that as soon as I can and bring it back to the Chamber for you. Thank you.

Northern Suburbs Rapid Bus Project - Consultation

Ms O'CONNOR question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.36 p.m.]

Minister, I'm making a representation on behalf of my constituents who live in New Town, in Oldham Avenue, Letitia Street and Park Street, in the parts of New Town which would be impacted by the rapid bus transit project, which your government has attached itself to rather than light rail. Could you please provide some detail on the consultation that happened with residents of those streets in New Town and what the actual plan is? Noting that Oldham Avenue, in particular, is a narrow suburban street that was never designed or intended for the kind of transport traffic that your government's rapid bus network would impose on local residents.

ANSWER

I can confirm that the community consultation just shut a bit over a week ago, I think. I was about to say a fortnight but just recently. Since then, we've had quite a few different letters come in that were outside that period which we've, of course, added to the community consultation.

Quite a few of them were from Oldham Avenue and a few other streets around that that raised various points about narrowness and even going back to what it used to be yesteryear

with different bus services and tram services and everything like that. There were a lot of different views on it, but mainly about the narrowness of the street.

The department has informed me that, as they are still gathering the information, we haven't anything other than the collection of information at this stage, so I don't have a summary of it all other than a lot of the streets and thought patterns were indicative, not second place or anything like that. Once we get that information collated, obviously it'll come to us for a little bit more information, but it'll also feed into the business case to be able to go to Infrastructure Australia for funding. However, at this point in time, it's only indicative.

I am not sure exactly how they communicated that. I don't have that information before me at the moment.

Ms O'Connor - The residents?

Mr VINCENT - Yes, with the residents, but obviously, if they put submissions in, they have that before them and there'll be a consultation around that.

Ms O'Connor - I am told there was a letter from Building Tasmania to residents outlining the Northern Suburbs Rapid Bus Project and asking for feedback.

Mr VINCENT - Yes, and we certainly have received that feedback, so it's shut and it's being collated at the moment.

Northern Suburbs Rapid Bus Project - Business Case

Ms O'CONNOR question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.39 p.m.]

I thank the minister for his answer and clarification that the route that would potentially go through Oldham Avenue is not a fixed route, it's not a certain route for the rapid bus transit, but I want to ask you a broader question. The rapid bus transit proposal to the northern suburbs, it's really hard to see how it makes sense. Your own department's strategic business case has its core benefit-to-cost ratio of 0.28, and with unknown city-shaping benefits at about 0.52. So, at the very best, for every dollar spent, we will only see 52 cents worth of benefit out of rapid buses. There are big holes, including the exclusion of light rail as an option. Residents who I speak to and locals in and around Hobart would certainly prefer light rail. I remind you of the McKell Institute report into light rail, which stated the four options that received full economic modelling, transport modelling, and benefit-cost ratio analysis in the business case were all bus-based. Light rail was eliminated as an option before any economic modelling was applied.

Minister, given the poor return to the Tasmanian people - or to Commonwealth taxpayers should it be funded by Infrastructure Australia (IA) - do you see there are significant issues with the rapid bus project to the northern suburbs, significant issues with the benefits? Has your government completely walked away from the more popular and arguably likely to be more successful light rail to the northern suburbs?

ANSWER

I thank the member for Hobart for that question. You're very selective in the way you put that. Part of the reason why the rapid bus set-up overall has benefits is because it can also be extended down to Kingborough, where light rail cannot be, or to the eastern shore. The other advantage is that it has the ability to move off the corridor and into populated areas left and right of the corridor. So, there are a lot of advantages there that are not just for the northern suburbs but also for the Kingborough area, as well as the eastern shore area, and that's where it all links up and makes a lot more sense.

As I've stated, we haven't got full details. We're working through the business case that can go to IA. I think there are a lot of things that still need to be addressed and talked about, but I'll be able to do that once I have more information to clarify the feedback that we have, and any other information that could come from the department then. Thank you, Mr President.

Northern Suburbs Rapid Bus Project - Business Case

Ms THOMAS question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[2.42 p.m.]

Minister, earlier this year, the government committed to publicly releasing the strategic business case for the Greater Hobart Rapid Bus Transit Network, following my calls for greater transparency, and I welcomed that commitment and the release, given the importance of the transit corridor to improving public transport connectivity. The government has also previously advised the next stage of business case work for the Northern Suburbs Transit Corridor would focus on the northern suburbs component of that business case and would be completed by the end of 2026.

Minister, can you confirm that the business case for the Northern Suburbs Transit Corridor component of the Hobart Rapid Bus Transit Network still is on track to be completed by the end of this year as previously advised? Will the government commit to publicly releasing this business case in full, once completed, consistent with its commitment to transparency regarding this Hobart Rapid Bus Transit Network?

ANSWER

Mr President, I will just need to seek clarification on those last couple of points.

Yes, it is on track to go in before Christmas, that's working with Infrastructure Australia on a timeline there - so it's tight, but yes, that's what's happening. I haven't seen any of that information, as I've stated a couple of times today, but as soon as I do know more, I'm happy to release what I can of that report. Obviously, there are some sensitive things there, but we will collate that and get that into Infrastructure Australia before Christmas so it progresses and is reviewed as per their instructions.

TasTAFE Laboratory Course Cuts - DECYP Statement of Duties

Ms THOMAS question to MINISTER for EDUCATION, Ms PALMER

[2.45 p.m.]

Minister, following my questions yesterday about the discontinuation of TasTAFE's laboratory technology courses, I've discovered that the Department for Education has recently changed the Statement of Duties for school laboratory technicians. Previously, applicants were required to have a Certificate III or IV in Laboratory Techniques or an equivalent TAFE or post-secondary qualification. The revised Statement of Duties now expressly allows applicants to demonstrate equivalent skills, knowledge and experience instead.

Minister, when and why was this change made? Was it connected to the decision to discontinue TasTAFE's laboratory technology courses? How can you guarantee this change will not result in less-qualified staff being appointed to work independently in school laboratories?

ANSWER

I thank the honourable member for the question. I will need to take that question on notice. I haven't been advised of that change, so I'll get some more information on that. What I can say is: as of July of this year, the Department for Education, Children and Young People had 51.4 full-time equivalent (FTE) funded laboratory technician positions across its schools and colleges with 51.24 FTE laboratory technicians employed against these positions. The July 2026 figure is actually 1.93 FTE higher than the number of laboratory technicians employed as of October 2025. I understand Skills Tasmania is actively working with training providers to ensure learners will continue to have access to subsidised courses delivered in Tasmania and as Minister for Education, I certainly can speak to our unwavering commitment to ensure we have the right people on the ground in our schools to support students in their educational journeys, but as I say, to the particulars of your question, I'll take that on notice.

Project Marinus - Fibre-Optic Infrastructure - Authorisation of Use

Mr GAFFNEY question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN

[2.47 p.m.]

I would like to ask some additional questions in three parts as a follow-on from yesterday's question on notice. Minister, the three government shareholders of Marinus Link Pty Ltd are obviously contemplating commercial revenue from surplus fibre-optic capacity in the interconnector. Also, in the October 2026 announcement about the sod-turning ceremony, Marinus Link Pty Ltd stated that construction activities were ramping up and described Project Marinus as Australia's new electricity and data highway. However, the Tasmanian Civil and Administrative Tribunal (TASCAT) has now stated on its 13 October *Doolan v Burnie City Council* 134 decision that non-electricity use of the excess fibre capacity may 'constitute a use on the site which is not approved and may fall outside the electricity infrastructure exemption'.

(a) Can the minister advise us of the planning authorisation or statutory exemption that relates to that use? If that information is unavailable, is the minister in a position to seek an immediate temporary pause on the installation of the fibre-optic

infrastructure, at least until the reasonable authority confirms in writing that the use is either authorised or exempt? Or, if a separate planning approval is required, pause until that approval has been granted and taken effect?

(b) If not, what written advice or risk assessment does the government rely upon in allowing any installation to proceed in such circumstances before its use is authorised or declared exempt, including the risk any required planning approval may be refused or ultimately not take effect?

(c) Given Marinus Link Pty Ltd's CEO has stated the surplus fibre-optic capacity could enable database industries requiring additional bandwidth, how will commercial access to or use of that surplus capacity by data centre or AI infrastructure developers be managed under the government's draft statement of expectations for data centres and AI infrastructure developers?

ANSWER

I thank the member for Mersey for the questions and, as work is continuing to provide answers to questions that were asked yesterday, I think I'll take these on notice and bring that back to you as a whole. I'm happy to commit to that.

Firmus - Investment Interest

Ms O'CONNOR question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN

[2.50 p.m.]

Minister, the AI data factory developer your government has attached itself to has fled the Australian Stock Exchange with its tail between its legs after an embarrassing attempt to list the wildly overvalued company. Through its failed IPO, Firmus has been exposed for the smoke and mirrors corporation it is. Investors seem to see what your government could not when it signed over our energy, water, land and landscapes to Firmus, selling out communities from Launceston to George Town and Wesley Vale. Minister, considering the serious risk to the state this highlights - that is attaching yourself to a smoke and mirrors company - what is your response to Firmus's humiliating failure to attract investor interest? Further, given that Firmus and its former partner CDC Data Centres have parted ways on Project Southgate, will you contact Firmus and ask them to take the Tasmanian government logo off their website for that project?

ANSWER

I note there was plenty of invective in the question, and its characterisations of Firmus this, that and the other. I won't be drawn into any of those types of things.

Ms O'Connor - Well, you tell me what part I got wrong. Tell me what I got wrong.

Mr DUIGAN - I won't be engaging in any of that. I think I will continue to reiterate that, as a government, we welcome investment in Tasmania. Tasmania has a number of things that make it an attractive destination for AI infrastructure. I don't think that's a secret to anyone.

I believe Firmus plans to continue its Tasmanian developments, and negotiations between it and Hydro continue, as I understand it.

Firmus - Use of Tasmanian Government Logo

Ms O'CONNOR question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN

[2.53 p.m.]

What you describe as 'invective', I say are statements of fact. Minister, on what basis does Firmus use a symbol of the Crown, that is the Tasmanian government logo, on its Project Southgate website? Particularly given that its major partner in that project has walked away from its relationship with Firmus, do you think it's acceptable that a symbol of the Crown, the State of Tasmania, is being used by a data centre that has failed on the stock market and is run by a person who's convicted of fraud? Do you think it's appropriate that the Crown allows its symbol to be used on that website?

ANSWER

Again, I reiterate that I don't intend to get drawn into any of that sort of commentary, as offered up by the member for Hobart. I don't believe any of that is a question for the Energy portfolio.

Answer to Question - Trevallyn Primary School End-of-Year Celebration - Mitigation of Psychosocial Hazard

Ms PALMER (Rosevears - Minister for Education) - Mr President, on indulgence, I have an answer to a question I took on notice yesterday from the honourable member for Nelson. It was in relation to a particular school and whether a psychosocial hazard had been lodged. In answering that question, my advice from the Department for Education, Children and Young People is that it is not appropriate to comment on the individual circumstances of an employee or to provide information that may identify them. When a psychosocial hazard is reported through the department's safety reporting system, the report is referred to the relevant manager for review and initial assessment. The manager considers the nature of the reported hazard, gathers any additional information required, consults with relevant parties and assesses the associated risks. Appropriate control measures are then identified and implemented to manage the risks. Where required, matters may be escalated for further assessment or specialist support. The department monitors and reviews actions taken to ensure risks are being effectively managed in accordance with its work health and safety obligations.

In 2025, the Department for Education Children and Young People's Psychosocial Safety Taskforce was established to build awareness and capability of the workforce around psychosocial safety, with a focus on prevention of harm. An online psychosocial hub is also available for staff, offering information and providing a place for staff to report incidents and hazards. Principals have access to additional supports including mentoring, one-on-one sessions with a qualified psychologist and assistance with resolving complex complaints involving students and families.

I can also add that my department is currently considering a range of different options with regard to the impact that can be had with online activities around schools and with our workforce, and I'd be happy to update the parliament once this work is concluded.

Trevallyn Primary School End-of-Year Celebration - Letter Sent to Media Outlet

Ms WEBB question to MINISTER for EDUCATION, Ms PALMER

[2.57 p.m.]

I thank the minister for the answer, somewhat vague though it was. Inevitably, I think we can all see that that risk of a psychosocial hazard was indeed there from the Premier's reckless social media posts. I didn't hear an answer to the second part of my question fully. Having described that managers are then having to mitigate risks for the future, I did ask yesterday how the minister expected the managers within her department and in schools, school leaders, to mitigate the risk of reckless political decisions being taken by the Premier of the state in regard to what he posts on social media. How will that risk be managed? I'll probably just reiterate that question.

Mr President, I have a further question on this matter I'd like to put to the minister today. It's in relation to the furore which erupted around the Premier's reckless social media posts condemning the decision of that northern primary school to renaming its end-of-year celebrations and that resulted in the vitriol and harassment directed at school leaders, staff and the community, and triggered the heightened security concerns. It's in relation to the fact that a media outlet published a letter sent on 13 October 2026 from the Premier to the secretary of DECYP, which was also cc'd to you as minister.

I have three questions about this.

(1) Can you please confirm whether you, as minister, your office or the secretary of DECYP provided this letter to the media?

(2) Can you please confirm whether you, as minister, your office or the secretary of DECYP provided this letter to any members of the public, including any who may have raised a complaint about the school's decision on end-of-year celebrations?

(3) Do you agree that if you, as minister, had done so, it would have likely been a breach of the Ministerial Code of Conduct, and that if the secretary had done so, it would likely have been a breach of the State Service Code of Conduct?

ANSWER

Thank you. I will seek some advice.

I can confirm that I did not provide a copy of a letter to any media outlet. Your second question was around whether -

Ms Webb - Sorry, was that you, your office or the secretary?

Ms PALMER - Just let me pace it out for you so I can confirm that I did not provide a letter to the media. I am not aware that my office provided a letter to the media and I am not aware that my secretary provided a copy of a letter to the media. I think that covers the first two questions, and then with regard to the code -

Ms Webb - The second question was about providing it to a member of the public.

Ms PALMER - Again, I did not provide a copy of a letter to a member of the public. I am not aware that my office provided a copy of a letter to the public, and I am not aware that the secretary provided a copy of a letter to the public.

On the third one: I am not sure if, in a hypothetical sense, that had happened, if it was a code of conduct matter. What I can say is that for myself, I did not provide a copy of that letter to the media or to anybody else.

TEACHERS REGISTRATION BILL 2026 (No. 27)

Second Reading

Resumed from above (page 24).

[3.01 p.m.]

Ms FORREST (Murchison) - Just to pick up from where I left off, I believe this bill broadly achieves the stated aims. I wish to comment specifically on a few matters and will ask the minister to respond to some questions and other related matters.

Child safety measures that directly implement commission of inquiry recommendations include:

- Provisions that require the board to immediately suspend a teacher's registration where it reasonably believes the teacher has been charged with a relevant offence involving the safety or wellbeing of a child, which is effectively implementing Recommendation 6.13;
- The inclusion of mandatory child safeguarding training as a condition of both initial and continuing registration implements Recommendation 6.15;
- Other provisions that create new, stronger information sharing and mandatory notification obligations of employers and other entities if there are allegations, suspicions or investigations concerning child abuse by a teacher give effect to Recommendation 6.10.

The bill also shortens the timeframe for notifying the board of a change in the teacher's employment details from 60 days to 14, again, to keep the register current for child safety purposes, and I agree that is an important change.

- The board is empowered to issue infringement notices, as in Recommendation 6.12.

- Penalty unit provisions are increased substantially for the core offence of teaching while unregistered. Fines are raised from a maximum of 50 to 200 penalty units and the penalties for failing to assist an inquiry rise from 2 to a maximum of 200 penalty units.

Whilst I doubt this will genuinely act as a deterrent - we know that often is the case - it is in line with community expectations and brings these into alignment with the *Registration to Work with Vulnerable People Act 2013*, which, to me, seems an appropriate way to handle it.

Mr President, the bill also brings Tasmania into line with the national Framework for Teacher Registration in Tasmania, the FTRA, through:

- The introduction of a five-year cap on provisional registration, extendable case by case
- A mandatory requirement of 100 hours of professional development every five years, to be prescribed by regulation rather than fixed in the act -

which I'll return to, noting that I was actually unaware that Tasmania was an outlier in this area without legislated minimum requirements. I found that a surprise actually.

- A new non-practising registration category allowing fully registered teachers not currently in direct teaching roles, such as school counsellors for instance, or those on leave to retain their registration.

That's a really important point in a highly feminised workforce, to allow people to take time off having families and not have the financial impost necessarily. I note this is the same for nurses and midwives and a matter I certainly appreciated.

This bill also brings early childhood teachers into the registration framework and this means university-qualified early childhood teachers in early childhood education and care (ECEC) settings will now be registered alongside schoolteachers, delivering on the national commitment following the review of child safety arrangements in ECEC. Mr President, we know with the terrible events of childcare centres on the mainland, we'll make that very clear, that's an important step.

The bill also includes transitional deeming provisions. This is an area where I do have some questions. As I understand it, experienced, provisionally registered teachers and experienced teachers in non-school settings may be deemed fully registered without a fresh application, provided they meet set criteria within a three-year transitional window as set out in Schedule 2. Whilst this may be a pragmatic response to workforce pressures, it is an area where we should test the adequacy of the underlying criteria and the assurance we can have when deeming people fully registered without individual assessment. Whilst likely to be quite appropriate for the majority of teachers, it remains a significant status to confer. I also wonder how those who have recently undergone what would have seemed to be a more rigorous process of achieving full registrations see some colleagues having this status conferred on them without the process having been already undertaken.

I ask the minister, has consideration been given to building an equivalent accelerated pathway into the ordinary provisional to full registration process for future teachers. For example, during the probationary period rather than confining this to the transition cohort? I did raise this in the briefing a couple of months ago actually, that's why I can't remember some of the stuff now. No, these are the matters I did raise, and I put them to the minister.

Mr President, I support the overall direction of the bill, and there are several matters of substance I wish to raise which were also raised by stakeholders during the consultation. First is the extent of the regulation-making power. A recurring feature in this bill is that matters previously fixed in the act - what is kept on the teacher register, the details of professional development hours, fees and criteria for various certificates - are now to be set by regulation. This is not a problem in itself. As the clause notes state, this necessary or more appropriate approach is to enable those matters to remain contemporary and to balance proven need for information and privacy considerations.

I don't disagree with that principle, but I ask the minister whether work on these regulations has begun and who has been and will be consulted in the process, given how much substantive content is being moved out of the primary act into subordinate legislation. I imagine it would be quite a substantial regulation when it hits the deck because of all the regulation-making powers in the bill.

Second, the exemption of the board from the *Right to Information Act 2009* and the *Personal Information Protection Act 2004*. I understand and accept the child safety rationale. This mirrors exemptions already given under the *Child and Youth Safe Organisations Act 2023* and the *Registration to Work with Vulnerable People Act 2013*. But a blanket exemption from both RTI and privacy protection is not a small thing, bearing in mind there are some who may be falsely accused who can have their reputations besmirched, only to be exonerated. I'm just asking for a bit of clarity about how that approach was arrived at. I absolutely appreciate the safety of children is paramount here and seek a response from the minister as to what safeguards exist for individuals whose information is shared under these provisions, from whichever side of the argument they might be.

With regard to the three-year transitional and implementation timeframes for employer notification of change of employment and for the deeming provisions in Schedule 2, I would like an explanation of how three years was settled on, what resourcing of the Teachers Registration Board and the department have been given to build the systems required, and what interim child safety protections apply while those systems are being built.

I also note the new provisions for trauma-informed interviews with children, which is entirely appropriate and important, and enhanced confidentiality protections. I think it was the member for Mersey who spoke about this being implemented into the education programs for teachers. I think that obviously would make sense because it's not something you just know.

I also ask the minister, what additional training and resourcing is being provided to board and board committee staff and members to meet these requirements?

Not being a teacher, I have sought to understand the various matters covered in this bill, so some of my questions may seem a bit rudimentary or perhaps ill-informed, some may even say. However, I do wish to fully understand the application and the implications of this bill for

the teachers I represent, which is all of them in the state effectively, particularly in my electorate.

The workforce implications of the alternative authorisation to teach (AAT) provisions, particularly given persistent workforce shortages including on the north-west coast and in rural and regional Tasmania, seem to have a sound basis. However, I seek an assurance that the AAT pathway is not being used as substitute for building a sustainable pipeline of registered teachers. The last thing I want to see is - some of our remote schools, and I have plenty of them, some of them quite small, some of them have really significant staffing challenges. A teacher or two teachers call in sick and you can't just get a relief teacher from the town next door because by the time they get there, the day is half gone and they have to turn around and go home. So, I do need some assurances around how that will be utilised, particularly in our rural and remote schools, where they often don't have a lot of experienced teachers on staff. I ask the minister, how many AAT holders are currently practising and in which regions and sectors, if she has that information.

Another matter critical to the success of implementation is the resourcing of the board itself. The bill materially increases the board's functions: new registration categories, new inquiry powers, new information-sharing obligations, a new complaints and hearings framework with specific provisions for children as witnesses. These are all really important and can only operate as intended with the necessary resources. So, I ask the minister what additional funding and staffing have been committed to, to enable the board and registrar to discharge these expanded functions, particularly given the board, as I understand it, is already reliant on State Service staff made available under the framework agreement with the secretary.

I wish to refer to an email we all received, related more broadly to the architecture of this bill as a whole, and get feedback and a response from the minister on a matter raised regarding the structural independence of the Teachers Registration Board itself. I do note the new inquiry powers, the information sharing obligations, the stronger enforcement tools that can actually be exercised without fear or favour when a person is under investigation, or the interests at stake here sit close to the government and to us all. The bill does appear to preserve the board as an independent statutory body. In substance, several dependencies remain that leave the board answerable in important respects to the minister and to the department it is meant to help hold to account, and I believe this is the crux of the concerns raised, if the minister could address her mind to that.

Further on that, first, on appointments and expectations, the minister retains significant power over the composition of the board and this bill carries forward mechanisms, a ministerial statement of expectations and ministerial approval of the board's corporate plan that allow the government of the day to shape the board's strategic priorities, not merely set the high-level policy expectations. I ask the minister to clarify how these instruments are intended to operate under this bill, and to give an assurance that the statement of expectations or a corporate plan approval will never be used, or perceived to be used, as a lever over the live regulatory disciplinary matter.

I think the member for Mersey spoke about some of these things in his contribution - not in the same way, but you know the concern when there's a live regulatory or disciplinary matter on foot.

Second, on the registrar and staffing: the board is supported by a registrar and by staff made available under the framework agreement with the secretary of the department - the same department that employs the teachers the board regulates, and the same department whose own conduct, including its historical failures identified by the commission of inquiry, may on occasion be squarely in the board's sights. That separation is very critically important and I'm seeking some assurances around that. Having said that, I accept the practicalities of this and ask the minister, are the registrars reporting lines and day-to-day management of board staff clearly and exclusively to the board? Or does the framework give the department practical influence over resourcing, staff decisions or operational priorities that could affect an investigation the board wishes to pursue? I need to be assured there is a very clear separation here. We can't have - no reflection on the current minister - ministerial interference or influence.

Also, does this bill provide, or at least not prevent, the board with an express statutory right to obtain independent legal advice separate from the advice provided through, or coordinated by, the department, in circumstances where the board's interests diverge from those of the department or the government? Can they get independent legal advice where a matter before the board touches on departmental conduct or a decision made by the government itself - I understand the problem - including in the perception of conflict that could be associated with the board being seen to be relying on legal advice sourced through the very body whose conduct is in question? I ask the minister, is this possible under the bill, that the board can obtain independent legal advice, and why would this not be appropriate if that's the case?

I also note that concerns have been raised about the minister issuing ministerial instructions capable of shaping regulatory practice and, potentially, registration decisions. I ask the minister, what limits apply to the scope of these instructions, and what transparency requirements attach to them?

Another point raised - these matters have been raised by stakeholders, and I wouldn't have been aware of half these issues without reading the stakeholder feedback - was that any independent review of the board's performance or operation is discretionary and triggered at the minister's initiative, rather than occurring on a mandatory periodic basis independent of ministerial will. Why is a mandate to review not included?

I strongly support the child safety information-sharing and procedural fairness reforms this bill delivers. I therefore ask the minister to respond to these matters and clarify whether the bill has any of the following, and if it doesn't, whether these matters should be considered: express statutory independence for the board in its regulatory, investigative and disciplinary function, as distinct from its general accountability to parliament - or is that the case? I found it a bit unclear; functional independence for the registrar and board staff with reporting lines clearly and solely to the board rather than to the department; a resourcing firewall; stable, transparent funding; and administrative support arrangements that cannot be used, even inadvertently, to influence regulatory substance or the pace in investigation; an express right to conflict-sensitive, independent legal advice, where the board's interests diverge from the department's or the government's; clear limits on the strategic leverage available to the minister, through statements of expectation and corporate plan approval confined to high-level policy rather than operational or case-level matters; narrower, more transparent ministerial instructions subject to tabling and parliamentary scrutiny, rather than operating unseen.

None of this is criticism of the current minister, the current board or the current registrar. I appreciate the work that's been done to get to where we are. It's taken a while. These are

general questions that have been raised by people who are far closer to this than I am. I also ask as the bill exists because of the commission of inquiry that found that the state's own systems failed to protect children. They are important matters and this is the response; I'm pleased to see the response.

To return to the submissions made during the public consultation, I note the submissions from Laurel House, Sexual Assault Support Service, and the Commissioner for Children and Young People, all organisations with direct expertise in child abuse and child safety. I note from the briefings that matters raised in the submissions have broadly been addressed in the bill, with the exception of some legitimate matters raised by Laurel House. I ask the minister to clarify why some of these recommended changes made by Laurel House have not been adopted. Again, we discussed this in the briefings, and I would like that to be outlined in the minister's reply.

I also wish to speak more broadly on the deeming provisions in Schedule 2, as I alluded to earlier, because I think the policy intent behind them is sound, but the mechanism raises a question that goes to the heart of what full registration is meant to certify or represent. As I understand it, the deeming provisions are designed to accelerate suitably experienced teachers - those who've been teaching provisionally or in non-school settings for a number of years - through to what the Australian Professional Standards for Teachers describe as graduate standard through to proficient standard, which is a standard that full registration is meant to certify. In my view, as a parent and grandparent, I believe this is a good and important thing to do. In my own consultation on the bill, I heard from teachers and from the profession's representative bodies that there is a cohort of, often very good, experienced teachers who have simply never sought full registration - not because they're incapable of meeting the standard, but because the relevance of doing so is limited unless they wish to move further up the chain into leadership roles, for example. Full registration in practice has mattered mostly for career progression in the past arrangements, not so much for day-to-day competence to teach. Many of these teachers who are teaching without full registration are highly competent and experienced teachers. Not every excellent teacher wants to climb a ladder or be a leader above their teaching responsibilities.

I want to quote from the Tasmanian Principals Association's submission in relation to this matter, in which significant concern was expressed and I ask the minister to respond to this in her reply.

> **Deeming Experienced Teachers Fully Registered**
> Proposal: Deeming experienced provisionally registered teachers, or experienced teachers in non-school settings, as fully registered where criteria are met.
>
> TPA Position: Significant Concerns.
> While the intent of recognising experience and supporting transition arrangements is understood, the TPA remains concerned about broader implementation implications. Key concerns include:
>
> - Significant workload impacts for principals and school leaders managing large numbers of transition applications and endorsement processes.

- Potential industrial disputes or union involvement where principals do not support or endorse an individual's application for deeming.
- Increased payroll costs where movement to full registration results in progression to higher salary classifications at a time of considerable budget pressure across schools and systems.
- A current cohort of educators that haven't been through the professional scrutiny and rigour of selection processes (as a result of ED1 and ED9) will have then moved through to full registration as a result of a temporary 'lowering of the bar'.
- Risks are created with mutual recognition. The teachers that are deemed in Tasmania will then have mutual recognition in other states which historically had much higher thresholds for full registration.

Clear processes, consistent criteria and appropriate support for school leaders will be critical if this proposal proceeds.

These are matters that the TPA raised. I ask the minister to respond to these concerns, particularly to explain how a cohort of experienced capable teachers shall be deemed fully registered and moved to proficient standard without each of them undertaking an individual fresh assessment against the full registration and to clarify what criteria apply under the deeming provisions against the criteria in clause 41.

I also ask how the board proposes to verify that a deemed teacher genuinely meets the proficient standard, rather than simply having accumulated time in the classroom, and how this will operate in practice. That's the other side of the coin. That is, will it be a paper-based assessment process? Will employees be asked to certify against the teacher standards or will there be some form of verification mechanism?

Mr President, a matter not specifically related to this bill, but relating to the registration of teacher assistants. As I understand it, these important team members supporting teachers in classrooms are not formally registered. I note and accept that this bill is squarely about registration of teachers, but given the child safety focus and purpose of the reforms, it seems to be a gap. Teacher assistants are in many Tasmanian classrooms and in daily, often one-to-one, contact with some of our most vulnerable children, including children with disability and complex needs. They are not required to hold teacher registration. There is no equivalent registration of teacher aides or assistants that I'm aware of that would allow an employer to check an applicant's prior employment history for conduct concerns. This matters because as other jurisdictions have found - Victoria's reportable conduct scheme being a clear example - the absence of a registration or equivalent notification scheme for non-teaching staff created the kind of information gap that allows a person of concern to leave one childcare centre with unresolved behavioural issues and present an apparently clean employment history to the next employer. This is not a reflection on any of our teacher assistants, it's a gap and I would appreciate your feedback on that matter.

I understand that Working with Vulnerable People Registration provides a baseline criminal history check for teacher aides in Tasmania, but that's materially different from a scheme that captures and shares findings of reportable conduct or workplace misconduct between employers in a way the bill now does for registered teachers, which is a positive thing,

it's a positive step. A teacher assistant who resigned amid unresolved concerns is, as I understand the current settings, able to apply for a role in another school without that history necessarily being disclosed or discoverable because there is no register and no equivalent information-sharing obligation attached to that class of employee. They can cross from a public school to a non-public school quite easily, acknowledging that Working with Vulnerable People and children requirement.

I accept that changes to and strengthening mandatory reporting may make this less likely, but the gap exists and Tasmania could actually be a leader in closing this. I'm not aware that other jurisdictions have dealt with this problem either. It's quite the challenge, I think but it's something we should all look at and be alert to. I did see a rather horrific piece of footage in a childcare centre on ABC TV. I don't know whether it was on *7.30* or something, but that was a childcare worker abusing a child; it was pretty confronting.

I ask the minister, is any work underway, either within DECYP or through the Council of Australian Governments' education architecture, to consider extending a registration of teacher aides and teacher assistants? It seems to me that if this is not on the radar, perhaps it should be, especially given the direct relevance to child safety objectives that underpin this bill. I do acknowledge it's about registration of teachers, but these people have a very important role in the education of our children.

My final concern is something that sits adjacent to child safety but is in my view inseparable from it: the culture of the workplaces in which teachers operate. I raised this because, again, this was something that was raised with me by teachers in our community. Standard 7 of Australian Professional Standards for Teachers (engage professionally with colleagues, parents/carers and the community) and in particular focus area 7.1 (meet professional ethics and responsibilities) requires a proficient teacher - that is one who's fully registered and meets the proficient standard - to meet the codes of ethics and conduct established by regulatory authorities, systems and schools. This is one of the criteria this bill relies on and through the broader professional standards framework, to determine whether a person is fit to hold and retain registration.

The commission of inquiry's findings and the Tasmanian government's own interim response to it were not confined to sexual abuse in isolation. They went to the organisational culture that allows concerns to go unreported or unactioned and specifically called for the State Service to encourage and support staff to raise safety concerns and to embed safety and wellbeing in organisational leadership, governance and culture.

My question is whether the same thing has been carried through to the non-child safety misconduct that nonetheless erodes a safe and functioning school environment. I'm thinking here of covert undermining of colleagues, deliberate exclusion, sabotage of another teacher's standing with students or parents, or systemic bullying that falls short of criminal activity or the child safety threshold but represents a clear and serious psychological safety risk to the staff involved and indirectly to the students they teach.

I did not expect to see an explicit mechanism in this bill for a teacher or other staff member to report this kind of conduct to the board, nor for the board to take into account the good character or fit-to-teach determination under clauses 7 and 8, unless it rises to a level of formal complaint and inquiry under Part 4. This is a sort of subtle undermining of colleagues and, maybe, the principal, whoever.

My questions for the minister are these:

(1) Does the board currently have, or will the regulation be made to establish, a clear pathway for a teacher or a colleague to report a breach of Focus Area 7.1 (the teacher standards) relating to unprofessional conduct toward colleagues as distinct from conduct towards students?

(2) Will the professional development requirements and the standards for renewal include any content directed at healthy, respectful professional conduct between colleagues and psychological safety in the workplace, given this is an explicit component of Standard 7 (competency) the board is required to assess?

(3) Are the department and the minister confident that current whistleblower and reporting protections for teachers who raise concerns about a colleague's conduct, as opposed to concerns about a child safety matter, are adequate, given the commission of inquiry's broader finding that a culture of non-reporting was itself part of the problem it examined?

I raise this not to suggest the bill should become a vehicle for a broader industrial relations or workplace culture reform, as that is properly the province of employers, unions and, if necessary, other legislation, but because a teacher registration system that assesses professional ethics and responsibilities as a condition of ongoing registration should in my view, have a considered position on how conduct between colleagues is captured, not only conduct towards students. Mr President, this has been a matter that was raised directly with me by some teaching staff. A safe workplace for teachers is, in the end, a safer environment for the children in their care.

This bill in substance is a serious and largely evidence-based response to the failures this state can't afford to repeat, so, in conclusion, I began by welcoming the principle that the best interest of the child as paramount. I end where I began because it is the test this bill must be held to: not the test of good intentions, but the test of what actually happens to a child in a Tasmanian classroom.

On that test, this bill does a great deal. It delivers the immediate suspension power the commission of inquiry told us was missing. It delivers mandatory child safeguarding training. It delivers the information-sharing obligations that really should have existed years ago and includes early childhood teachers inside the tent of professional registration but, as I said at the outset, words are wonderful, but delivery is what counts.

The bill is not the last word on child safety in our schools while a gap exists to enable teacher assistants to walk out the back door of one school with questions hanging over them in the front door of another when their résumé may be completely clean or appear completely clean. It's not a criticism of the bill, it's just trying to look up and look broad as to what the overall intent of this legislation is.

The other point was the continuing professional development, I think that's absolutely eminently sensible. As a nurse and midwife, I've forgotten the numbers now, it's a while since I've had to do it, but from memory, it was at least 20 hours of professional development a year and if you couldn't demonstrate that you'd done it, you could be deregistered. It's pretty serious.

Some components were mandatory, like mandatory CPR, things that you had to do and then there were others you had to do, and you could do it through a variety of mechanisms by attending conferences, seminars, training days. There are many more options now but surely, we require it of doctors, nurses, midwives, architects, all these people. I just found it really staggering that it wasn't already a thing.

Anyway, here we are fixing that little gap -

Ms Palmer - It was happening, but it wasn't mandated, so -

Ms FORREST - but it wasn't required, yes. One assumes it was happening but if you didn't do it, you could just carry on. Anyway.

We have an opportunity in this state to really step forward into this space and hopefully avoid the issues of the past. A profession that is asked, as a condition of its registration, to meet its ethical responsibilities to colleagues as well as to students is important, I think, and maybe that's implied in it. I hope it is. But the system does need to enable that. As I said, a teacher who's being covertly undermined, isolated or sabotaged by a colleague is not merely a workplace friction; it creates a real psychological safety issue for the adults in the school and, by extension, the children. A school where staff are afraid to speak up about a colleague's conduct is a school less likely to hear the warnings about other things. That's why I've asked about those matters, and particularly the whistleblower protections.

Mr President, I do support the bill. I support it because its direction is right, its provenance is credible, and its core principles - protecting Tasmanian children while lifting the quality and standing of the teaching profession - is one I'm sure we all support, and one our communities and families actually expect.

I appreciate there's been a lot of questions there, minister, and I'm sure your staff will be all over it. I look forward to your response.

[3.37 p.m.]

Ms ARMITAGE (Launceston) - I thank the honourable minister for bringing forward this bill and note just how comprehensive this legislation is. I understand that it's the result of a lot of hard work which the minister, her department and a great number of stakeholders have done. Of course, the ultimate praise is reserved for Tasmanian teachers and teaching staff, who pour their hearts and souls into their profession.

Ultimately, the purpose of this legislation is to deliver a contemporary, child-centred, nationally aligned registration framework for our teachers. The objective is to provide certainty and modernisation to our teaching workforce.

The honourable minister stated that this bill implements recommendations from the 2025 Teachers Registration Act Review final report, the commission of inquiry, and has been shaped by a number of submissions from stakeholders.

As the honourable minister said, our Tasmanian teachers profoundly shape the lives of children and help to set them up for a successful life ahead. They are held to high standards and can be subject to challenging working environments. It's up to us to ensure that the importance of this profession is reflected in our laws and to emphasise that registration to teach

Tasmanian children reflects the high standards, good character, leadership and intelligence required of people to become teachers. It's also a tool which we can use to support our teachers to carry out their extremely important roles.

The minister further stated that the Teachers Registration Act Review made 28 recommendations to ensure that, broadly speaking:

(1) children are safe while they learn;

(2) teachers include those in early childhood education and care settings, are high quality and meet professional standards; and

(3) that the legislative framework reflects modern regulatory practice and is fit for purpose.

Given that the principal act has been in place for the past 25 years, it's certainly time it was reviewed and reformed. Among the most significant reforms is the extension of mandatory registration requirements to early childhood teachers who hold an ACECQA-approved early childhood teaching qualification and are employed in designated teaching positions within regulated early childhood education and care settings. This includes long-day care centres and other services governed by the *Education and Care Services National Law Act 2010*. The minister stated that approximately 300 degree-qualified educators working in early childhood education and care settings may be eligible for registration, and that of these, only those specifically undertaking the role of an early childhood teacher would be required to register.

The aim is for this to be completed within three years, and that targeted support will be needed so early childhood teachers understand what is required of them to register. I would welcome any additional information from the minister on these matters, so that we can better understand how this will be specifically handled and resourced to ensure that the transition and registration process is as smooth as possible.

Additionally, this bill will require teachers who are performing duties aligned with the Australian Professional Standards for Teaching working in other non-school educational settings to register. This means they will also need to meet the qualification requirements which exist within the Australian teacher registration framework.

Could the honourable minister please advise how many of these sorts of teachers might exist within our community currently, and how is this information gathered and tracked? Additionally, how will support be provided to these teachers in the transition and registration process? This would be valuable information to have.

This bill seeks to implement seven recommendations made by the commission of inquiry relating to teacher registration and the improved safeguarding of children. These relate to:

(1) information sharing;

(2) better tracking of who is teaching;

(3) the power to issue infringement notices for non-compliance with the act;

(4) immediate suspension where there's an unacceptable risk of harm to children;

(5) automatic mutual recognition;

(6) professional development and child safety training;

(7) funding for the Teachers Registration Board.

I believe these are all relatively straightforward and give effect to the commitment made to implement the commission of inquiry's recommendations comprehensively and in full.

Seeing that the commission of inquiry's findings and recommendations are included and considered with all legislation relating to children and young people is quite heartening, as it shows that a child-centred approach is being taken to lawmaking and policy. This is something that's fallen seriously short in past decades.

While this bill creates a teachers registration framework in Tasmania, it must never be forgotten that the ultimate purpose of such legislation is to educate our children in a system which is safe, modern, fit for purpose and effective. This wouldn't be possible without the findings and recommendations of the commission of inquiry. As always, I thank all those who provided evidence to the commission of inquiry, to help ensure that the events of the past are never allowed to occur again.

Related to this is the requirement in this bill for teachers to complete professional learning as a condition of registration renewal. This is set at 100 hours within each five-year registration cycle and is in line with the Framework for Teacher Registration in Australia. I was quite surprised to note the minister's remarks that all states and territories, except for Tasmania, have legislated minimum requirements for continuous professional learning as part of their teacher registration renewal. Certainly, this is a most welcome and necessary step for Tasmanian teachers, to ensure that they do meet the same standards as teachers anywhere else in the country. While I know that Tasmanian teachers are already consummate professionals and, I'm sure, undertake a lot of professional development already, having a formal structure within which to support and track such training will be of benefit for the entire workforce.

In addition, this bill gives effect to the commission of inquiry recommendation of completion of child safeguard training for all teachers as a condition of registration renewal. For the reasons which I've already outlined, this is clearly a very important requirement to legislate.

This bill contains complex and important reforms to teacher registration in Tasmania. This has become necessary as a matter of time has passed since such matters were originally considered, and to bring Tasmanian registration frameworks to the same standards as everywhere else in Australia. Our teaching workforce is one of the most important in our community. Everyone in our state has an interest in our teachers and children being able to work and learn in an environment that's safe, contemporary and effective. This bill helps to achieve those goals. Additionally, it implements several recommendations made by the commission of inquiry and is an important step forward to fully give effect to the findings made by that watershed inquiry.

I thank the honourable minister for her work in making this legislation a reality. I acknowledge the hard work done by the department to draft it, and thank everyone who took the time to research, understand, and make submissions to make this legislation the best it possibly can be. I look forward to hearing further contributions from members.

[3.44 p.m.]

Ms O'CONNOR (Hobart) - On behalf of the Greens in this place, I can indicate that, of course, we will be supporting the Teachers Registration Bill 2026. We recognise that it substantially modernises the process and the professionalism of the registration of Tasmanian teachers and qualified early educators, and it replaces an act that is now more than a quarter of a century old. But at the time when the Teachers Registration Bill 2000 was going through the parliament, the then minister for Education said, with a heart full of hope no doubt, that parents of students are entitled to a guarantee that their children are being taught by fully and appropriately qualified teachers who will not abuse their position of trust with students. This guarantee can be best achieved by having a fully and properly regulated teaching profession.

Well, the best laid plans. While our teaching profession, our educators, are overwhelmingly there for all the right reasons - to enrich our children's lives, to contribute towards their health and wellbeing and successful future - obviously, as we learned through the commission of inquiry, there have been most egregious breaches of trust. There has been abuse and harm perpetrated not only by teachers in the Tasmanian education system, but by the education system and the department itself, which, as we learned through the commission of inquiry and our own conversations with victim/survivors, at times perpetrated harm itself by seeking to deny, cover up or move on teachers who'd been the subject of allegations and complaints. Personally, at around the time of the commission of inquiry, I spoke to a woman who'd moved to the mainland who was abused by a teacher in Tasmania over many years. There were complaints by her parents to the school. That young person was not believed at the time and the abuse continued. That failure of an adult in a position of trust and the school and the department itself to protect that child continues to have quite devastating emotional and psychological consequences for that now grown woman who was so traumatised by her experience and the failings of the Education department at the time that she moved interstate.

Also, at the time the then minister for Education stated that the introduction of the legislation will protect children in government and non-government schools from the possibility of sexual or other abuse. But the fact is, the *Teachers Registration Act*, which, should this legislation pass, we will be repealing, and which establishes the Teachers Registration Board, does not contain any provisions specifically requiring the board to prevent, identify or report on child sexual abuse in schools. Rather, the act's provisions relate to teacher registration, good character and fitness to teach and regulate how the board should respond to complaints about teacher conduct, including about child sexual abuse.

The commission of inquiry undertook a very substantial line of inquiry into the failings of the state through the Department of Education to protect children, and it heard from people with lived experience of those failures, from then departmental secretaries, and the then head of the Teachers Registration Board. It became apparent through that inquiry that there were significant gaps in the current arrangements and they relate to, in significant part, the capacity for information-sharing between, for example, Tasmania Police, the Department for Education, Children and Young People and the Tasmanian Teachers Registration Board. That uncertainty within the act or lack of clear direction in the act on information-sharing arguably, and according to the commission of inquiry, failed children.

The commission of inquiry in its work in volume 3, chapter 6 of its report noted the very important work and role of the Teachers Registration Board in protecting students from abuse by teachers by vetting the applications of new teachers for teacher registration, as well as the applications of continuing teachers seeking renewal of their registration, which is required every five years. The board currently has the power to refuse, suspend or cancel the registration of the teacher if they, in the board's opinion, are not of good character or are not fit to teach. The board's authority to permit or bar a person from teaching is an essential part of child safeguarding in the education system. Of course, it's only one part and that's why this parliament has passed, for example, the Child and Youth Safe Organisations Framework, mandatory reporting frameworks and registration to work with vulnerable people. These are all different elements of a protective overlay for children and young people in this state.

On the question of information sharing, the commission of inquiry said:

> While allowing the Teachers Registration Board to compel information from other government entities will help improve the Board's investigative processes, the Board may still not know when to request that an entity provides such information. In other words, the Board may not be aware of child sexual abuse allegations or suspicions against a teacher. We understand the Department's policy is to notify the Board within 24 hours of receiving information about allegations of child sexual abuse by a teacher. Secretary Bullard told us that the Department also notifies the Board when it starts a formal investigation into misconduct by a teacher under Employment Direction No. 5 - Breach of Code of Conduct.

But, in the words of the commissioners, 'We consider, however, that such notifications, which are vital to helping the Board safeguard children, should be legal requirements.' So, that is one element and one part of why we're here today.

I want to acknowledge again the heart and commitment of our Minister for Education, and for Children and Young People in her portfolios and the dedication she applies to the role. I'm not a Liberal, but I know a good minister when I see one.

The commission of inquiry's recommendation specific to information sharing is in three parts and I want to read them in.

The Tasmanian Government should introduce legislation to:

(a) allow the Teachers Registration Board to compel relevant entities - including the Department for Education, Children and Young People, other employers of teachers, the Registrar of the Registration to Work with Vulnerable People Scheme, police, and Child Safety Services - to give the Board information or documentation that is relevant to child sexual abuse matters involving a registered teacher or a holder of a Limited Authority to Teach

(b) compel these relevant entities to notify the Teachers Registration Board when they become aware of allegations or suspicions of child

sexual abuse by a teacher. Such entities should also be required to notify the Board if they begin any formal investigation that involves allegations or suspicions of child sexual abuse by a teacher or a holder of a Limited Authority to Teach, and the outcome of any investigation

(c) allow entities, when investigating matters involving child sexual abuse by a registered teacher or holder of a Limited Authority to Teach, to jointly appoint investigators to investigate the matter, taking into account the different criteria required for investigations by the Department and the Board.

That is recommendation 6.10 of the commission of inquiry, but the bill that we will debate today and hopefully pass on this day - well, get through the second reading and the Committee stage - also gives effect to or addresses commission of inquiry recommendations 6.11, 6.12, 6.13, 6.14 and 6.15. It also implements the recommendations of the review and report into the *Teachers Registration Act 2000*.

Other key changes in the bill we have before us today include the regulation of early childhood learning - and about time, too, Mr President - requiring 100 hours of professional development every five years, requiring those with provisional registration to acquire full registration within five years, and providing a non-practising category of registration.

In our view the new act, which would replace an act which is now 26 years old, is more logically and clearly structured. It also, importantly, contains a set of objects which are absent from the current *Teachers Registration Act,* and this makes it really clear what teachers registration is all about. The objects of this act are to:

- provide for the registration of teachers and the regulation and recognition of the teaching profession within Tasmania;
- ensure that persons uphold the standards expected of the teaching profession;
- ensure that public confidence in the teaching profession is maintained;
- protect all learners in educational settings by providing a safe and professional environment and appropriately qualified and competent teachers; and
- ensure that all participants in educational settings work collaboratively to achieve the best educational outcomes for participants.

I know it's not been the usual practice, from time to time, for the Office of Parliamentary Counsel to support the insertion of objects into an act, but I think it helps very much to set the tone, if you like, of an act, and provide absolute clarity as to what this legislation is all about.

I also look forward to the answers provided by the minister to the questions that have been asked by the honourable member for Mersey and the honourable member for Murchison. A number of those questions I was also going to ask and refer specifically to the Laurel House submission, which I know was addressed. Questions were asked about the Laurel House June 2026 submission in the other place by the Greens and others. Questions relevant

to the submission have been raised in briefings. There are still issues that require a record on *Hansard* of why some of those recommendations about inserting the need for trauma-informed practices, language around child safety and wellbeing, have not been put into the bill that we debate today.

I do note that Tasmania's Independent Regulator, Louise Coe, and the Office of the Independent Regulator, endorsed the bill in its current form through the consultation process. She says:

> The Teachers Registration Bill 2026 is a significant step toward strengthening child safeguarding in Tasmanian schools by ensuring teachers are suitable, high-quality and well supported. The [Office of the Independent Regulator] supports the Bill as an important reform that places child safety at the centre and reinforces the legislative framework needed to prevent, identify, and respond to harm. The findings of the Royal Commission and the Commission of Inquiry have deepened our understanding of how to make institutions safer, and the Bill reflects those recommendations as they relate to teacher registration in Tasmania.

Broadly, Mr President, there is also support for the legislation from the Commissioner for Children and Young People, who reminded us of the importance of including the student voice in decision-making about students' lives. There were questions raised by the Australian Education Union about the professional development requirements, and I know they were asked in the other place as well. If the minister wants me to read any of those questions in from the submissions, I'm very happy to do that.

Sitting suspended from 4.00 p.m. to 4.30 p.m.

TEACHERS REGISTRATION BILL 2026 (No. 27)

Second Reading

Resumed from above.

Ms O'CONNOR (Hobart) - Thank you, Mr President, I won't speak for very much longer. I was talking earlier, though, about the Commissioner for Children and Young People's advice and support for including student voice in the provisions of the bill. Then on the other hand, we've got a submission here from the Australian Education Union that is concerned that including students having the right to participate in decisions that affect them, and relate to the performance of the function of the powers of the board may create unrealistic expectations amongst young people. Look, with the greatest of respect to the Australian Education Union, I think there are many ways you can incorporate student voice and perspectives into decision-making around education in a way that is respectful and genuine, and that doesn't unrealistically raise expectations. But if the minister has some thoughts on the importance of including the student voice in the *Teachers Registration Act*, I think that would be quite helpful.

This is obviously a large-ish bill. It completely rewrites, in many ways, the existing act. I know we'll be going into Committee and I'm certainly not foreshadowing any amendments, but some of the questions that I have I will leave until we get into the Committee stage of the

bill. But, again, this is a piece of legislation that has been widely consulted. It comes from a foundation of recognising the failings of the current system, and the desire to bring us into line with national standards, for example around mandatory professional development. I, too, like the member for Launceston and others, was a bit surprised that this wasn't already an automatic part of the teachers registration process.

I'm very glad to see that we're extending the registration process to appropriately qualified early childhood educators. I agree with the member for Murchison, there's a gap here in how the system and the processes treat teachers' assistants. Teachers' assistants are an essential part of a functioning school and a quality learning experience for students. They have long been relied on by the department, at the same time - as they would argue, and I would agree - that they've been undervalued, and they don't have the same industrial conditions that fully employed and registered teachers do. Can you imagine, however, a school functioning in a way that gives its students what they need and deserve without teacher's assistants? I don't think any of us could. So, it would be good to understand why that gap remains. I suspect it has something to do with the professional development qualifications and standards of some people who are employed as teachers' assistants, but there's not clarity yet on why we wouldn't make sure all educators who work in the system are appropriately checked to see whether they are fit and proper. People are required to undergo training for the great privilege and responsibility of being a teacher, which I'll just close with an observation that it is possibly one of the hardest jobs imaginable. I've never been a teacher, but I've certainly caused them grief over the journey.

I'm very thankful for all our teachers in the public and the independent and within the private and Christian schools, those who go into those classrooms every day dedicated to their students, to the quality of their learning, to enriching their wellbeing as human individuals. I'm very thankful for the teachers who helped to make my kids the good kids that they are. I think we all, within our communities every year, at end-of-year assemblies, we're reminded again of our wonderful school communities and the role that teachers play in glueing those school communities together and giving our beautiful kids a good crack at the future.

[4.37 p.m.]

Ms THOMAS (Elwick) - I thank the member for Hobart for that contribution and the admission of causing teachers grief. It might surprise members, or not, to know that I was the opposite. I was a teacher's pet. I asked for homework in kindergarten, Mr President. I rise to make my contribution to the Teachers Registration Bill 2026, and I indicate from the outset that I will be supporting this bill.

As other members have noted in their contributions, this is a significant piece of legislation, both in its scope and in its importance to the teaching profession, the education sector and, most importantly, the safety and wellbeing of Tasmanian children and young people. I understand the bill replaces the Teachers Registration Act 2000, providing a new legislative framework for the registration, regulation and professional standards of teachers in Tasmania. So, this is not a minor amendment to an existing act, it's a comprehensive replacement of legislation that has governed the teaching profession for more than a quarter of a century, and at some 172 pages, this is a substantial volume of legislation for members of this parliament to consider.

I want to acknowledge at the outset the extensive work that has gone into developing this bill. The review of the *Teachers Registration Act* has involved considerable consultation with teachers' unions, professional associations, education providers, early childhood education

representatives, child safety organisations and other stakeholders. There has been a substantial process of reviewing the existing framework, identifying shortcomings, considering the recommendations of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, and developing a contemporary legislative response.

So, I thank the minister, departmental officers, the Teachers Registration Board and all those who have contributed to this important work. I also particularly want to thank the minister and her team for listening to the request from me and some other members in this Chamber to allow additional time to properly review the legislation and consider the feedback received through consultation. I appreciate that this bill has been some time in development and that the government has been keen to progress these reforms as soon as possible.

However, when we are considering legislation of this scale and significance, it is entirely appropriate that members have sufficient time to understand not only what the legislation seeks to achieve, but how will it operate in practice and what its implications will be for those affected. This is particularly important when we're replacing an entire act rather than simply amending with a handful of provisions. The Legislative Council has an important role in scrutinising legislation and I appreciate the minister's willingness to accommodate this process.

At the heart of this bill is the need to ensure that Tasmania has a robust, effective and contemporary system for regulating our teaching profession. The commission of inquiry identified significant deficiencies in the existing legislative framework, particularly in relation to information sharing, regulatory powers and the capacity of the Teachers Registration Board to respond effectively to concerns about child safety. Clearly, those findings cannot be ignored.

Parents and carers rightly expect that the people entrusted with educating their children are appropriately qualified, meet professional standards and are subject to effective regulatory oversight. Equally, teachers deserve a regulatory system that is fair, transparent, consistent and supportive of their professional development. I believe these objectives are complementary rather than competing.

Strong child safety protections and procedural fairness can and must coexist, and this bill seeks to strengthen the powers of the Teachers Registration Board, improve information sharing, modernise registration requirements and provide greater consistency with national professional standards.

It also extends the registration framework to university-qualified early childhood teachers and introduces new requirements for continuing professional development. These are all significant reforms, and I support their broad intent. However, while I support the bill, I do want to acknowledge that the consultation process has identified a number of issues that require further consideration, clarification and careful implementation.

I don't consider these matters to be reasons to oppose the legislation, but I do consider them sufficiently important to warrant further assurances from the government, and I know other members have raised some of these questions as well.

One of the most significant changes introduced by this bill, as the member of Hobart referred to late in her contribution, is the extension of mandatory registration to qualified early childhood teachers working in early childhood education and care settings.

My understanding is that, under the existing Tasmanian legislation, these teachers have not generally been required by law to register with the Teachers Registration Board solely because they work in early childhood education and care settings, although some may hold registration for other reasons. So, I understand the rationale for this reform. Early childhood teachers are qualified educational professionals and there is a strong argument for ensuring consistent professional standards and child safety oversight across the education sector. However, the practical implications of extending the registration framework to this workforce should not be underestimated.

Early childhood education and care services already operate within a substantial regulatory framework, including the National Quality Framework and associated qualification and workforce requirements. It is, therefore, important that new registration requirements do not create unnecessary duplication, cost or administrative complexity, so, I would appreciate the minister addressing several questions about this in responding to the debate:

Firstly, how many additional teachers does the government expect will be required to register with the Teachers Registration Board as a result of this reform? Has the government undertaken a detailed assessment of the number of early childhood educators who will be newly captured by the legislation, including those working in long day care, preschool and other childhood settings?

Secondly, can the minister clarify how the new Tasmanian registration requirements will interact with any existing registration arrangements, including registration held in other Australian jurisdictions? Will teachers who already hold recognised registration elsewhere be able to have that registration recognised without unnecessary duplication of assessment, documentation or fees? What steps have been taken to ensure the Teachers Registration Board's processes are aligned with the existing early childhood regulatory requirements?

Thirdly, who will bear the financial and administrative costs associated with this new requirement? Will registration fees be paid by individual early childhood teachers, or will employers be expected or encouraged to meet those costs? Has the government considered whether the additional expense could create a barrier to recruitment or retention in a sector already experiencing significant workforce pressures? I'm particularly conscious that many early childhood education services operate within constrained budgets and that additional compliance requirements can ultimately place pressure on staff, providers and families.

Finally, I want to ask about the capacity of the Teachers Registration Board itself. I don't doubt the expertise and capabilities of the board for a second. However, it will be taking on responsibility for a broader workforce with professional practices and working environments that differ in some respects from traditional school settings. My questions are:

- Does the board currently have the necessary early childhood education expertise to effectively regulate this workforce?
- Will additional specialist expertise be incorporated into its governance, assessment, and decision-making processes?
- Importantly, what additional full-time equivalent staffing and financial resources have been allocated to the Teachers Registration Board to

manage the anticipated increase in registrations and its other expanded regulatory responsibilities?

The commission of inquiry raised concerns about the adequacy of the board's resources under the existing arrangements. So, it's essential that we do not respond to those findings by expanding the board's responsibilities without providing the resources necessary to enable it to discharge them effectively.

Another important change is the introduction of a requirement for teachers to undertake 100 hours of professional development over a five-year period. I support the principle of continuing professional development, absolutely I do. Teaching is a profession that requires ongoing learning, reflection and adaptation. Educational practices evolve, our understanding of children's learning and development improves, and teachers must be supported to maintain and strengthen their professional knowledge and skills.

However, I am concerned about the practical implications of making professional development a statutory registration requirement without ensuring that teachers have the time, resources and opportunities to meet that requirement. Teachers are already under considerable pressure. It is a tough job. We know that workload, administrative demands, staffing shortages and the increasing complexity of student needs are significant challenges across our education system. While 100 hours over five years may not sound excessive when averaged across that period, the reality is access to professional development is not always straightforward. I would therefore appreciate the minister providing some specific assurances:

Firstly, is the government's expectation that teachers will be provided with paid time during their ordinary working hours to undertake the professional development required to maintain their registration? Or is it anticipated that teachers may need to complete some or all of those hours in their own time?

If a teacher is unable to access professional development during ordinary working hours because their school or education service does not have sufficient staffing or relief capacity, what happens then? Will they be expected to undertake that professional development outside their normal hours, potentially without additional remuneration? If that is the case, how does the government reconcile that expectation with its broader efforts to address teacher workload and workforce retention?

I would also like to know what modelling has been undertaken by the Department for Education, Children and Young People regarding the practical feasibility and resourcing implications of this requirement. Has the department assessed the number of professional development hours already being undertaken by teachers and whether existing arrangements are sufficient to meet the new statutory threshold? Has it modelled the cost of providing release time, relief teachers and access to appropriate professional learning? Has equivalent work been undertaken across other education settings, including Catholic and independent schools and early childhood education and care services?

I'm particularly interested in how these requirements will operate for casual and relief teachers, part-time teachers and those working in regional or rural communities, where access to professional learning opportunities and relief staffing may be more difficult. I would also welcome clarification about what forms of professional learning will count towards the

requirement and whether existing employer-provided training, professional learning days and child safeguarding training will be recognised.

My concern is that a reform intended to strengthen professional standards should not inadvertently become another unfunded obligation imposed on individual teachers. Professional development should be something we actively support and invest in, rather than simply something we require teachers to demonstrate for compliance purposes.

There are several other matters arising from consultation that I would like to briefly acknowledge. The first relates to the proposed five-year timeframe for teachers to move from provisional to full registration. I understand the intention is to ensure that provisional registration remains a transitional stage and that teachers progress towards full professional recognition. However, flexibility will be important for teachers whose circumstances do not follow a conventional pathway. That includes teachers taking parental or carer's leave, those working part time or intermittently, and those experiencing illness or other significant personal circumstances.

I would appreciate the minister clarifying how expectations and extensions will operate and what safeguards will ensure teachers are not unfairly disadvantaged by circumstances beyond their control.

The second matter relates to procedural fairness and the exercise of the Teachers Registration Board's expanded powers. I strongly support giving the board the capacity to respond quickly and effectively where there are genuine concerns about the safety of children. However, it is equally important that teachers subject to investigation or regulatory action are afforded appropriate procedural fairness, confidentiality and access to review mechanisms. There must be clear and proportionate processes for distinguishing between serious child safety concerns, professional misconduct, performance issues and ordinary employment disputes. So, how can we be assured that the appropriate balance will be achieved?

Finally, I want to return to the issue of resourcing. The Teachers Registration Board will have an expanded jurisdiction and stronger regulatory responsibilities under this legislation. It will need to manage additional registrations, professional development, compliance, investigations and information-sharing obligations. So, I'd appreciate an update from the minister on the government's implementation planning, including whether the board has been provided with additional resources and whether further funding will be required.

More broadly, can the minister advise what progress has been made in addressing the outstanding concerns raised through consultation, including through proposed regulations, policies, operational guidance or transitional arrangements? And will the government continue engaging with the relevant professional associations, unions, early childhood providers and other stakeholders as these implementation details are finalised?

Mr President, I want to conclude by again acknowledging the considerable work that has gone into developing this legislation. The consultation undertaken has been extensive and I thank the many organisations and individuals who have taken the time to make submissions and contribute their professional knowledge and expertise. That feedback is invaluable. It helps ensure that legislation is not only well intentioned but workable, proportionate and effective. I also thank the minister and her team and the department for their engagement with members

of this Chamber and for accommodating the additional time requested to properly scrutinise this substantial bill.

Ultimately, this legislation is about strengthening public confidence in the teaching profession, improving regulatory oversight and ensuring the safety and wellbeing of Tasmanian children and young people. These are objectives I wholeheartedly support, but the success of these reforms will depend not simply on what is written in the legislation, but on how it is implemented, how the additional responsibilities are resourced, and how effectively the government responds to the practical concerns raised by those who will be directly affected.

I look forward to the minister's response to the questions I've raised and to seeing the outstanding implementation matters addressed through continued consultation. With those comments, Mr President, I support the bill.

[4.53 p.m.]

Ms PALMER (Rosevears - Minister for Education) - Can I sincerely thank all members for their contribution - our House at its best, I would say - and it's lovely to see such an interest in the bill. I would also like to thank the amazing team up here from my ministerial office, from the department, and also from the TRB, who've worked really hard on this legislation, but even harder in the last two hours, to try to answer all of your questions.

Mr President, can I just flag at the commencement of my summing-up that I may need to seek leave nearing the conclusion of the 60-minute time limit to extend my address in reply? We do have a lot of answers to questions. I'll just flag that and I'll put that to the House if we're nearing that time.

Starting with the member for Montgomery, there were some questions raised around the construction of 'is to' and 'must'. I acknowledge that these are technical matters with which the government relies heavily on the drafting expertise of the Office of Parliamentary Counsel, rather than a set definition. Consistency in legislation is gained through this expertise. There has been much discussion about how these different terms can be construed, with the member indicating that 'is to' is the same as 'optional'. While this is sometimes a helpful definition, it isn't always the case. How the 'is to' is construed depends on how each individual clause is drafted. As with all words, the exact construction of 'is to' or 'must' will be heavily determined by the context of each clause and the other words it contains.

So, for clause 7, the board 'must' consider the matters in paragraph (a). If they don't consider the matters in paragraph (a), then it can be argued that the board has not appropriately considered whether the person is of good character. The board should consider the matters in paragraph (b), but if they don't, then it doesn't mean that the board hasn't appropriately considered whether the person is of good character. The wording of both paragraphs is 'take into account', so the board has to take suspensions and cancellations into account under paragraph (a), but they may still decide that the person is of good character. I would expect them to have notes on how they have decided that the suspension/cancellation did not affect the person's character. For example, the suspension may have been over 20 years ago, or for an administrative reason, not a safety reason. But the board would have to keep notes on whether they took matters under paragraphs (b) and (c) into account.

Then, if you look in relation to clause 93(4)(a) and (b), these are 'is to', so that's a technical defect in the requirement or request, it doesn't mean that it hasn't been a valid request. For

example, the misspelling of a person's name on a requirement isn't valid under clause 93(4)(a) because of the 'is to' but would be invalid if the paragraph used 'must', because it has to be to the person to whom the requirement relates, which would not be met if the person's name was misspelt.

The honourable member spoke about clause 95 based on previous discussions - I think he may have intended to refer to clause 94, which contains the 'is to'. Clause 94(2), provides that:

> A person who employs a registered teacher or AAT holder must give notice to the Board in accordance with subsection (4) if the employer becomes aware of an allegation or suspicion that the registered teacher or AAT holder has committed, at any time or place -

the listed behaviours the offence is attached to this clause.

Subclause (4) then goes on to state the notice 'is to' be made within three days and details the information that notice is to require. Because the offence in subsection (2) requires the person to give notice in accordance with subsection (4), a court determining proceedings for the offence in subclause (2) could decide whether the person took sufficient steps to meet the requirements of subclause (4). If we were to change the 'is to' to a 'must' here, we would make it a strict offence and would remove the court's ability to look at the circumstances around the notification to determine if it was a valid notice. If it was outside the three days, then no matter the circumstance, it could not be argued in a court that the notice requirements were complied with. For example, if a principal is in charge of making a notification and they're tied up with a local school matter or incident and make the notification five hours after the three days have expired, if the clause read 'must', then the notification would be invalid regardless of the circumstances.

The honourable member for Montgomery then asked why clause 27(2) uses a 'must' when requiring a teacher to update their place of employment within 14 days. Again, this comes down to how the clause is constructed. Here, there is a penalty for not making the notification within 14 days. Therefore, the clause had to read 'must' in order for that penalty to be attached. There are some significant differences between this clause and clause 27(2) which make it appropriate for one to use 'must' and the other to use 'is to'. Clause 27(2) has a 14-day notification period, and this is much larger than the three days in clause 94. Further, clause 27(2) attracts a penalty unit of 10, which is $2130, whereas clause 94 has a penalty unit of 50, which is $10,650. Given the wider parameters around clause 27, it is appropriate to use the term 'must'.

The honourable member for Montgomery made some remarks relating to the remuneration of the board and committees. The current act and provision are drafted to provide flexibility in governance. There is currently only one committee operating for which board members are not remunerated. Board remuneration is managed in line with the government board fee policy. There are several measures the minister has to hand to manage any concern about the board's performance or management. A clear performance framework provides for both transparency and accountability mechanisms, linking power and responsibility to performance and review. These measures collectively ensure the board is appropriately managing all aspects of its role, including committees. If board performance and remuneration

are not aligned, the minister can address this through the performance framework or through removal of members in accordance with provisions in the bill.

The honourable member for Montgomery also asked for an explanation on how the handling of fees is managed. The board is funded through a combination of registration fees collected from teachers and government funding. Government funding represents staffing to assist it in managing matters in addition to the core teacher registration process. This government funding is provided to support the conducting of investigations, commission of inquiry recommendations, and development and implementation of the board's new customer relationship management system.

The member for Montgomery also asked what would happen if there was a dispute under the framework agreements included in clause 20. The framework agreements were introduced in the review of education regulation. The framework agreement contains matters such as budget, provision of corporate support and staffing. It also contains a dispute resolution process which manages how any disputes are to be resolved.

And there were questions about whether clause 33 should be strengthened to require a review every few years. Legislating a requirement for external review was not recommended as part of the review of education regulation in 2022. The framework introduced was based on best-practice regulatory governance, including that the board is subject to a performance framework that provides clarity on what the regulator is expected to achieve and accountability for the associated outcomes the framework includes. So, there's a ministerial statement of expectation, policy direction, there's a corporate plan and the development of outcome-based key performance indicators, the annual report and independent review. The capacity to conduct external review, if required, was and is still considered a sufficient mechanism.

Still on questions by the honourable member for Montgomery, he spoke about the terms of the board and pointed out that there are no limits on these. By keeping the term limits open, we're able to provide for specialised skills or oversight being retained through crucial work or to manage a situation where the number of members needs to be maintained. The current board member appointments are staggered with two- and three-year appointments. Again, there are several mechanisms to provide accountability for board appointments, including through ministerial instruction and the annual report.

The honourable member made remarks in relation to privacy and disclosure clauses in the bill. In addressing those, clause 75 specifies the criteria for the assessment of complaints and the processes to be followed. It is similar to section 19 of the current act. Additional provisions have been included to give the board flexibility to better protect complainants, including children, and to manage any competing legal matters. The board must still provide natural justice and procedural fairness when conducting inquiries and making decisions, as in clause 116. Clause 75(3) requires the board to provide written notice of a complaint about a person, the name of the complainant and the contents of the complaint to that person. Clauses 75(4) and 75(5) enable the board to withhold the name of the complainant in certain circumstances. This addresses the fear of recourse concern that was raised by the honourable member, and I think some other honourable members raised that as well. Clause 100 provides that the board may refuse to provide information if satisfied that the disclosure would, for example, prejudice the administration of justice, endanger the safety of a person or hinder an inquiry under this act. A similar provision exists in the *Registration to Work with Vulnerable*

People Act 2013. How this clause operates in practice will depend on the facts of the case and the board's assessment of the likelihood of the events in clause 100(a) to 100(e) happening.

Clause 104 provides for the exemption of the board and staff from the *Right to Information Act 2009* and the *Personal Information Protection Act 2004*. In its report, the commission of inquiry noted that the *Personal Information Protection Act* was acting as a significant barrier to sharing information, particularly between the board and DECYP. It recommended an exemption from the act to be put in place while legislative reforms are advanced. That exemption has been in place since March 2025, and this provision will ensure its continued operation. Further to the commission of inquiry's commentary, it is common for entities who hold a lot of personal or identifying information, including about children, to have a legislative exemption from the operation of the *Right to Information Act* in addition to the exemption from the *Personal Information Protection Act*. These entities include the Independent Regulator under the *Child and Youth Safe Organisations Act 2023*, the registrar under the *Registration to Work with Vulnerable People Act 2013*, the Ombudsman, the Integrity Commission, the Parole Board; and the Custodial Inspector. This exemption allows these entities to operate within their own information-sharing provisions. It allows them to manage the sensitive information they hold in an effective manner according to their functions.

Both the *Right to Information Act 2009* and the *Personal Information Protection Act 2004* contain provisions that would exempt the types of information that the board holds from their operation. This means that the application of these acts to information held by these entities would often fail on their own exemption rules anyway. By specifically excluding them, we can provide clarity and certainty to these entities. It's worth noting that the exemption for the *Right to Information Act* doesn't extend to information relating to the administration of a public authority. This is an important accountability mechanism and will still allow information relating to the administration of the board to be requested under the act. These exemptions will enable the TRB to effectively share information where required, which is a key factor in its ability to safeguard our learners.

The member for Montgomery also asked about a typo and we thank you. This has been picked up and OPC advised it will be amended on the vellum.

Ms Rattray - Forensic, absolutely forensic.

Ms PALMER - Now, moving to questions from the member for Mersey, and some of these questions were asked by other honourable members as well. We start with questions about what constitutes teaching in the ECEC setting. All individuals with eligible qualifications under the Framework for Teacher Registration in Australia and who are undertaking teaching duties in early childhood education and care settings must register. Individuals with a teaching qualification who are not directly undertaking teaching duties - for example, they could be a centre manager or a centre director - are not required to register unless they also perform the role of teacher in the service.

Mandatory registration will apply to all early childhood education and care settings and will include teachers performing teaching duties in services regulated under the National Quality Framework including long day care, family day care, and outside school hours care, as well as services operated under the Tasmanian *Child Care Act 2001*. Only degree-qualified teachers in ECEC are eligible for registration. The registration scheme is not available for VET-qualified educators - that's Certificate III and Diploma. The definition in the bill is

extensive and provides guidance on what teaching includes. The board will work with the sector in implementation to ensure teachers in these settings understand their responsibilities.

The member for Mersey also asked questions about the appetite for a national registration system, and I think you referenced AHPRA in your comments. Through the education ministers' national framework, the government participates in discussions regarding national teacher registration, mutual recognition and automatic mutual recognition processes. In the interim, while we aren't confident that these national processes provide adequate child safety protections and in line with the commission of inquiry recommendation 6.14, this bill futureproofs any changes relating to automatic mutual recognition. The government, along with other states and territories, is considering extending its exemption under this process.

Regarding the level of detail on the public register, deliberate drafting decisions have been made which balance the need for certainty in the bill with the need to ensure the bill could respond to the future requirements of the profession. This means that the bulk of information regarding what is on the register, both public and internal to TRB, will be contained in regulations. The regulations will be drafted following the passage of this bill. The public register will allow a person to search the register and see the setting someone can be employed in and if they are registered. Employers will have access to more information than is available on the public register and will be able to determine if someone's registration has conditions imposed.

The member also asked about how we share information across states, noting that the TRB can only request information from other jurisdictions in the bill. There is a national process between all teacher registration bodies to share information relating to teachers. The TRB has reported this information process sharing works well. In addition, when a teacher uses the mutual recognition pathway to move to Tasmania, they are required to make a declaration with their application that they aren't currently or haven't ever been subject to disciplinary proceedings. Under that act, the board will then contact the home jurisdiction to confirm the information is correct and establish if there are any conduct concerns.

In regard to personal information and sharing with employers, the Teachers Registration Board does not share personal information with employers before they engage a teacher. However, if there are serious allegations or risks, the TRB will use its regulatory powers to suspend a teacher's registration, pending the outcome of an inquiry. This will prevent the teacher being employed in any sector.

Regarding a question around public servants suspended on full pay, while related, it is not within the scope of this bill and is an industrial matter. What is within the scope of this bill, however, is much improved information-sharing provisions and process updates to expedite these processes where the TRB is involved.

Regarding if the TRB is resourced to undertake timely investigations, the government is committed to ensuring an appropriate level of resource to ensure the TRB can effectively deliver on its purpose to protect the safety and welfare of students as recommended by the commission of inquiry.

The member for Mersey and also, I think, the member for Murchison and perhaps some other members asked some questions around regulating support roles in schools, including teacher assistants. The bill before the House today relates to the registration of teachers.

While it contains important child safeguarding provisions, it is legislation regulating a specific profession, and it is not intended to provide a registration framework for all school-based employees who may come into contact with children, including teacher assistants. Teacher registration is one mechanism for managing child safety risks, but it is not the only mechanism, nor is it the primary safeguard in every circumstance, as referenced by the members. While roles like teaching assistants were considered through the review for a number of reasons the member raised, they were considered outside the scope. No other jurisdiction registers teaching assistants. I note that national work that's been led by Queensland and the Australian Institute for Teaching and School Leadership under the National Teacher Workforce Action Plan developed guidelines for the optimal deployment of teaching assistants, which were finalised in November 2025.

I'm sorry I can't remember who asked this question, but this is in regard to the number of provisional to full registrations. Since 1 July 2026, 112 teachers have moved from provisional to full registration through the 'P2F' process. As at today there are 8082 fully registered teachers. As at today, there are 3519 provisionally registered teachers. This includes 105 newly registered teachers in the first quarter of 2026-27.

Again, there were questions from the member for Mersey and the member for Murchison regarding the deeming process. This will largely be worked through in implementation. During the consultation process, feedback was received by the Tasmanian Principals Association. This was worked through with the Teachers Registration Board and is reflected in the bill. The TRB will work through how the process works during implementation with key stakeholders, including the TPA.

The members for Mersey, Elwick and McIntyre asked questions regarding professional learning. The TRB, consistent with recommendations from the review report, will focus on ensuring professional learning is relevant, purposeful and connected to improving teacher practice rather than simply requiring teachers to complete a set number of hours. Professional learning undertaken for registration renewal must be aligned with the Australian Professional Standards for Teachers, ensuring it contributes to a teacher's professional competence and ongoing development. The requirement is designed to be flexible, recognising that teachers work in a range of settings and have different professional interests, career goals and development needs. Teachers will be able to undertake learning that is relevant to their role and context while maintaining a clear connection to the professional standards. Relevant activities may include employer-provided professional learning, conferences, mentoring, professional reading, professional learning communities, curriculum development and other activities that directly or indirectly enhance teaching and learning. For example, a teacher working in a support school might undertake professional reading on inclusive education, disability adjustments or supporting diverse learners, which relates to the professional standards 1 and 4.

Teachers will be required to record their professional learning activities through the TRB online and provide evidence of participation if requested by the board. This ensures that there is accountability and an appropriate mechanism for verifying that learning has occurred.

Some other examples that I could give here would be often in staff meetings there's professional learning, which would go towards those hours. We also have mandatory child safety professional learning and also the work that we are doing around Lifting Literacy.

Importantly, the emphasis is on the quality and the relevance of professional learning, not simply the quantity. The requirement encourages teachers to engage in professional learning that supports their growth, responds to identified learning needs, and ultimately benefits student outcomes.

The member for Elwick asked about access to support for professional learning. Recognising the accessibility challenges and the different contexts in which teachers work, including those undertaking relief teaching, the final report recommended that the definition of what qualifies as professional learning should be broad and include not only formal learning activities but also professional reading, mentoring, study, research, employer-led professional learning programs and other similar activities.

Clauses 4 (definitions) and 48(2)(b)(iii)(Renewal of registration) of the bill contain the relevant provisions relating to this recommendation. DECYP supports teachers, including relief teachers, to access professional learning through flexible delivery modes, open enrolment pathways, funded participation, statewide and repeated offerings, and a strong suite of online and self-paced resources. These approaches collectively reduce barriers associated with casual or part-time employment and enable equitable access to professional learning.

So, for example, relief teachers can enrol independently in literacy professional learning via the Training and Development Hub, access recorded online sessions and short phonics and fluency modules on demand, and participate in statewide Teams-based sessions as in English as an additional language or inclusive education training. They may also engage in self-paced Canvas courses or join online communities of practice where resources and professional dialogue are shared irrespective of employment status.

The honourable member for Huon reflected that the success of the bill will rely on the supports available in-school, noting mentoring is a consideration for all education sectors in DECYP. Early career teachers are supported through the Early Career Induction Guide, which outlines opportunities for professional learning, mentoring and alignment with Beginning Teacher Time Release time.

As part of this process, early career teachers are required to collect evidence to support their application for full registration. The honourable member for Huon and the member for McIntyre both had questions regarding how relief and part-time teachers will be supported to meet professional learning requirements. Relief teachers who work across sectors or schools can miss the professional learning opportunities available to those who are based in a school or a system of schools.

The steering committee overseeing the review recognises that a broad definition of professional learning was required, including child safety training, to provide flexibility, where needed, for relief and other teachers.

The bill also provides for the TRB to have discretion to grant exemptions from mandatory professional learning requirements in exceptional circumstances.

The member for McIntyre asked if the new professional learning requirement would result in an increase in student-free days, and the answer to that is no. Most teachers already meet this requirement through their normal employment, including professional learning provided or required by their employer.

The honourable member for McIntyre also asked about the number of provisionally registered teachers. A provisionally registered teacher must undertake at least one fulltime year of teaching before they are eligible to progress to full registration. There will always be a number of provisionally registered teachers as our new graduates move into the profession.

Historically, the process was seen as onerous, and some teachers chose not to undertake this process. The TRB's new streamlined P2F process is much more accessible and has resulted in a significant increase in teachers moving to full registration, with 112 teachers progressing to full registration in the first quarter of 2026-27.

The honourable member for Murchison asked a question about monitoring outcomes. We will be monitoring the effectiveness of an outcomes perspective in provisions carried through from the previous act to this bill. TRB is subject to a performance framework. This includes a ministerial statement of expectation, corporate plan and the development of outcome-based key performance indicators, annual report, the independent review, as required. The TRB will need to consider its outcome-based key performance indicators following the passage of the bill.

Also, for the member for Murchison, will deeming lead to teachers not meeting the Australasian Professional Standards for Teachers? No, the process requires a teacher to receive endorsement from their current employer that their teaching practice aligns with the Australian Professional Standards for Teachers at the proficient, fully registered level. On balance, a deeming process provides a pragmatic solution. Under this approach, teachers who meet clearly defined eligibility criteria can be deemed fully registered without undergoing the full P2F process.

Those who do not meet the criteria would proceed through the normal registration process, which is now a streamlined single reviewer P2F pathway. This solution seeks to strike a balance between managing regulatory burden while ensuring teachers are meeting expected standards. I expect the TRB will work closely with stakeholders, including the Tasmanian Principals Association, in developing the process to ensure it maintains professional standards.

The honourable member for Murchison also asked a question around aligning the provisional to full process with the probation process in order to reduce workload for principals. I understand the concerns and I'm certainly committed to reducing teacher and principal workload. The probation process and teacher registration process are separate requirements governed by different frameworks and serve different purposes.

The provisional to full registration process is managed by the Teacher Registration Board. Its purpose is to determine if a teacher meets the required standard to become a fully registered teacher and continue teaching. The process is managed in line with the National Framework for Teacher Registration and applies consistently across all education sectors.

Probation requirements form part of an employee's industrial and employment arrangements and are determined by the employing authority. Its purpose is to determine if any employee is suitable to the role they've been hired to. Each employer of teachers, including DECYP, Catholic Education Tasmania and those in the independent school sector and the early childhood education and care sector, will have the ultimate say on their probationary processes.

I understand the desire to align these processes to ensure that any duplicative work can be limited. As an employer of teachers, DECYP will undertake work during implementation with the TRB to determine if there are opportunities to align the processes while making sure their separate purposes can still be achieved. Other employers will have the same opportunity to align their processes should they choose.

The member also asked about regulations. Work has already begun on drafting the regulations and they'll be consulted on extensively - replications, the act review process; I might just have to seek some advice on that - with the same process that we've done with how we've consulted already.

The member for Murchison also asked how three years came to be for the deeming process. The initial consultation bill had this set at two years. Stakeholders, including Good Start Early Learning, asked this to be extended to three years to allow sufficient time.

The honourable member for Murchison also asked a line of questioning around the independence of the Teacher Registration Board. The review of education regulation in 2022 considered this extensively. These provisions are in the current act and are carried forward. They provide explicit provisions protecting the individual regulatory decisions of the TRB and a framework agreement which steps out roles and responsibilities in line with the *State Service Act*. The act specifies areas in which ministerial instructions will be set and they're published. Further statements of duties outline accountabilities.

The honourable member for Murchison also asked a question about how teachers can make a complaint. A teacher can make a complaint relating to another teacher if they think the teacher is not of good character or fit to teach. Section 75 of the bill covers this. In relation to the culture, while this bill plays a role, the question relates to the broader culture of our institutions, which extends beyond schools and to all places our children and young people move through. The Child and Youth Safe Organisations Framework is the vehicle to effect those changes.

The honourable member asked about the capacity of the TRB to seek independent legal advice. This bill does not provide this, as the TRB already has this power under existing frameworks.

The member for Murchison asked some questions regarding the number of limited authority to teach authorisations. We currently have 131 in the Catholic sector, 455 in the public sector, and 65 in our independent schools.

A number of honourable members have referenced concerns about workload and what the overall impact of the bill might have on teachers' and schools' workload. Overall, the bill is expected to have a neutral impact on workload or reduce workload in some areas. The bill mandates the move for teachers from provisional to full registration. While this is a new legislative requirement, it is not a new professional requirement, with the provisional registration only ever being intended as an initial registration category while teachers undertake enough professional practice to move to full registration. The bill, and changes already made by the board in anticipation of the bill, significantly reduce the administrative burden for undertaking the provisional to full registration process.

In response to stakeholder views that the provisional process was complex and time-consuming, the new bill provides for a streamlined process that moves from a process requiring an inquiry project, written report, multiple observations and a panel assessment to a school-based process that allows teachers to use evidence gathered through their normal teaching practice and is reviewed by a single reviewer. This is already reducing administrative burden for teachers, principals and the TRB while maintaining teacher quality.

For experienced, provisionally registered teachers, a deeming process is proposed to transition them to full registration without requiring them to complete the full assessment process. This was suggested by the Australian Institute for Teaching and School Leadership as a pragmatic way to move experienced teachers to the new regulatory framework. This will help minimise workload for the significant number of experienced teachers who are currently provisionally registered.

The bill also includes a requirement for 100 hours of professional learning over five years, consistent with national arrangements. As I've said, a majority of teachers will already meet professional learning requirements through existing professional learning, including staff professional learning days and professional meetings.

The professional learning requirements are, therefore, expected to have a broadly neutral impact on workload. For early childhood teachers, and teachers in other non-school settings, there will be some additional administrative requirements associated with registration. However, a simplified registration process, deeming arrangements for experienced teachers and recognition of existing professional learning activities are intended to minimise any additional burden.

The honourable member for Elwick asked around the number of ECEC teachers, and my understanding is that there are around 300 who will need to register. The vast majority of the ECEC sector is regulated under nationally agreed and jointly governed national laws. It is applied in Tasmania through the *Education and Care Services National Law (Application) Act 2011*. A small number of services that fall outside the scope of the national law are regulated under the Tasmanian *Child Care Act 2001*. This legislation provides for regulation of the sector, but not the registration of early childhood teachers working in the sector, and this bill provides for the latter.

The member also asked about ECT registration being different to the National Early Childhood Worker Register. Early childhood teacher registration under the *Teachers Registration Act* is a professional registration scheme designed to support teacher screening and ongoing professional development through the registration process. In contrast, the National Early Childhood Worker Register introduced in February 2026 under the National Quality Framework applies to all educators and staff working in early childhood education and care services across Australia. It shows early childhood education and care regulatory authorities where each worker is employed. Unlike the teacher registration scheme, the National Early Childhood Worker Register does not focus on professional standards or teacher development. It is a safeguard mechanism for the entire workforce.

The honourable member asked who will bear the financial cost. Early childhood teachers will pay the same registration fees as other teachers. Currently these are: application fee for registration, $62.10; annual registration fee, $115.75; provisional to full registration

application fee, $63.43. In addition, there will be minor ongoing costs associated with meeting professional development requirements, should their employer not provide these.

There will also be one-off activities such as system integration, updating internal systems to align with the board's registration data and processes as needed, and communication and onboarding, supporting staff's understanding of new registration requirements and processes. This is with regard to what employers will need to do.

There will also be some continuing costs associated with supporting the registration of early childhood teachers, such as transition support, time and resources to assist early childhood teachers and teachers in non-school settings moving from provisional to full registration, continuing professional learning investment to fulfil regulatory requirements, administration, additional human resources and compliance tasks related to monitoring registration status, eligibility and updating place of employment. Ongoing costs are expected to be minor once system development is complete.

The honourable member also asked about, I think it was, costs around the TRB. There are some minor costs expected for the TRB in registering early childhood teachers. It is important to note the early childhood teachers workforce is expected to be only a small proportion of the total number of registered teachers in Tasmania, expected to be under 300 early childhood teachers out of approximately 12,000 registered teachers. Setup costs are expected to include system development, board staff training, support systems, communication and onboarding. Minor ongoing costs are expected once the system development is complete.

The honourable member also asked about the five-year time limit for moving. The bill provides for a substantial timeframe of five years to progress from provisional to full registration, in line with the Framework for Teacher Registration in Australia. It also provides direction to the TRB to extend the timeframe where it deems appropriate to do so. In practice, the TRB would provide a teacher with notification 12 months in advance that they must complete the P2F process prior to their cycle expiry. The TRB would then do reminders to the teacher of impending expiry of provisional registration, noting it cannot be extended or renewed unless they can provide reasonable justification for an extension. Following these reminders, if reasonable justification is not provided, their registration would be cancelled. Now, this would be a reviewable decision, and this outcome would be extremely rare.

The honourable member also asked, 'How have you planned for implementation?' Implementation planning has been a key focus throughout the review and development of the bill. DECYP has worked closely with the Teachers Registration Board to ensure the new legislative framework can be implemented effectively and efficiently. The *Teachers Registration Act* Review Steering Committee provided an implementation approach to support the transition to the new framework. This will guide implementation planning, with further work to include detailed project planning, stakeholder engagement and communication activities, and risk management strategies. Most of the bill is intended to commence via proclamation 12 months after passage. This will provide the Teachers Registration Board, employers and the sector with sufficient time to prepare for implementation and ensure teachers are well informed about any new requirements. It will also ensure the ongoing operation of the board during this period of transition. There is a longer lead-in period for the extension of the regulatory framework to early childhood teachers, who will have a three-year transition period following proclamation, allowing time for consultation, preparation and sector-wide implementation.

A number of members mentioned or referenced the submission that came from Laurel House, and I would like to thank Laurel House for its ongoing engagement with the review of the act. It has participated in the review from the beginning and its commitment to advocating for victim/survivors is to be commended. Its feedback did result in a number of significant amendments to the consultation draft. Following the tabling of the bill in the lower House for the *Teachers Registration Act* review, DECYP reached out to Laurel House to discuss the feedback and provide an update on what changes were and were not to be made. I'm advised this was a productive conversation that helped explore both the specific bill before the House today and the general approach the department was taking to drafting legislation.

While considering all submissions it was important for us to consider how to best futureproof the legislation. We need to ensure it is adapting to the changing needs of children and young people and the teaching workforce, both now and into the future. There are therefore parts in the bill where we have opted for broad terminology so we don't inadvertently restrict its future operation or exclude certain groups. This will become apparent as I respond to various questions.

There were five areas that were raised by Laurel House and I'll address each one. The first was in relation to the objects and principles. It was claimed they do not explicitly embed contemporary child safety standards, trauma-informed and victim/survivor-centred practice, cultural safety, consent, or recognition of cohorts at a heightened risk. The steering committee for the review recommended that the bill should include the objects of the act containing the following theme:

> To protect the children and young people by ensuring education in educational settings is provided in a safe, professional and competent way by registered teachers.

Clause 3(d) states that the objects of the act are:

> to protect all learners in educational settings by providing a safe and professional environment and appropriately qualified and competent teachers.

In the final report, the steering committee noted that an object's clause normally outlines the purpose of the legislation and it can be used to resolve uncertainty and ambiguity in the interpretation of the legislation. It is therefore important for the objects to be relevant to the functions of the Teachers Registration Board and reflect a realistic understanding of the reach of their functions. While it is vital that a child safety object be included, it needs to be within the board's ability to enact, and with regard to child safety the board's primary mechanism to ensure this is through ensuring teachers can provide a safe and professional environment and are appropriately qualified and competent.

Again, it's important to note that teacher registration is one mechanism for managing child safety risks, but it is not the only mechanism, nor is it the primary safeguard in every circumstance. In relation to the principles in the act, it is important that they reflect core rights and are broad enough to encompass any child safety risks that emerge into the future.

Again, when drafting, we've opted for flexible provisions that support children rather than being prescriptive. While the principles cannot cover everything, clause 9(a) and clause 9(b) largely address Laurel House's concerns.

Clause 9(a) states:

> when performing the function, or exercising the power, the safety, welfare and best interests of learners are paramount.

Clause 9(b) states:

> learners, where practicable, have the right to -
>
> (i) participate in decisions that affect them, having regard to the age and understanding of the learners involved; and
>
> (ii) give opinions that are taken into account when determining what is in the best interests of those learners, having regard to the age and the understanding of the learners involved.

By having broad principles that cover the best interests of the child and include requirements to check in with children and young people, we can ensure the bill can respond to changing needs and be adaptive.

The principles have, along with the rest of the bill, been significantly consulted and I would like to address just a few parts of this consultation that support where these principles have landed.

Firstly, the principles contained in the bill were developed and tested in targeted consultation sessions with children and young people prior to the release of the consultation bill. Children and young people did not raise the matters being expressed in this place; they focused on having the opportunity to have their voices heard and having a right to give their opinions on what is in their best interest.

It is worth sharing some other comments on the principles. The Commissioner for Children and Young People stated:

> I strongly support the inclusion of the standalone Principles section in the Bill. This is a significant and positive development, which brings the legislation into closer alignment with Tasmania's obligations under the UN [Convention on the Rights of the Child].
>
> The Principles recognise that:
>
> - the safety, welfare and best interests of students are paramount;
> - when determining what is in the best interests of students, a person performing a function or exercising a power under the Bill should seek and consider students' views, having regard to their age and understanding; and

- students have the right to participate in decisions that affect them.

The commissioner went on to state:

> These Principles reflect 'core' rights under the UN [Convention on the Rights of the Child], including the right of children and young people to have their best interests taken into account as a primary consideration in all actions and decisions that affect them (Article 3); and the right to have a say in all matters affecting them and for their views to be taken into account (Article 12).

The Office of the Independent Regulator (OIR), who is established through the *Child and Youth Safe Organisations Act 2023* and is responsible for regulating, monitoring and building the capability of Tasmanian organisations to comply with the Child and Youth Safe Organisations Framework, also provided a comment. Regarding the principles, they stated:

> The OIR welcomes and supports the inclusion of Principles in the Bill, specifically reflecting the commitment to the safeguarding of children. These Principles are strongly aligned with the current regulatory requirements of teachers and the ECEC sector, specifically through the Child and Youth Safe Standards, as well as the National Quality Framework … child safety reform.

The second concern raised was about information-sharing provisions. The comment was made that they remained quite broad without corresponding trauma-informed and victim/survivor safeguards. The bill contains a number of significant protections for the confidentiality and dignity of victim/survivors. Under Clause 100, the board may refuse to disclose information under the act if the information may:

> (b) disclose, or enable another person to ascertain, the existence or identity of a confidential source of the document or information; or
>
> (c) endanger the life or the physical, emotional or psychological safety of a person; or
>
> (d) increase the likelihood that another person may be harassed, or discriminated against, if the document or information is provided; …

Under Clause 75, the board is not required to provide the name of a complainant if the complainant is a child or if the complainant has made a request to the board that the complainant's name not be provided. Based on the feedback from Laurel House, a new provision to further protect children from retraumatisation was inserted at clause 82 of the bill.

Mr President, before I continue, I think according to my calculations, I only have a few minutes left, so -

Mr PRESIDENT - 6.28 minutes, minister.

Ms PALMER - With that, I have increased my read rate quite significantly, but I'm not going to make it. Mr President, can I seek leave to extend the time to complete my address in reply? I think another 30 minutes tops would be required.

Mr PRESIDENT - It is a one-off extension, so 30 minutes is fine.

Leave granted.

Mr PRESIDENT - Minister, you have 35 minutes from now.

Ms PALMER - Clause 82 provides that inquiries involving interviews with children have higher standards to comply with. This includes seeking consent from the child or their guardian if they are under the age of 16; engaging a person with appropriate qualifications, training or experience in interviewing children to conduct an interview of a child before arranging the interview; considering any negative effect that that interview may have on the child and, if it is reasonable in the circumstances, for the guardian of the child to be present at the interview; taking all reasonable steps to mitigate any negative effect that the interview may have on the child; offering the child the opportunity for a support person to be present in the interview if the child identifies as Aboriginal or Torres Strait Islander; offering the opportunity for the support person to be a person who is a member of a recognised Aboriginal organisation or recognised Torres Strait Islander organisation.

Further to this, clause 85 provides for additional protections for special witnesses to inquiries. It provides that a special witness may be someone who, if required to give evidence in the ordinary manner, is likely to suffer severe emotional trauma, or to be so intimidated or distressed as to be unable to give evidence or to give evidence satisfactorily by reason of age, cultural background, relationship to any party to the proceeding, the nature of the subject matter of the evidence, or any other factor that the presiding entity considers relevant. Where a child or special witness, which may include adults who are victim/survivors, is to give evidence, this clause provides that the presiding entity may determine if it's done in a closed setting and limit those present. It goes on further to say the inquiry is to minimise distress to the child or special witness as much as possible.

Further, the act includes an exemption in clause 104 from the operation of the *Right to Information Act* and *Personal Information Protection Act* if the information does not relate to the administration of a public authority within the meaning of the act. This was in response to the commission of inquiry's commentary that this legislation was preventing the board from sharing information about a complainant, including a process or outcomes, with a victim.

The third area raised was in relation to mandatory child safety professional learning that it does not specify core content relating to child sexual abuse, grooming disclosures, consent and children at heightened risk. In its feedback, Laurel House requested amendments in the bill or through regulations requiring that professional development on child safety include very specific content areas, all of which are very relevant.

It is, however, necessary not to be too prescriptive and keep the legislation broad in order to respond to changing requirements or developments in approaches to child safeguarding. Specifying detailed requirements in the act could mean we are requiring an outdated approach over more contemporary approaches or needs. Our approach has been to try to future proof this bill by not being too prescriptive but including a mechanism where very specific contact can be specified, should that be needed.

The fourth area raised was around complainant and notification timeframes and specialist capacity for investigations involving child sexual abuse. While we acknowledge the importance of notifying complainants in a timely manner, the bill has remained silent on processing timeframes. This is largely due to the need for flexibility in the complaint process to allow the board to divert its resources appropriately. Having a set timeframe may mean they are forced to prioritise matters not related to child safety over child safety.

I will note that the board is required to notify the complainant in writing if the complaint is dismissed under clause 77. This notice is to include the reasons for dismissal. If a complaint goes to inquiry, clause 88 provides that the board is required to notify the complainant of the outcome of the inquiry within 14 days.

Further, the act includes an exemption in clause 104 from the operation of the *Right to Information Act* and *Personal Information Protection Act* if the information does not relate to the administration of a public authority within the meaning of this act. This was in response to the commission of inquiry commentary that this legislation was preventing the board from sharing information about a complaint, including any progress or outcomes, with the victim. This will allow the board to further share information relating to the progress of a complaint or inquiry prior to the outcome.

In relation to specialist investigations, clause 79(2)(c) grants the Teachers Registration Board the power to appoint to a committee any other person who the board considers has skills relevant to that inquiry. This is deliberately being kept broad to allow the board to adapt to different circumstances and needs.

There was also a question around why multidisciplinary collaboration with specialist sexual assault services and mechanisms for lived experience expertise were not explicitly built into the bill. One change we did not make was amending clause 13 to explicitly authorise and encourage collaboration with Tasmania Police, child safety services, specialist sexual assault services, multidisciplinary child protection teams, and other relevant safeguarding agencies in matters relating to child safety and child sexual abuse. Again, it was important for drafting to provide flexible provisions rather than being too prescriptive. This is to futureproof the act and ensure it is adaptable to the changing landscape, and it is important we do not inadvertently exclude a future children's service by being overprescriptive in the legislation.

Noting this, I will point out that clause 3(e) provides that an object of the act is to ensure that all participants in educational settings work collaboratively to achieve the best educational outcomes for participants. I will note that this is tied to the purpose of the board, which is to regulate the teaching profession and, while it has an important role to play, it sits alongside a broader regulatory landscape in Tasmania that includes the Child and Youth Safe Organisations Framework.

Regarding internal and external review, the bill provides clear review and appeal rights for teachers who are dissatisfied with a decision made by the board under the bill. Clause 14 recognises the board to establish a process for the review of decisions and determinations made by the board under the act. This process must be regularly reviewed and published on the board's website. Clause 114 provides that a person aggrieved by a decision of the board may apply to the Tasmanian Civil and Administrative Tribunal for a review of that decision. Appeals of the decision of the Tasmanian Civil and Administrative Tribunal may be made to the Supreme Court of Tasmania. To ensure procedural fairness, clause 31 requires the board to

notify a teacher of any determinations made under the act that affects them, and to advise them of the available review or appeals rights. Clause 116 further provides that any decision made or inquiry conducted under the act is subject to the principles of natural justice and procedural fairness. Together, these provisions ensure appropriate safeguards, independent review mechanisms and procedural fairness for those affected by a decision by the board.

The member for Murchison had some questions around deeming: will deeming put principals in a difficult situation and lead to industrial issues? Our principals already play a central role in managing and supporting their staff, including helping teachers progress from provisional to full registration. This is an established part of their responsibility as educational leaders and as managers.

The member for Elwick also asked: does the board have the necessary early childhood education expertise to effectively regulate this workforce? The board is a skills-based board, and the board will engage with relevant expertise as it is required. Staff of the board include registered teachers, and the board will also work with ECEC stakeholders to inform its process and ensure appropriately trained staff.

In relation to resourcing to manage any increase in registrations, the number is expected to be manageable within existing resources, particularly given the new registration systems.

I think, finally, the member for Elwick asked about balancing procedural fairness with child safety and misconduct. The bill provides a clear review and appeals right for teachers who are dissatisfied with the decision made by the board under the bill. Clause 14 requires the board to establish a process for the review of decisions and determinations made by the board under the act. This process must be regularly reviewed and published on the board's website. Clause 114 provides that a person aggrieved by a decision of the board can apply to the Tasmanian Civil and Administrative Tribunal for review of that decision. To ensure procedural fairness, clause 31 requires that the board notifies a teacher of any determination made under the act that affects them and advises them of any available review or appeal rights. Clause 116 further provides that any decision made or inquiry conducted under the act is subject to the principles of natural justice and procedural fairness.

With that, Mr President, I would like to again thank my team for those very comprehensive answers, and I hope that this makes the Committee stage of the bill a little easier to navigate. Thank you, members.

Bill read the second time.

[5.59 p.m.]

Ms PALMER - Mr President, I move -

> That the Council does resolve itself into a Committee at a later hour to further consider the bill.

Motion agreed to.

SUSPENSION OF SITTING

[5.59 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, by way of explanation, when the honorable minister said she had 30 more minutes, I thought, well, we won't go into Committee then come out again and then have a dinner break. So, in light of some commitments that are elsewhere, I move -

That the sitting be suspended until the ringing of the division bells.

This is for the purpose of a dinner break. I expect that the bells will ring again at 7.10 p.m.

Sitting suspended from 5.59 p.m. to 7.13 p.m.

TEACHERS REGISTRATION BILL 2026 (No. 27)

In Committee

Clauses 1 to 3 agreed to.

Clause 4 agreed to.

Clause 5 -
Meaning of *educational setting*

Ms RATTRAY - Just in regard to 5(2)(d), where it talks about 'an approved home education program, within the meaning of the *Education Act 2016,*' and it says, 'if that program is not being provided for consideration'. Can I just have some explanation about what that actually means? I'm just interested in some explanation or clarification around 'if that program is not being provided for consideration'. I just want to have some understanding of what that actually means.

Ms PALMER - Thank you very much, Chair. I'm advised it's OPC drafting to note that it might not be a registered teacher - it could quite possibly be a parent, which is what we regularly see with home education. It links back to the *Education Act*, which provides the framework for home education.

Ms RATTRAY - Thank you, minister, but if it's an educator, registered or not, but it's an approved home education program, but it says 'if that program is not being provided for consideration', does that mean that the program being provided by the home educator is covered under this but not actually the educator - because it's the program? It specifically refers to 'the program is not being provided for consideration'. If there is any more clarification, that would be useful. If that's the answer, at least it's on the record. Thank you.

Ms PALMER - Thank you very much, Chair, and I thank the member for the question. I'm advised in home education, it is about the program that is being approved under the *Education Act*, whereas this is talking about an educational setting, not teaching, which is parent- or person-delivered.

Ms RATTRAY - Thank you, I think that explains it more clearly.

Clause 5 agreed to.

Clause 6 -
Meaning of *teach*

Mr GAFFNEY - Madam Chair, my concern with this one or my question, I suppose, is for 6(2) - part 2 of the clause. The term 'teach' is very much a verb. It's not an adjective, and yet this clause contains a series of contradictions. If someone is imparting knowledge, instructing, shaping attitudes or habits, even as an early childhood educator or teaching assistant, how can they be doing some thing described as anything else but to teach?

For example, when I was a MARS instructor - which stood for managing and retaining secondary school students - in the late 1990s, some of the students I had could not do very well in the classroom. So they may be with the gardener, they may be doing an alternative education program. You cannot tell me that that person wasn't imparting knowledge and wasn't teaching. I think this seriously confuses the issue. I don't even think subclause (2) needs to be there. What we're saying is, if somebody is sitting with a parent helper or a teacher's assistant in primary school and they teach them that if you mix blue and yellow together, it makes green, that there's no teaching there. It just doesn't make sense to me. I think we'd be better off without it. I think it just confuses what we mean in the meaning of 'teach'. 'In this Act, a person does not teach in an educational setting' if they're not this, this or this, so far doing this, this or this, and they haven't got certification. They haven't got their ECEC or their alternative authorisation to teach certification, so they're not teaching. I think this would be better out of it. I don't understand why it's there.

Within the bill there are a variety of clauses relating to alternative registrations. Is it too hard to consider a possible future sub-register for teachers' assistants and other education support staff that might bring them into the same level of oversight from the TRB? So, what I'm saying is if we put this in here, then at a certain stage, if we do, the TRB does cover all of those other people who are in a school, that's what they would do, then they couldn't comply with this meaning of the word 'teach'. I just thought it was unnecessary and I'd be interested to see why it's there. It sort of contradicts what people who may not have qualifications do within the school setting. They're still teaching children.

Ms PALMER - Madam Chair, the definition of 'teach' is defined because it has a different meaning to what we might consider 'teach' in the community. We need to exclude some activities that happen in educational settings, otherwise we may inadvertently capture non-teaching support staff.

Mr GAFFNEY - I accept it, but I'll put it on the record, so, in the Teachers Registration Board, we have a definition of what 'teach' is and then we've just sort of changed it to suit the legislation to certain things. So, we're saying 'teach' is this if it's done by a teacher, you can teach this, but over here, if it's done by somebody else, that's not teaching just because of the certification. I find that quite interesting when the subheading is the meaning of what 'teach' is.

Ms PALMER - Madam Chair, the steering committee recommended that the bill include a definition of teaching that reflects the professional duties performed by degree-qualified teachers across both school and non-school settings. This should encompass the delivery, or

support to the delivery, of educational programs and/or the assessment of learner progress aligned with the Australian Professional Standards for Teachers. Australian Professional Standards for Teachers are included in the criteria for registration in Part 3.

Clause 6 agreed to.

Clauses 7 to 9 agreed to.

Clauses 10 to 12 agreed to.

Clauses 13 to 15 agreed to.

Clauses 16 to 18 agreed to.

Clauses 19 and 20 agreed to.

Clause 21 -
Ministerial statement of expectations

Ms O'CONNOR - Madam Chair, my question to the minister relates to whether or not a ministerial statement of expectations is in draft form at the moment, even though we haven't established a new entity under this act, and perhaps to give the Council an indication of the kinds of things that might be put into a ministerial statement of expectations to the new board.

Ms PALMER - Madam Chair, I thank the honourable member for Hobart. I can advise that there is a statement of expectations in place. It sets policy priorities that are relevant to the Teachers Registration Board functions, for example, an expectation that it will meet recommendations from the commission of inquiry. A new one will be updated following the passage of the bill.

Ms O'CONNOR - Minister, this bill gives you all powers to appoint the board and indeed to appoint the chair of that board. Are you able to advise the Council on whether it's your intention for the current board to stand in that position or whether, following the passage of this act, you would be renewing the Teachers Registration Board?

Ms PALMER - I'll seek some advice.

I can tell you that there is no intention to replace the board. The TRB actually prepares advice to me and at the moment the current terms are staggered, so some at two years, some at three years and, when those positions come up, advice is prepared and given to me. But, at this present point in time, there is no intention nor has any advice come to me that I'm aware of for any changes to the current structure of the board or the current members.

To add to that, we will certainly revisit the skills matrix if this legislation passes to ensure that we do have the skill set on that board in light of the new legislation.

Clause 21 agreed to.

Clauses 22 to 24 agreed to.

Clause 25 -
Treasurer's Instructions

Ms RATTRAY - With regard to 25, which is the Treasurer's Instructions, and (4) of that clause -

> The Board is to comply with all relevant Treasurer's Instructions unless the Treasurer has provided an exemption to the Board from the obligation to comply with all, or part, of a Treasurer's Instruction.

Can I have some example of where that might need to come into play - where there would be a non-compliance of all or part of the Treasurer's Instructions by the board?

Ms PALMER - I will seek some advice, thank you, Chair.

I'm advised that departments can apply for different aspects of the Treasurer's Instructions to be exempt and the example given here is direct source of procurement. I'm advised this is standard practice, but it is not common.

Ms O'CONNOR - Thank you, Madam Chair. I asked the minister, when you look at the current act - I might have missed it, it's a bit late in the night - there's no provision there that requires the existing board to comply with any Treasurer's Instruction as far as I know. Have I missed something because it's not in the administrative part of the act that relates to the Teachers Registration Board? I'm very happy to be corrected, but if that is the case, perhaps the minister could explain why this now is being inserted.

Ms PALMER - I'm advised that this clause is similar to section 34AA of the current act. I did just ask why is the word similar, and it's just that as time has gone on, there are different styles of drafting.

Ms O'CONNOR - Thank you.

Clause 25 agreed to.

Clause 26 -
Registers

Mr GAFFNEY - Thank you. Mine is primarily to do with 26(2). I think I described in my second reading speech where something like AHPRA has had a register and on their register, if you look at what our register contains, it contains four basic things - the name, the residential address, the qualifications and the places where the person is employed to teach. But when you go to the register for something like AHPRA that's been around for a long time, it's got the name, the status, the practitioner, the registration type, expiry, any conditions or limitations, the disciplinary actions or restrictions including undertakings or reprimands, educational qualifications and additional endorsements, primary place of practice or region, and code of ethics or professional standards the individual has committed to.

I look at the register here and I can imagine with 4000 more people to put onto a register, you probably don't need more categories - (a), (b), (c) - you're thinking four are enough for us to get it on. But if you have a look at (1), it says the board is to keep a register of all persons

who hold, or previously held; all persons who have been refused registration, all persons who have held or previously held an alternative authorisation, all persons who have been refused an alternative authorisation, to teach under this act.

So, it's actually recognising that over here. But this is for an individual person and we've got four categories or four sections, (a), (b), (c) and (d). I can sort of see in my mind once this gets up and running and flowing, there may be an opportunity to have an (e) and an (f) which gives us more information about that individual that is shown up in the registration of, for example, AHPRA, where they've got six or seven different sections. So, I'm thinking here for expediency's sake, we're putting this through where - and I know we can't put 'other', but I just think that we are setting up a rod up for our own back so that when you get all 12,000 people through, you want to come in and say, oh, now we should have kept this where there's been a complaint or this where they've improved their certification or this. So, I'm just wondering if in other acts and other registration board acts, whether these were the four that they had. And so, I would have thought it made sense to actually expand or have the opportunity in the legislation to have an '(e) - other', so once it all sorts out you can easily slip it into the register.

Ms PALMER - Regulations will be used to prescribe additional information that may be required, the categories into which the register is to be provided, criteria for each category and who is entitled to access information on the register. The current act sets out the information that should be kept on the register and provides the board with the power to collect other particulars the board considers appropriate. The bill changes this so that the detail of what will be collected will be done by regulation to support the balance between proven need for information and privacy, and to enable the register to remain contemporary. And also to note that the register isn't the public register. This will actually be prescribed in regulations.

Mr GAFFNEY - Madam Chair, I kept them a bit separate; 26(4)(d) is with some allowance and it goes to the very point of the regulation. The way I see this, the regulations may prescribe who is entitled to access information on the register and information that may be disclosed from the register in specified circumstances.

To me, this allows the regulations to determine what information is allowed to be disclosed from the register for specified circumstances. Will this subclause allow a more fulsome record to be available to the public, and one that reflects the level of information in the register? Because my understanding of it now is in 26(2) you have (a), (b), (c), (d) of just the basics, and then the board is going to be keeping over here, somewhere else, any other information that may give people more of an indication if there's been a concern, or if there's been something in the past, or they've moved from another state, all that stuff, but we're keeping that in a separate spot, just for access to the board. I'm just wondering, is that the most efficient way of using the Teachers Registration Board, so instead of somebody being able to go there and say, 'Yes, look, they've ticked that, that, oh, and by the way, when they were in Western Australia this happened, and when they were over here, oh, no, hang on, that's not there. That's in this document over here, that I have to access to see if that's really pertaining to this person here.'?

I just think that it's a little bit messy, but I'm sure there's a good reason for it - and we're about to hear it - but to me it just seems like we're creating extra work through this regulation.

Ms PALMER - The regulations will set what information is collected beyond requirements in subclause (2), and who can access each part of the information. A subset of

information will be available to different people, or to bodies, and that will be set in the regulations. The way I'm being advised is to think of this bill as specifying the minimum amount of information to be kept, and then the regulations will, as I say, go to what information is collected beyond requirements in the legislation.

Mr GAFFNEY - Thank you.

Clause 26 agreed to.

Clauses 27 and 28 agreed to.

Clause 29 -
Committees

Ms RATTRAY - Just in regard to the establishment of committees - and this is obviously the board - in 29(3) it talks about 'A member of a committee established under this section holds office on such conditions, in relation to matters not provided …'

Then it also talks about 'A committee established under this section consists of such members as the Board appoints including, but not limited to, … the Board'. Now, if this is a skills-based board, can I have some understanding of why they would need to establish committees outside of the board? I mean, obviously in any board arrangement you have committees of finance, and you have committees of work health and safety, or whatever they might be. So, I'm just interested in why you would need to have additional people as part of the committee when you've got a skills-based board in place. Just some understanding, thank you, minister.

Ms PALMER - I will seek advice, thank you.

This is a standard governance practice. The only committee at the moment, I'm advised, is with regard to finance, audit and governance, but it might be that you might want to appoint someone with child sexual abuse expertise, it could be to obtain stakeholder voice. Another example could be you might need someone with medical expertise.

Clause 29 agreed to.

Clauses 30 to 32 agreed to.

Clauses 33 to 35 agreed to.

Clauses 36 to 38 agreed to.

Clauses 39 to 41 agreed to.

Clauses 42 to 44 agreed to.

Clauses 45 to 47 agreed to.

Clauses 48 to 50 agreed to.

Clauses 51 to 53 agreed to.

Clauses 54 to 56 agreed to.

Clauses 57 to 59 agreed to.

Clauses 60 to 62 agreed to.

Clause 63 -
Notice of alternative authorisation to teach

Ms RATTRAY - Clause 63, where it talks about a notice of alternative authorisation to teach, and then it says -

> (1) The Board is to issue a notice of alternative authorisation to teach, in an approved form, to a person -
>
> (a) who is granted an alternative authorisation to teach under this Act; or
>
> (b) whose alternative authorisation to teach is extended …

Can we just have some understanding of who that would apply to? 'An alternative authorisation to teach' - I know the honourable member for Mersey in one of his contributions talked about alternative type of teaching, so I'm just interested if that belongs to that example, perhaps.

Ms PALMER - I'm just seeking some advice, thank you.

What this is here, honourable member for McIntyre, is a change in terminology. You might be familiar with 'a limited authority to teach'. That is a change in terminology to 'an alternative authorisation to teach'. This clause is similar to section 17E of the current act, and then this is a certificate to actually say that you can teach.

Ms RATTRAY - Can I have an example of what that might look like?

Ms PALMER - An example would be perhaps someone who is completing their training, but they're going to go and work in a school while they're doing that.

Ms RATTRAY - Which they often do.

Clause 63 agreed to.

Clauses 64 to 66 agreed to.

Clauses 67 to 69 agreed to.

Clauses 70 to 72 agreed to.

Clauses 73 to 75 agreed to.

Clauses 76 to 78 agreed to.

Clauses 79 to 81 agreed to.

Clauses 82 to 84 agreed to.

Clauses 85 to 87 agreed to.

Clauses 88 to 90 agreed to.

Clause 91 -
Board to be notified of certain charges and convictions

Ms O'CONNOR - Thank you, Madam Chair. This is the clause that requires that the board be notified of certain charges and convictions. It allows that -

> A person who is a registered teacher or an AAT holder, or who holds non-practising registration, must give written notice to the Board, in accordance with subsection (2), if the person is charged with a relevant offence in Tasmania or elsewhere.

But it allows for 14 days after charges are laid, which I would have thought was quite a long time in the context of a registered educator who's potentially being charged with a relevant offence, and to allow for 14 days seems to be - obviously, if they've been charged with an offence, they haven't been through a process, their innocence is presumed until established otherwise, but why such an extensive period for notification?

Ms PALMER - I will seek some advice.

I'm advised that clause 91 is a bit of a catch-all as TRB should be notified by Tasmania Police, and I'm advised that TRB gets notifications typically weekly, so 91 is where it's that catch-all, so it could be less serious offences but if you go to clause 96, that's where you see reference to serious offences.

Clause 91 agreed to.

Clauses 92 and 93 agreed to.

Clause 94 -
Employers to notify Board of certain allegations

Ms RATTRAY - Madam Chair, I am interested in 94(4)(a). Under this clause, notification of an allegation, suspicion or formal investigation 'is to be made within 3 days after each of the following occurs', and then it goes on to talk about 'aware of allegation or suspicion' and then 'the person commences the formal investigation'. I'm interested, why three days? Do you need time to think about it over the weekend? What's the rationale behind three days? I would have thought that it would be something immediate, but I note from the honourable member for Hobart, she questioned 14 days, now I'm questioning three. So, just some indication of why that was chosen.

Ms PALMER - Madam Chair, the three days is consistent with other child safety frameworks, for example, the *Working with Vulnerable People Act* or the Child and Youth Safe Organisation Framework. It's to give time to contest or to check any allegations or suspicions, for example, if you wanted to test if it was a vexatious complaint.

Clause 94 agreed to.

Clauses 95 to 97 agreed to.

Clauses 98 to 100 agreed to.

Clauses 101 to 103 agreed to.

Clauses 104 to 106 agreed to.

Clauses 107 to 109 agreed to.

Clause 110 -
Immunity from liability

Ms RATTRAY - Madam Chair, on the immunity from liability, it says:

> Any person or member of the Board is not personally liable for an honest act or omission done or made in the exercise or purported exercise of a power, or in the performance or purported performance of a function, under this Act.

Is this consistent with all other pieces of legislation? I expect that's what you're going to tell me, but it's virtually a get out of jail free clause. Just say, 'Look, honest mistake, didn't know.' Where does the liability stand then? Only with someone who says, 'Look, I did know.' Just interested in that, thank you, minister.

Ms PALMER - This is regarding personal liability, not the board's liability, and it's common in commercial board practice and government board equivalent. So, yes, it is consistent with other frameworks.

Mr HISCUTT - Thank you. Look, I'm sure this is just semantics, but I just wanted to put it on the record, it says 'liable for an honest act or omission'. I presume that means an honest act or an honest omission? Otherwise, it reads as an honest act or they're not liable for a deliberate omission. I would just get it on the record that that is intended to be an honest act and an honest omission. Thank you.

Ms PALMER - Yes, I can confirm that that is the intent, that the word 'honest' is connected to 'act or omission'.

Clause 110 agreed to.

Clauses 111 to 113 agreed to.

Clauses 114 to 116 agreed to.

Clauses 117 to 119 agreed to.

Clauses 120 to 122 agreed to.

Clause 123 agreed to.

Schedules 1 and 2 agreed to.

Schedules 3 and 4 agreed to.

Title agreed to.

Bill reported without amendment.

[8.14 p.m.]

Ms PALMER (Rosevears - Minister for Education) - Mr President, I move -

That the third reading of the bill be made an order of the day for tomorrow.

Motion agreed to.

FIREARMS AMENDMENT (STRENGTHENING FIREARMS SECURITY) BILL 2026 (No. 30)

Second Reading

[8.15 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Before I begin my contribution as the Leader for the Government in this place, I'd like to place on the public record that I am the patron of the Dorset Field & Game association, and I do attend some of their events. As their patron, I often have the privilege of being able to hand out some winners' prizes at the end of a weekend or a day event. I felt that this was important to place on the record, because people's declarations are obviously important around this place.

Mr President, the Firearms Amendment (Strengthening Firearms Security) Bill 2026 comes before the Council following its passage through the House of Assembly. It arrives having benefited from extensive consultation, detailed policy development and significant parliamentary scrutiny. Importantly, a number of amendments were made in the House of Assembly which have further strengthened the bill, particularly in relation to family violence protections and arrangements for reclassified firearms.

This bill represents the most significant reform of Tasmania's firearms laws since the enactment of the *Firearms Act 1996*, and this is not stated lightly. For almost 30 years, the *Firearms Act* has formed the foundation of Tasmania's firearms regulatory framework, introduced following the Port Arthur tragedy. To give effect to the National Firearms Agreement, it has played an important role in maintaining Tasmania's strong firearms safety record.

More recently, in 2023, Tasmania became one of the first jurisdictions in Australia to legislate against the emerging threat posed by 3D-printed firearms. This bill builds on that work.

For the first time, the act will expressly state that public health and public safety are paramount considerations in the regulation, registration and control of firearms in Tasmania. That principle is not simply symbolic. It underpins every reform contained in this legislation, and I ask members to keep it firmly in mind as we consider the bill before us. The bill is built around four key themes:

(1) It establishes a modern framework for antique firearms;

(2) It supports Tasmania's participation in the National Firearms Register;

(3) It implements the reforms announced following the Bondi attack, including firearm reclassification and citizenship requirements;

(4) It strengthens Tasmania's response to firearms crime.

Before turning to those reforms, however, I'd like to address what I consider to be one of the most important aspects of this bill: strengthening the licensing framework that determines who should, and who should not, be entrusted with access to firearms.

Strengthening licensing decisions. A firearm should never end up in the hands of someone who poses a foreseeable risk to their family or their community, and the government considers that this proposition is not controversial. Yet, aspects of our existing law have not kept pace with what we know about risk, particularly family violence risk. The bill addresses that.

Amendments in this bill will require the commissioner to consider threats to harm a person, an animal or property, and any history of family violence, including behaviours recognised by police, as precursors to family violence and escalating behaviours.

The 'fit and proper person' assessment is also expanded. It will extend beyond the applicant alone to include defined relatives, including lineal ancestors, descendants and siblings, as well as other members of the applicant's household.

New disqualifying factors are introduced, including family violence convictions within the previous 10 years, whether in Tasmania or interstate, and offences involving fraud, deception or threats used to unlawfully obtain a firearm. Interstate firearm prohibition orders will also be recognised in Tasmania.

Importantly, the bill lowers the threshold at which the commissioner may act on risk. Rather than requiring reasonable cause to believe a risk exists, the commissioner may act where there is a foreseeable risk that is not insignificant. In practical terms, that means action can be taken before harm occurs rather than after it.

The government wishes to acknowledge the support across the Chamber in the other place to develop these protections of victims from family violence-focused amendments. These amendments strengthen protections for victims and survivors of family violence and recognise

an important reality - family violence risk is not always reflected in a criminal history check. Too often, concerning patterns of conduct emerge long before a conviction is recorded. The amendments ensure that patterns of threatening, coercive or controlling behaviour can be properly considered when licensing decisions are made. They also recognise the reality that firearms do not exist in isolation from the household in which they are kept. A firearm may be licensed to one person but still present an unacceptable risk because of the circumstances of that household. The amendments ensure that those risks can be properly assessed by police.

Interstate family violence orders will also be recognised, ensuring that a person cannot avoid restrictions imposed elsewhere simply by crossing a border.

Taken together, these changes represent a significant strengthening of Tasmania's firearms licensing framework. For the first time, family violence risk is treated as a central licensing consideration in its own right, rather than simply an incidental factor in a criminal history assessment. That is an important improvement, and one which will better protect victims, survivors and the broader community.

Now, turning to another area of major reform in the bill, Mr President: antique firearms. When the National Firearms Agreement was established in 1996, it did not provide a nationally consistent approach to antique firearms. As a result, jurisdictions developed their own arrangements. In Tasmania, a broad exemption was put in place in 1996 for certain antique firearms. Over time, however, that exemption became widely misunderstood. In more than one instance, individuals possessed unregistered firearms under the mistaken belief that they were covered by the exemption. Following legal advice, the commissioner cancelled the general exemption in January 2024, and individual exemptions were granted pending reform.

Extensive consultation has informed the framework now before the Council. The approach adopted by this bill is both practical and proportionate. It recognises the legitimate interests of collectors while ensuring firearms are appropriately accounted for. Registering antique firearms means the true owners of these firearms can be identified and movement of these firearms can be tracked and accurate records maintained.

Under this framework, owners of qualifying antique firearms manufactured before 1 January 1900 will not require a firearms licence, nor will owners be required to undertake a firearm safety course. Instead, the collector can obtain an antique firearms permit and the firearm must be registered with Tasmania Police. That registration process will be free of charge and straightforward. Owners will provide basic information about themselves, the firearm and its storage arrangements. Reasonable storage requirements will apply and firearms on display must be secured against theft.

The bill carefully defines what qualifies as an antique firearm. Firearms capable of firing modern cartridge ammunition or capable of breech-loading will not qualify for the new arrangements and will continue to be regulated under the ordinary firearms licensing framework.

The bill, therefore, strikes a sensible balance. It minimises regulatory burden for genuine collectors while maintaining appropriate safeguards for public safety.

The third major area of the bill concerns Tasmania's participation in the National Firearms Register. Following the Wieambilla murders in Queensland in 2022, National Cabinet

agreed to establish a National Firearms Register and funded upgrades to firearms management systems around Australia. As a signatory to the National Firearms Agreement, Tasmania has an important role to play in that work. The objective is straightforward. Rather than firearms information being fragmented across multiple jurisdictions, law enforcement agencies will have access to a near-real-time national picture of a firearm's life cycle. That means faster tracing of firearms, better intelligence sharing, stronger investigations and improved identification of risk.

For the register to be effective, however, the information it contains must be accurate. This bill introduces a range of reforms designed to improve data quality and reporting.

Firearms dealers will have access to a real-time licence and permit verification service, enabling licences and permits to be verified before transactions occur. That reform closes an obvious gap by ensuring cancelled or suspended licences cannot continue to be presented and used to acquire firearms.

The bill also introduces near-real-time reporting of transactions through a dedicated portal, improving upon outdated quarterly reporting arrangements.

Dealer employee licensing requirements are strengthened to ensure individuals cannot circumvent licensing requirements through associates who are willing to act on their behalf. Licence holders will also assume new obligations relating to storage location reporting and licence verification when lending firearms.

Importantly, these reforms have been developed with practicality in mind. The purpose is not to create unnecessary administrative burden for lawful owners; it is to ensure that firearms information is accurate, current and capable of supporting effective policing throughout Australia. This is about keeping our police officers and our community safe.

The fourth component of the bill gives effect to reforms announced following the Bondi terrorist attack. These reforms include the reclassification of certain firearms into the more restricted category C and the introduction of Australian citizenship as a default requirement for obtaining a firearms licence, subject to the appropriate exemptions.

The firearms affected by the reclassification are those capable of achieving sustained rates of fire through assisted repeating mechanisms. The bill, therefore, introduces definitions for both button or lever release firearms and straight pull action firearms and moves these firearms into category C. In doing so, the bill aligns Tasmania's approach with evolving national concerns regarding firearms capable of firing rates akin to semiautomatic firearms.

Importantly, these reforms are directed at firearm capability, not at the lawful firearms community. The government has consistently acknowledged the importance of firearms to primary producers, sporting shooters, hunters and collectors throughout Tasmania.

At the same time, there is a responsibility to respond appropriately where emerging technologies create heightened risk. The bill also provides the commissioner with a limited power to temporarily classify emerging firearm types, including as prohibited firearms, for up to 24 months. If a new firearm technology presents a genuine risk, the commissioner will be able to respond without waiting for primary legislation. At the same time, the power is carefully limited, and any permanent arrangements or reclassification matters remain a decision for

parliament. Providing a temporary classification gives the parliament time to consider an appropriate legislative approach.

The final major objective of the bill focuses on those whom firearms laws are intended to target - individuals who steal, traffic or misuse firearms. This bill is not directed at lawful firearms owners. It is directed at criminal behaviour.

The bill strengthens penalties relating to the unlawful possession of firearms parts and significantly increases maximum penalties relating to stolen firearms. It streamlines prosecution processes, creates a summary offence for stealing a firearm or firearm part, and improves the ability of courts and prosecutors to deal with firearms offending efficiently and appropriately.

Firearms prohibition orders are expanded so that they apply not only to firearms themselves, but also to firearms parts, ammunition and suppressors. Related police powers are updated accordingly.

The bill also introduces a presumptive mandatory minimum sentence of three months imprisonment for defined firearms offences, including stealing a firearm, possessing a stolen firearm, and firearms trafficking. Courts retain discretion not to impose the minimum sentence where doing so would be unjust in the circumstances. However, the message is clear: a person who steals or traffics firearms in Tasmania should expect that serious consequences will follow.

In conclusion, this bill has benefited from thorough consultation, careful consideration, and extensive scrutiny. Throughout that process, the government has remained clear about its objectives. The government supports lawful firearms ownership and recognises the legitimate role firearms play for primary producers, sporting shooters, recreational hunters and collectors throughout Tasmania, as I've already stated.

Arbitrary caps on firearm ownership are not supported by the government, and this bill does not introduce them. At the same time, in the wrong hands, firearms are inherently dangerous items, and strong safeguards are essential to ensure that they are possessed and used safely and responsibly. This legislation strengthens the assessment of risk before a licence is granted. It better recognises family violence risk. It establishes a practical framework for antique firearms. It supports Tasmania's participation in the National Firearms Register. It responds to emerging firearm technologies and contemporary security concerns, and it strengthens Tasmania's response to those who steal, traffic or misuse firearms.

Mr President, the focus of this bill is on those who seek to misuse firearms, traffic firearms, or place firearms into the hands of people who should never possess them and, in doing so, place our community at great risk. Responsible firearms ownership and strong community safety are not competing objectives. They are mutually reinforcing objectives. This bill advances both and for those reasons, I commend the bill to the Council.

[8.34 p.m.]

Ms ARMITAGE - Mr President, at the outset I also wish to declare an interest in the debate. I'm the patron of the Northern Midlands Sporting Clays target club and on occasion I also attend their events. I don't shoot, but I do attend.

I also grew up in a family where firearms were used recreationally. My father was a recreational shooter and a hunter, and from a young age I was taught the responsibilities that come with firearm ownership. I learned that firearms require respect, discipline, accountability and unwavering commitment to safety. They were never treated as toys. They were tools that were handled with significant responsibilities. Those experiences have given me a practical understanding of what responsible firearm ownership looks like. They've shown me that the overwhelming majority of licensed firearm owners take their obligations seriously. They understand the law, they comply with the law, they safely store their firearms, and they use them responsibly.

At the same time, those experiences taught me another important lesson: that not everyone should have access to firearms. There are people who seek to acquire firearms for unlawful purposes. There are violent offenders who should never possess them. There are those involved in organised crime, trafficking and other serious criminal activity. There are people who, because of their conduct, circumstances or behaviour, are simply not fit and proper persons to hold a firearms licence and that's where the risk lies. That's where parliament should be focusing its attention, and it's precisely why I support the Firearms Amendment (Strengthening Firearms Security) Bill 2026, with a few concerns.

This bill contains a number of sensible reforms directed at genuine public safety concerns. It strengthens information sharing, supports participation in the National Firearms Register, improves intelligence capabilities, strengthens responses to stolen firearms and trafficking, and enhances the ability of authorities to identify those who should not have access to firearms. These reforms are directed towards real and identifiable risks and deserve support.

In my view, the central objective of firearms policy should be straightforward: keeping firearms permanently out of the hands of people who should not have them. When assessed against that principle, much of this bill deserves support.

Mr President, firearms regulation is an issue on which emotions understandably run high. When tragedies occur, communities expect governments to act. They expect legislators to carefully examine what went wrong and consider what can be done to reduce the likelihood of those events occurring again. But our responsibility as legislators is not simply to do something. Our responsibility is to do what works. Every new restriction imposed on Tasmanians should satisfy a simple test: will it make the community safer? If the answer is yes and the evidence supports it, then parliament should act. If the answer is unclear, then parliament should proceed with caution. That's a principle that should apply regardless of whether the issue before us is firearms, road safety, health policy or criminal justice. That's why I support the majority of reforms contained within this legislation.

The bill strengthens information sharing between agencies. It strengthens firearms intelligence capabilities. It supports national firearms tracing and registration systems. It improves the ability of authorities to respond to trafficking and stolen firearms. It strengthens provisions relating to individuals who may no longer be suitable to retain access to firearms. These reforms are directed towards specific risks. They address gaps, improve coordination and enhance public safety. Importantly, they focus on people who present genuine risks rather than imposing restrictions for their own sake.

Mr President, while supporting the bill, I also wish to address the issue that has generated perhaps the greatest controversy throughout this debate: firearm ownership caps. The

government's position on this issue is clear. The bill before parliament does not contain firearm ownership caps, and the government has explicitly stated it does not support arbitrary caps on firearm ownership. I support that position. Not because I oppose firearms regulation, not because I believe there should be no limits or oversight, but because I've yet to see compelling evidence that arbitrary ownership caps would improve public safety. That distinction, to me, is important.

The question before parliament is not whether firearms should be regulated. They already are. The question is whether additional restrictions should be imposed upon law abiding Tasmanians in circumstances where a clear public safety benefit has not been demonstrated.

The consultation process undertaken by the Department of Police, Fire and Emergency Management provides useful guidance. After considering hundreds of submissions, the department concluded that any future consideration of firearm ownership caps should be supported by a clear evidence base demonstrating a public safety benefit. That seems entirely reasonable. If parliament is going to restrict the lawful activities of tens of thousands of Tasmanians, there should be robust evidence supporting that decision, but despite considerable discussion, important questions remain unanswered. Why should the cap be five firearms? Why should the cap be 10 firearms, why not four? Why not 15? What evidence demonstrates that one particular figure is safer than another? Where's the modelling? Where is the risk assessment? Where is the demonstrated reduction in crime or harm? To date, those questions have not, to my mind, been convincingly answered.

This is particularly important because firearms ownership in and of itself does not establish risk. Different Tasmanians own firearms for different reasons. Primary producers use firearms for pest management and livestock protection. Professional land managers use firearms for operational purposes. Sporting shooters participate in recognised shooting disciplines. Hunters use different firearms for different species, terrains and activities. Material provided during consideration of this matter highlights the reality that participation across multiple shooting disciplines can legitimately require ownership of several firearms. That's not unusual, that's not suspicious, that's not evidence of criminal behaviour; it's simply lawful participation in lawful activities. The existence of multiple firearms in the possession of a licensed, compliant firearm owner does not automatically create a public safety risk. Risk must be demonstrated, not presumed.

Perhaps the most important question in this debate is where is firearm offending actually occurring, because, if our objective is to improve public safety, that's where our attention should be directed. Recent analysis conducted using publicly available Tasmania Police media releases examined reported firearms incidents over a six-month period from 25 April to 20 October 2026. It identified 29 incidents; 21 involved illicit drugs, 23 involved homemade 3D-printed or unregistered firearms, 6 involved stolen firearms, only 3 involved registered firearms, and those incidents related to separate offending. On that basis, approximately 90 per cent of reported firearm incidents involved illegal firearms. Now, I acknowledge that this is not a complete dataset. It's a review of publicly reported incidents rather than every firearm offence committed within Tasmania. Nevertheless, it provides a valuable insight. It suggests that the overwhelming problem confronting law enforcement is not licensed firearm owners. The problem is illegal firearms, the problem is criminal access to firearms, the problem is stolen firearms, the problem is organised criminal activity and the problem is people who operate entirely outside the law.

Leader, I will ask the question that I asked in the briefing; I think it's good to have it on the record. First I asked the commissioner last week and I asked the police today, about caps and what part legal, registered firearm owners - not registered firearms that might be stolen, but registered firearm owners - play in searches and commission of crime. I was told last week that one of the issues for police, obviously, is when they're doing a search and they come across a firearm, or they come across someone in the commission of crime who has a firearm. My question is, how often does that involve not a registered firearm, but a registered firearm owner being involved in the search where the firearms are found? I don't mean when they possibly might not have had it secured properly. Generally, it would be, I imagine, in a search where they're looking for something and they come across a firearm as opposed to going to someone's home just to make sure that it's been secured properly and it's in the proper safe. That's not what I'm looking at and that wasn't the question I asked the commissioner last week. It was more about: how often or regularly are registered firearm owners involved in illegal activity? I think that's really important, particularly when we're looking at caps. If you could get an answer for that in your summing up, it would be great.

If the problem lies with people operating outside the law, then that's where parliament should focus its efforts. We should focus on disrupting trafficking. We should focus on detecting illegal firearms. We should focus on dismantling criminal networks. We should focus on preventing firearms from falling into the hands of those who intend to misuse them. That's where public safety gains are most likely to be achieved.

Much of this legislative reform has occurred in the broader context of responses across Australia following the tragic Bondi attack, and I noticed that the straight pull and the button press are looking to change from category A to category C. From my mind, and I think I did hear you say in your second reading speech about nationally they're looking to change, but I do note that the only state that actually has changed at this time from moving straight pull guns, and I think that's the centre -

Ms Rattray - Centrefire.

Ms ARMITAGE - Centrefire, is that how you say it? New South Wales is the only state that has actually changed it from B to C as opposed to nationally? I don't believe nationally it has changed; it's just New South Wales and looking at Tasmania as well.

Like all Australians, I was horrified by that event and, as I said, I'm sure everyone was. The loss of life was devastating. The suffering experienced by families and loved ones was immeasurable. Australians were entitled to ask difficult questions about how such an event could occur and what lessons should be learned, but it's equally important that our response be guided by evidence rather than emotion.

The strongest reforms emerging from those discussions were those directed at better information sharing, stronger intelligence capabilities, improved firearm tracing and stronger mechanisms for identifying individuals who may pose a risk. Those themes are reflected throughout this bill. Those reforms address identifiable vulnerabilities. They target known risks. They seek to prevent dangerous individuals from retaining or obtaining access to firearms. That is sensible public policy.

Mr President, some critics of this legislation have argued that it does not go far enough. Some have suggested that failing to impose ownership caps represents a missed opportunity.

Others have argued that reducing the number of firearms in private hands should itself be an objective of public policy. I respectfully disagree. The purpose of parliament is not to reduce numbers for the sake of reducing numbers. The purpose of parliament is to reduce risk. Those are not necessarily the same thing. If fewer legally owned firearms automatically produce greater public safety, then the evidence should clearly demonstrate that relationship, yet the material before parliament does not establish that conclusion.

Instead, much of the evidence points in the opposite direction. It points towards criminal misuse involving illegal firearms rather than lawful ownership by licensed individuals. That distinction matters because policy should be directed at the source of the risk, not merely the object involved. I also believe it's important that we maintain community confidence in firearms regulation. Effective regulation depends on legitimacy. It depends on fairness. It depends on public confidence that laws are proportionate and evidence based. Most firearm owners understand the need for regulation. Most support licensing requirements. Most support secure storage requirements. Most support strong action against criminals. Most support tougher measures for trafficking, theft and illegal possession and most support ensuring firearms remain out of the hands of dangerous people.

What they reasonably expect is that parliament will make decisions based on evidence rather than assumptions. That is not an unreasonable expectation. One of the reasons this debate has generated such strong views is because responsible firearm owners often feel that they are being asked to bear the burden of problems they did not create. When criminal behaviour occurs, the answer should be to target criminal behaviour. When illegal firearms are used, the answer should be to target illegal firearms. When trafficking occurs, the answer should be to target traffickers. When intelligence gaps emerge, the answer should be to strengthen intelligence systems.

That's precisely why so many of the reforms contained within this bill deserve support because they are directed towards those challenges. They seek to address actual risks rather than perceived risks, they focus on outcomes rather than appearances and they offer the prospect of genuine improvements to community safety.

Throughout this debate I've reflected on the lessons I learnt growing up around responsible firearm ownership. I learnt that responsible firearm ownership carried obligations, that public safety must always come first, I learnt that the conduct of individuals matters more than the mere existence of an object, and I learnt that accountability is essential. Those principles remain relevant today. This debate is not about responsible firearm owners who have complied with every requirement imposed on them. This debate is about ensuring firearms do not end up in the wrong hands, it is about ensuring criminals cannot access them, it is about ensuring traffickers cannot distribute them, and it's about ensuring dangerous individuals cannot retain them. It's about ensuring that government agencies have the information and tools necessary to act when risks emerge. That's what public safety demands.

The Firearms Amendment (Strengthening Firearms Security) Bill 2026 strengthens Tasmania's firearms framework in a number of important respects. It improves information sharing, it strengthens intelligence capabilities, it supports national registration and tracing arrangements, it strengthens responses to trafficking and stolen firearms, it enhances our ability to identify people who should not possess firearms, and, most importantly, it helps ensure that firearms remain out of the hands of those who pose genuine risk to the community.

For those reasons, I support the bill. I support its objectives, evidence-based reforms and its focus on genuine public safety outcomes. While I support strong firearms regulation, I do not support arbitrary ownership caps that have not been supported by a compelling evidence base, and which risk imposing significant burdens on law-abiding Tasmanians without a demonstrated public safety benefit. The path to safer communities is not found in punishing responsible firearm owners. The path to safer communities is found in identifying risk, targeting criminals, strengthening intelligence, improving information sharing and ensuring firearms remain permanently out of the hands of those who should never possess them. That's the principle that sits at the heart of this bill. It's the principle that should guide the parliament and it's for those reasons I commend the bill to the Council.

[8.52 p.m.]

Mr HISCUTT (Montgomery) - I'm not the patron of a sporting club, but I think I need to get around a few. I might have to get to the Penguin Clay Target Shooting Club sometime soon. I rise today to speak in support of the Firearms Amendment (Strengthening Firearms Security) Bill 2026. It is unfortunate that we are in this position. It is devastating that on 14 December 2025, on Bondi Beach, a Jewish celebration was interrupted in the most extreme way possible. Fifteen innocent souls were lost on that day and collectively the country mourned. Something needed to happen in response to this.

Hopefully, some of the actions that this bill puts forward will help to prevent an action like this from ever happening again. But I also want us to be honest: no lawmakers in the country can ever make laws that can stop an event like this happening again, not when people do not care about the law. We can talk about reclassifications, we can talk about caps, we can talk about banning, we can talk about grandfathering, we can talk about citizenship, and we can talk about borrowing, or on-lending. We can talk about the makes of the firearms, we can talk about good character, we can talk about domestic violence, and we can talk about suicide. All of these topics will be covered in the debate today but I think it should be made very clear that we can never eliminate the threat of bad actors. We can make it harder but I don't want anyone here to say, if you don't pass something here today, if you don't support an amendment, that it means that the next event is someone's fault. The only person who will be at fault in that circumstance is the perpetrator.

Philosophically, firearms are tools. Just as a mechanic uses a spanner to loosen a nut, the hunter may use a rifle to feed their family, or a farmhand will assist their employer to protect their crops. I say this firsthand, after hearing Mum and Dad mention that a third of their poppy crop was gone when they looked over the hill, in the last week or so. This is legal and it is required. Go and have a conversation with anyone from the country and they will tell you so. As a mechanic uses as many tools as possible to fix a car, a person can have many firearms to address certain problems. I will not dwell on the conversation regarding caps at this point in the debate, as I'm sure that will happen during the Committee stage. I will raise this point that I disagree that it solves a problem that we are faced with.

However, what does the bill do? Why is it to be supported? The bill introduces a few changes to the *Firearms Act*. I will go through these and provide my opinion on these changes.

Firstly, I would like to talk about the issue of the commencement of the bill. Clause 2 notes that the provision of this act commences on a day or days to be proclaimed. We've had some very important discussions regarding this lately, and I thank the member for Launceston

for her attentive work in this space. I would like the government to give a clear position of its intent with this legislation regarding when certain elements will occur.

Looking to history is always a good place to start to see what the future could hold. Debate was held in this very House, in these very seats, in 1996 when firearm laws were introduced. I've been through and read some of the debate, and the commencement of that bill at that time was also highly controversial. In the debate, they referenced a 1988 firearms bill, which apparently passed parliament but never received proclamation at all. Although this may seem like a frivolous exposition, it is in fact a crucial element to this bill.

Truth be told, there was an amendment put forward during that debate in this House, a date was set for that bill and it was agreed to by the government. So, I would ask the question: if an amendment were to be put forward for this bill to have a date set for commencement, what would the government be comfortable with? Or could certain parts of the act be given dates if others cannot?

Moving on, it is good to see several definitions and interpretations amended or added. I see no issues with the changes, and national consistency is needed, although my eyes did begin to blur after reading 'pistol' changed to 'handgun' so many times in this bill.

One of the major changes in this bill is the reclassification of some types of firearms. I thank the police minister for a briefing supplied to our House about a month ago, where these changes were discussed in great detail. These changes make firearms that were flirting with the edge of the law fit where they really should. The changes made in Tasmania after the dreadful events at Port Arthur were an attempt to make firearms which could be used in such an event more difficult to obtain. This served its purpose. However, it was some time into the future when firearm manufacturers used the letter of the law to their advantage to bring about something that was almost the same but just fit a slightly different definition, allowing it to be classified as something different. The changes made to this bill once again make firearms that should be categorised as C go back where they belong.

I also commend the inclusion of the ability for the commissioner to temporarily classify newer firearm types. This will hopefully stop this situation again or future unforeseen situations. This is a practical step that directly addresses the concerns raised at Bondi and in principle, I support this change, although I do have some reservations regarding the straight-pull reclassification.

It does, however, raise certain questions as well. Some people who currently own a firearm that will be reclassified do not hold a C category licence and will not be able to obtain one. Has the government modelled what the cost of any buyback for these firearms will be? Also, how does this affect sporting shooters who currently use firearms that will be recategorised? Will they be able to get some form of exemption or is this just a no-go area?

Another important change that has been put forth in the new definition is the part relating to antique firearms. This introduces similar provisions for a register for buying and selling, the exclusions for persons not of good character, and ensuring appropriate storage requirements. I would ask the government if there were any other jurisdictions that have similar laws like this and how this will be treated when trading interstate.

Further amendments have been made to how Tasmania will interact with the National Firearm Register, and this is an important step forward. It is good to see Tasmania leading the charge. Cross-sharing of information will provide real tangible benefit if bad actors are going to try to commit crimes. As I understand it, a portal will be set up giving real-time access of where firearms are and who owns them. This allows checking of information easy and allows intelligence sharing available at an appropriate pace. Firearms dealers will be required to cross-check against this registry in real time to ensure that only people who are appropriate are able to obtain firearms, with a requirement to verify their licence. This will help if a purchaser's licence has been revoked but they have not yet handed in their physical licence. Along with this come additional benefits for employees of firearm dealers, and also appropriate checks and balances to ensure they are fit and proper. One aspect which has been changed is the ability for firearm owners to borrow and then on-lend a firearm. This will now be illegal and even the borrowing of a firearm will require a person giving the firearm to validate that the person they are providing a firearm to is licensed to possess a firearm.

This does pose some interesting questions, like: if you were to appropriately validate a licence and a person was then to become invalid after you had lent the firearm to them and they then become invalid to hold that licence, what would the responsibility of the firearm owner be? If they become aware, are they required to go and get the firearm back themselves or do they just need to inform the authorities? If some clarity could be provided around this issue, that would be appreciated.

There are also situations, especially in sporting clubs, where a firearm may be lent to someone at the club to assist new members and this is then given to those new members. Will circumstances like this be allowed or disallowed?

Moving on to another area that is included within the bill, and that is the citizenship requirement. This seems like a fair and reasonable solution to a possible issue: foreign actors coming to the state to cause harm. Once again, I refer to my opening statements that events such as Bondi cannot be stopped, but this provision may help when faced with aspects of terror.

Until you have proven your loyalty to the nation, then firearm ownership is not an option - unless, of course, it is our brothers and sisters from across the water. We have had our moments of shared firearm ownership in the trenches with our Anzac brethren, and it is appropriate that this right should extend to them. It is reasonable that this should be grandfathered into the legislation. There is a legitimate line of reasoning that a fit and proper person test should be able to determine if someone from another nation should be allowed to own firearms, and, whilst in principle I agree with this, I think, in response to the tragedy that unfolded, this change may be one that the public thinks is appropriate.

There have been modifications to the bill regarding good character and when a person should not be able to be in possession of a firearm. I will not go into all those details, but they seem fair and reasonable. One area of some concern is the clause regarding the commissioners ability to consider any information or intelligence in refusing to grant a licence. This was originally just considered to be criminal intelligence but has now changed to all intelligence.

I would like to understand from the government some examples of where this would be useful. Should the commissioner be delving into everyone's personal lives to determine if they should hold a firearm if it's not relevant to that decision? How do they decide what is relevant or not? Are there invasion of privacy considerations here? I'd really like to understand how we

can ensure that that is not misused. Once we give someone the power to consider anything, it means that anything can be looked into.

There have also been a few adjustments to some of the crimes-related firearms, for example, an increase to the penalty for the possession of stolen firearms and clearer instructions for how this can be prosecuted.

There are also some changes about how charges of lesser extent are pursued if more extensive charges cannot be proven. These seem like reasonable adjustments that should come in with any major review of a piece of legislation. I have no qualms with the proposed changes in this section.

Lastly, regarding the proposed changes are some of the changes to the *Sentencing Act 1997*. These make some of the criminal charges received a mandatory sentence. Crimes like stealing a firearm, possession of a stolen firearm and unlawful trafficking of a firearm will receive a three-month minimum sentence. This application of mandatory sentencing does have some people upset, but these are the most serious of crimes that we're talking about. You cannot on one hand argue that we need tighter controls as these tools can be used for evil, while on the other hand saying that those that perpetrate evil should not receive punishment. The politicians make the law and the judiciary interprets the law and the laws change to meet the expectations of society.

I feel comfortable that this is the expectation of our society - that the judiciary should interpret the laws as we set them here today - and I'm comfortable with what is being put before us. I do ask the government to explain all the caveats and if it defeats the intent of the clauses. If you're going to say that there is a minimum sentence but then allow all the outs that a judge would normally use to not impose a sentence, then why have the minimum sentence built into the bill at all? Does the government think, with how the bill is written, that it is more likely for bad actors and criminals to receive a different sentence than what they would under the current rules?

I think it is a pertinent point to make, Mr President, that when a firearm theft or an inspection takes place on a firearms holder, it is sometimes found that the storage requirements have not been kept correctly, and I've been told there are times that the punishment for the incorrect storage has been greater than the punishment for the stealing of the firearms. We must not make the victims of crimes be punished more than the criminals.

Overall, Mr President, I think the government has struck the right balance with this bill, and I will be supporting it.

There are significant changes. Some are direct responses to tragedy, some of these may seem like overreach, but I also think there is something in addressing public concern, even if these changes would not have affected the outcomes.

I've had many emails and correspondence on this issue. Most of those who have been unhappy with the bill and want it to go further, especially in relation to caps, have come from organisations that have made it their mission to oppose firearm ownership and multiple firearms. On the flip side, most of those letters that I've received supporting the bill in its current state have come from individuals, people just out there doing their things. They didn't expect that they would be required to defend their way of life.

Mr President, I spoke earlier that I spent some time reading the 1996 debate, and I would like to finish my contribution reading a poem that my Uncle Dessie read at the end of his second reading contribution during that debate.

Ms Rattray - Mr President, I knew Uncle Dessie would get a run on this.

Mr HISCUTT - The poem is by Henry Lawson and was written in 1907 and is called *Every Man Should Have a Rifle*.

So I sit and write and ponder, while the house is deaf and dumb,
Seeing visions over yonder of the war I know must come.
In the corner - not a vision - but a sign of coming days
Stands a box of ammunition and a rifle in green baize.
And in this, the living present, let the word by through the land,
Every tradesman, clerk and peasant should have these two things at hand.

No - no ranting song is needed, and no meeting, flag or fuss -
In the future, still unheeded, shall the spirit come to us!
Without feathers, drum or riot on the day that is to be,
We shall march down, very quiet, to our stations by the sea.
While the bitter parties stifle every voice that warns of war,
Every man should own a rifle and have cartridges in store!

Ms Rattray - Hear, hear, Uncle Dessie.

[9.07 p.m.]

Ms LOVELL (Rumney) - Mr President, I rise to speak on the Firearms Amendment (Strengthening Firearms Security) Bill 2026.

Just at the outset, before I turn to the bill, I do want to acknowledge the victims and survivors of the Bondi attack and the survivors of the tragic events of 30 years ago at Port Arthur, and the families of those who were lost. For them, a debate like this is never abstract. It can be deeply painful, and I want them to know that they're in my thoughts today.

Behind every discussion about firearms are people - families, children and whole communities - whose lives can change in a moment and who carry the consequences for the rest of their lives. So, let me start with first principles, Mr President.

The first duty of any government and of any parliament is to keep its people safe. It is not only our duty, but it is our first duty, because every other freedom rests on it. The freedom to gather with our neighbours and celebrate our faith. The freedom to communicate openly with each other. The freedom to walk our streets and to move through our communities without fear. That is the lens through which Labor approaches this bill. Not ideology, not who owns what or where they live. Evidence, responsibility and a willingness to act, where we reasonably can, to ensure the safety of the community.

On the evening of 14 December last year, two men opened fire on a Chanukah celebration at Bondi Beach. Fifteen people were killed. Dozens more were wounded, and people will live with the scars of that event for the rest of their lives. It was the worst mass

shooting in this country since Port Arthur, and the firearms used were legally acquired by a man who had held a firearms licence for 10 years. He met the eligibility criteria. The system said 'yes'.

Australians grieved, and then, as they have before, Australians asked their governments to act. National Cabinet agreed to the first update of the National Firearms Agreement since 2017: restrictions on certain classes of firearms, changes to the genuine reason framework, citizenship requirements, and a national buyback. Those measures share one purpose: fewer firearms, less readily available, and less risk to the community.

The Royal Commission on Antisemitism and Social Cohesion then called on every government to prioritise nationally consistent firearm laws, alongside a national buyback. Labor accepted that recommendation without reservation, in keeping with our longstanding commitment to fully implementing the National Firearms Agreement. But consistency has to mean something. It means looking at what is already working elsewhere in the country and bringing Tasmania into line with it.

Western Australia introduced caps before Bondi. Its limits took effect on 31 March 2025. Five firearms for recreational hunting, and 10 for primary producers and competition shooters, with exemptions where there is a genuine need. New South Wales and the Australian Capital Territory have since moved to cap ownership as well, with similar exemption mechanisms. Labor's amendments adopt the same thresholds of five and 10, with a similar pathway for exemptions. We're not inventing something new for Tasmania - we are just asking Tasmania to keep pace with the rest of the country.

The Tasmanian government has accepted much of this national agenda, and I want to give credit where it's due. This bill reclassifies straight-pull and button-release centrefire rifles and shotguns to category C. It gives police and the courts stronger powers against illegal firearms, and it introduces mandatory sentences for stealing a firearm or possessing a stolen one.

Alongside it, the government has offered a buyback for reclassified firearms at one and a half times their value, a voluntary buyback for any legal firearm, and work to accelerate the National Firearms Register. These are real reforms, and Labor supports them. As drafted, make no mistake, this bill will make Tasmania safer.

However, a bill should not be judged only by whether it takes a step forward. A national approach is only as strong as its weakest link, and Tasmania, of all places, should never be the weak link. Measured against what other states are already doing and against the government's own objective, there is one glaring gap. The government accepts that fewer firearms means a safer community. That is the whole logic of a buyback. As John Howard said in 1996 - and I have to say, I never thought I'd quote John Howard in parliament, but here we are - in reference to the buyback:

> This whole scheme is designed to reduce the number of guns in the community and make Australia a safer place to live.

Yet this bill places no limit at all on how many firearms one person can accumulate, provided they meet the requirements for each licence they obtain. A buyback removes firearms after they have built up. A cap stops them building up in the first place. One empties the bucket,

the other turns off the tap before the bucket overflows. A bill that does the first without the second is working against itself, and in Tasmania, the tap is running. This state has more than 157,000 registered firearms. We have the highest concentration of firearms of any state in the country - more than 27,000 for every 100,000 people. Between 2021-22, and 2023-24, the number of registered firearms in Tasmania grew by more than 6700. Over the same period, the number of licence holders grew by just 415. Most of that growth did not come from new owners, it came from people who already held firearms acquiring more.

We are told there is already a limit because every firearm needs a permit to acquire, and a genuine reason - but that test is applied one firearm at a time. It asks whether this firearm is justified; it never asks, 'How many is enough?' Those figures show what happens when nobody is asking the second question.

The government already accepts the principle. Tasmania caps category C firearms today. This bill does not abolish that cap, it raises it. So, the question before us is not whether a limit on numbers can be justified - the government has already answered that. The question is where the limit should sit, and whether it should apply more broadly.

Mr President, in the Committee stage, Labor will move to insert a new section 47A into the act, and it is very simple. It will be a condition of every firearms licence that the holder may possess no more than 10 firearms in total. Within that, no more than five may be held for recreational hunting or vermin control. I want to be really clear about how this works, because there has been some confusion.

These caps are not cumulative. You do not get 10 for one genuine reason, another 10 for a second, and five for more for a third. The ceiling is 10 across all of a person's licences. Within that, five is the limit for recreational hunting and vermin control. Where someone genuinely needs more, they can seek an exemption. The commissioner may authorise a higher number if satisfied the person has a legitimate reason and that it would not be contrary to the public interest. The approved number is then written onto the licence, so everybody knows where they stand. If the commissioner says no, that person can go to the Magistrates Court's Administrative Appeals Division and have the decision reviewed. That is a right of independent review the existing exemption power in section 155 does not offer. The caps apply to ordinary firearms licences category A, B, C, D, and H. They do not apply to dealer, museum, militaria or heirloom licences, or to antique permits. A family heirloom held under an heirloom licence is not touched.

So, who does this affect? Nearly 9000 Tasmanians hold six or more firearms. That means roughly three in every four licence holders hold five or fewer. For them, nothing changes. Around 7400 hold between 6 and 10, and a farmer or a sporting shooter in that group is within the cap still. Just over 1500 hold 11 or more. The largest single holding in this state is 309 firearms. No permit system that assesses one firearm at a time will ever ask whether 309 is too many. This amendment does. A cap is not a ban. It does not stop a farmer working their land, a hunter heading out after deer, or a shooter competing in their sport. It is a ceiling, not an entitlement. It is simply the point at which parliament says, 'Beyond here, show us why'.

Finally, timing. This bill commences on proclamation, and Labor has deliberately not set a date for the caps to begin. They should not begin until a buyback agreement is in place so that no-one who acquired firearms lawfully is left out of pocket. The Commonwealth has said

any state that wants a buyback deal will get one. So, the question for the government is simple: where is the deal?

We are moving an amendment to introduce caps because they work, so let me turn to the evidence, starting with theft. Tasmania has the highest rate of firearm theft in the country. For every 100,000 people, 29.3 firearms are stolen, against a national average of 8.4, more than three times the national rate. In the 12 months to May, 155 firearms were stolen in this state in 40 separate incidents, and only 29 have been recovered. That leaves 126 firearms somewhere in Tasmania in hands no licensing officer has ever assessed. Every one of those firearms was lawfully held until the day it was taken. Theft is one of the main ways firearms reach the illegal market. A firearm stolen from a lawful owner does not become less dangerous when it changes hands.

We've been told in briefings that the police do not record how many firearms seized from criminals began as lawfully owned. Some will say that means we cannot know, but the absence of a perfect dataset is not evidence that the problem is absent. So, who is most at risk of theft? The first major study of gun theft victims by Hemenway, Azrael and Miller at Harvard in 2017 found that owning six or more firearms was a risk factor. Over five years, 4.5 per cent of those owners reported a theft, compared with 1.7 per cent of other owners, more than two and a half times the risk. Now, it is an American study, and storage matters too, which is why the storage and penalty measures in this bill are so welcome. But the logic does not depend on the country. Thieves go where the reward is. The more firearms in one place, the bigger the prize, and the more that walk out the door when a theft occurs.

Then there is the simple arithmetic. If someone holds 20 firearms and they are stolen, 20 firearms enter the illegal market. Under a cap of five, the most that can be lost is five. That is why the recreational hunting cap is set at five, just below the point where the research shows theft risk rises, and it is why 10 for primary producers and sporting shooters is a balance. It recognises firearms as tools of trade and competition across different disciplines while still setting a ceiling. Our own Police Commissioner has made the case. In her letter to the minister, she warned that even legally stored firearms pose a threat if they are stolen, and she urged a limit on ownership. In her words:

Public safety must take precedence over the privilege of firearms ownership.

However, theft is only part of the story. Most firearm deaths in this country are not homicides. Roughly 7 in 10 are suicides. Tasmania has the highest firearm suicide rate of any state, and it falls hardest on rural and remote men. Some have argued that firearm suicide is driven by age, isolation and hardship, not by access, and those factors matter deeply - but access shapes whether a moment of crisis becomes a death. A firearm leaves almost no second chance.

The strongest evidence comes from our own country. Leigh and Neill studied the buyback that followed Port Arthur, which cut Australia's firearms stock by around a fifth. Using the differences between states in how many firearms were withdrawn, they estimated it cut firearm suicide rates by almost 80 per cent. They found no significant effect on non-firearm deaths, so no sign that people simply turned to other means. And the more firearms a state withdrew, the larger its fall.

The same pattern holds for family violence. A study of all 50 US states over 27 years found that states in the top quarter for firearm ownership had a domestic firearm homicide rate

64.6 per cent higher than states in the bottom quarter. Here at home, criminal firearm-related incidents in Tasmania very nearly doubled between 2015 and 2025. A cap will not end family violence, but it limits how many firearms are within reach if a licence-holder's circumstances change. That matters for every person who lives in that home.

Now, I want to be honest with the Council about the limits of the evidence. Caps are new. Western Australia's caps have only been in force since March 2025, and no study has yet isolated the effect of caps alone - but caps rest on two links that are well established: more firearms in one place means more theft, and more firearms in the community means more harm. We know caps reduce numbers. In Western Australia, caps alongside a buyback saw 83,764 firearms surrendered, and the Western Australian government reports a 24 per cent fall in firearm ownership in two years. We do not wait for a perfect study before we set a speed limit. We should not wait for one here.

Mr President, members have heard a large number of diverse arguments on this, and I respect that. So let me deal with the arguments directly. Actually, before I deal with the arguments directly, I do want to comment on earlier comments in this debate. I know that this is a debate that is potentially fraught. I know that there are strong views on either side of this debate, and I know that it covers some very sensitive material, but I am very optimistic that we will see, through this debate, this Chamber at its best. We deal with these kinds of things well in this place when we put our minds to it. I haven't heard anyone come anywhere near suggesting that anyone who doesn't vote in support of anything might be to blame for something that could happen in the future. Frankly, I think it's almost offensive to suggest that that would be the case. I'm very hopeful that won't happen. It certainly isn't going to happen for me. I don't believe it will happen from anyone - but let me deal with the arguments that we have heard on this debate.

We've been told the numbers are arbitrary. Any line involves judgement, but judgement is not the same as arbitrariness. Five sits where the research shows theft risk climbs. Five and 10 are the thresholds Western Australia has used since March 2025. We are told most owners hold five or fewer anyway so caps achieve nothing. That argument answers itself. If most owners are unaffected, the burden on lawful owners is small, and the risk sits precisely with the large holdings a cap is aimed at.

We are told caps do nothing about criminals; caps apply to lawful owners - yes, they do, but many illegal firearms began life as legal ones. Cut the supply and you starve the market.

We're told the National Firearms Agreement does not require caps. The agreement sets minimum standards and it says so. It is a floor, not a ceiling.

After Bondi, National Cabinet listed limiting the number of firearms one person can hold among the reforms to pursue. It did not make the final text only because every government had to agree. Western Australia and New South Wales have not waited, and nor should Tasmania.

We are told the exemption process will be subjective and slow. The commissioner already decides every licence and every permit to acquire in this state, and section 155 already lets her grant exemptions. Our amendments add what that power lacks: independent review in the Magistrates Court. And if processing is slow, the answer is to resource Tasmania Police properly, not to leave a known risk in place.

We are told farmers and professional shooters need more. A primary producer can hold 10. A professional shooter engaged for culling holds firearms for that professional purpose, not recreational hunting, so the five-firearm limit does not bind them. Where genuine need goes beyond 10, or beyond five for recreational hunters, that is exactly what the exemption is for.

Mr President, this amendment failed in the other place by a single vote: 16 to 15. The question now comes to this Council. Thirty years ago, John Beswick, the Liberal deputy premier at the time, told this parliament:

> We cannot say that we can absolutely guarantee that it will not happen again, but at least we can say that we are doing what we can to stop it.

That is the standard - not perfection, just doing what we reasonably can. No-one in this place can promise there will never be another tragedy, but each of us can ask whether we have done what the evidence tells us to do. Lawful firearm owners are not the problem here. They are our neighbours, our farmers, our club members, and they want a safe Tasmania as much as anyone. This is not about punishment; it is about prevention. It's not about ideology; it's about evidence. Not whether reform is easy, but whether it is necessary.

The government has accepted that fewer firearms means a safer Tasmania. It has accepted a buyback. It has accepted a cap on category C. All we ask is that this Council follow that logic through to the end: five for recreational hunting and vermin control, 10 across the board, an exemption where there is genuine need, and a court to review it. It is reasonable, it is proportionate, it is backed by the evidence and it will make Tasmania safer.

Mr President, Labor supports the second reading of this bill. In Committee, as I flagged, we will move these amendments, and I hope every member will consider supporting them.

[9.28 p.m.]

Ms GLADE-WRIGHT (Huon) - Mr President, Australia has a proud history of taking firearms seriously since the Port Arthur tragedy in 1996. It led to the National Firearms Agreement, national restrictions on firearms and a major buyback, and for nearly 30 years, Australia has been an example to the rest of the world. We should never take that achievement for granted, and we should never become like the United States, where gun violence is on a vastly different scale from anything we accept here in Australia.

In 2024, the United States recorded more than 44,000 firearm deaths, compared with just 206 firearms deaths in Australia in the 2023-24 financial year. Those figures are not directly comparable in every respect, but they illustrate the enormous difference in the two countries' firearms environments. That is why I want to begin by acknowledging the government for bringing this bill before the parliament. This is significant firearms reform.

The bill strengthens Tasmania's participation in the National Firearms Register and improves information sharing between law enforcement and intelligence agencies. It introduces mandatory sentences for theft and possession of stolen firearms. It introduces Australian citizenship requirements with appropriate exemptions. It strengthens the framework around antique firearms and proposes a six-month voluntary buyback. It also contains strengthened family violence provisions. Those are important and practical reforms which deserve recognition, and the government is right that keeping firearms out of the hands of terrorists and

criminals must be a priority. Improving intelligence sharing is clearly important. So is dealing more seriously with stolen firearms. So is making sure that people who are not suitable to possess firearms cannot lawfully acquire them. On those things, I think there is considerable common ground. But there is one question where there remains a fundamental disagreement and where I would like to mostly speak to. That is the question of caps, and I understand the amendment will be moved in the Committee stage.

A cap isn't some novel idea. It formed part of the national post-Bondi firearms reform agenda. The amendment was well ventilated in the other place, and it is now up to this part of the parliament to decide whether Tasmania will adopt that important additional safeguard. The government's argument is the problem is not the number of firearms a lawful owner has; the problem is the person who should never have the firearm in the first place. We heard in the other place that a farmer may need different firearms for different tasks. We heard that hunters and sporting shooters may have legitimate reasons for multiple firearms. We heard the argument that a numerical limit could simply redistribute firearms rather than reduce the number of people who possess them. And we heard the very powerful example of the Bondi terrorist attack, where the perpetrators had only three firearms between them. Those arguments deserve to be answered seriously because the case for caps should not be all firearm owners are dangerous. That would be wrong. The overwhelming majority of licensed firearm owners are law-abiding people. The case for caps, I will argue, is instead about risk.

The collective good is a principle that we have accepted in many other areas of public policy. During COVID, Australians were required at various times to wear masks. We accepted restrictions on individual freedom because there was a collective risk. My argument for a firearm cap follows that same principle. I'm not asserting that someone with six firearms is dangerous and someone with five is safe; I'm saying that reducing the number of firearms concentrated in private hands can reduce the scale of potential theft, diversion, misuse and accidental or deliberate harm. Risk reduction is what much of our public safety legislation is designed to achieve. We heard in one briefing that there is a low rate of firearm violence in Tasmania. I say low firearm violence is not an argument against sensible firearm regulation. The real question is whether the safeguards we put in place today help prevent the tragedies we do not yet see tomorrow.

There is another reason we need to have this conversation because the firearms environment in Tasmania has changed substantially since 1996. When we talk about a cap, we're not talking about an abstract problem. There are people in Tasmania who legally possess a very large number of firearms. As at March this year, 1541 licence holders had more than 10 registered firearms. That included 44 people with more than 50 firearms. There is a line that really stood out to me in communications to us from the Alannah & Madeline Foundation: that they hope that we decision-makers can consider the issue of firearms limits in the context of public safety for the entire population of Tasmania, the vast majority who don't use guns, yet may have their safety influenced by those who do.

Theft is very much part of this equation. The government is absolutely right to focus on stolen firearms. At least 971 firearms were stolen in Tasmania between 2018 and 2024, and 155 firearms were stolen in this year to May 2026, with only 19 per cent being recovered. The government's response of stronger penalties for theft and possession of stolen firearms is, therefore, welcome. But we should also look at opportunities to reduce the number of firearms that can be stolen in the first place, and that is where a cap comes into the argument. A cap does not eliminate theft, but it can reduce the number of firearms unnecessarily concentrated

in individual locations and, therefore, reduce the potential scale of a single theft. Again, this is not about accusing lawful owners; it is about reducing exposure to risk.

But why should responsible owners be punished? This is one of the strongest arguments we heard in the other place. The petition opposing caps received 7905 signatures and argued that a cap would unfairly affect law-abiding owners, hunters, sporting shooters and collectors, while doing little to address criminal misuse. I don't want to be dismissive of those concerns, but a regulatory limit is not necessarily a punishment. A responsible driver is required to obey speed limits. A responsible firearm owner can likewise be subject to reasonable regulation. The purpose isn't to say, 'You have done something wrong'. The purpose is to say: this activity carries risk and the community has decided that those risks should be managed. What about farmers, hunters and sporting shooters? The answer is that the amendment itself recognises that different people have different, legitimate needs.

A farmer may have legitimate occupational requirements; a sporting shooter may participate in multiple disciplines; a collector may have legitimate reasons for holding a particular firearm. But should those legitimate circumstances require unlimited ownership? Or should they be accommodated through an upper limit and an exemption process? Why five? Why not 10? The government and other opponents of this amendment have quite reasonably asked, 'Where do those numbers come from?' But uncertainty on whether the right number is five, six or seven doesn't necessarily establish that the right number is unlimited. Parliament routinely establishes thresholds. The important thing is whether the threshold is reasonable. That is why the exemption mechanism matters so much. The cap establishes a default; the exemption recognises reality. The police commissioner can assess whether the additional firearms are genuinely justified. That creates an additional point of scrutiny.

The Bondi argument: we also need to address the argument that a cap would not have prevented the Bondi attack. That is correct. A person who intends to commit a serious offence does not become harmless because they are allowed five rather than 10 firearms. I agree, but the purpose of the firearms reform should not be to write laws that address only the precise circumstances of the last tragedy. A cap forms part of a broader system that can reduce foreseeable firearm harm. This was reflected in the police commissioner's position. She specifically argued that public safety should not take precedence over the privilege of firearms ownership. When the state's senior police officer says that a cap can form part of a safer firearms framework, that advice deserves serious consideration. We also heard in briefings that she is very concerned about the safety of her officers who have to turn up to properties and the threat of a firearm being present. Yes, we need to keep firearms away from criminals, to improve intelligence sharing, to have stronger licensing, secure storage and tougher penalties. We can also consider whether reducing excessive concentrations of firearms provides another layer of protection. Public safety laws routinely operate by reducing foreseeable risks rather than simply punishing people after something goes wrong.

Ultimately, this bill is a significant step forward. The government deserves credit for bringing it forward. The debate about caps is not an attack on the rest of the bill. It is asking whether we can go one step further by acknowledging that reducing the number of firearms concentrated in private hands can reduce the scale of potential theft, diversion, misuse and accidental or deliberate harm, and that governments routinely reduce risk by limiting exposure, rather than waiting for individual misconduct. I urge the law-abiding firearm owners to accept the cap, if indeed the amendment gets passed, as their contribution to the collective good. Managing risks and the safety of Tasmanians require all of us to work together. I commend the

bill because it acknowledges that we should always strive for continuous improvement, and I indicate my support for the caps amendment.

[9.39 p.m.]

Ms FORREST (Murchison) - Mr President, after discussions with the Leader, it is my intention to speak till around 10 p.m., but I won't be finished by then, I don't imagine. Then we will adjourn for the night and finish off tomorrow. I personally think that's quite late enough to be working tonight, and we have a long and complicated day ahead of us tomorrow.

I rise to speak on the Firearms Amendment (Strengthening Firearms Security) Bill 2026. I support the principle of the bill and I will support it into the Committee stage. I ask the Leader at the outset, because it may be helpful if she can get some advice on this, if she doesn't already have it, if there are any specific time imperatives on getting this bill through this week. And if they are, what are they? It would be helpful to have some indication of that because I think, from my perspective particularly, there's a bit of toing and froing going on and this is really important legislation. We want to make sure that we get it right. It was heavily amended downstairs. The government itself had amendments it put forward. So, I would appreciate if you could do that, out of session even, to help me and other members as well, I'm sure, to understand whether we really need to go all out and spend no time sleeping to come up with the most appropriate form of legislation, which is not a good way to legislate, quite frankly. I ask the Leader whether she might be able to do that.

As other members have, I note the tragic events of Bondi in December last year that brought a renewed focus to firearms legislation across the nation. My thoughts continue to be with the victims and families of those 15 people who were tragically murdered. Really, I think when everyone stopped and watched that footage, it made you think, 'How could this possibly be happening here in Australia?' This year also marks 30 years since Port Arthur, the previous and the worst tragedy this country has ever seen, with 35 people killed. That time, this state and the nation acted. The National Firearms Agreement and the buyback that followed changed Australia in ways I think we should all be proud of. I note that there were calls after Bondi, as occurred after the Port Arthur incident, for national consistency. Well, that's not what we're getting here. We're not getting national consistency. We're getting some nationally consistent approach. Every state will do what every state wants to do, but it isn't nationally consistent and I think we need to be honest about that.

In that, we are Tasmanian. We are making law for Tasmania with a view to the National Firearms Agreement, absolutely. But it doesn't mean we need to be just like any other state or not like another state. It means that we need to think about how this works best for Tasmania and Tasmanians. For those who hadn't realised, Tasmania is a state different from other states. We have a very decentralised population. Less than half of our population live in the major city. Very different. We have many more people per capita involved in primary production. I know, and I think the member for Huon said, that the vast majority of Tasmanians don't use guns. Well, I'm really pleased about that. The vast majority of Tasmanians also don't grow food that we all rely on. The vast majority of Tasmanians, if given the choice, would probably say, 'I'd rather have no guns in the state'. There was a survey I read that was done - I don't know about the credibility of it. It might have been our friends at EMRS that did it, from memory. It showed that around Hobart - and I can't really look at the numbers, I just was intrigued by the result - there was a number just in Hobart, not in the surrounds, not down the Huon, not down the Channel and not down the Peninsula, but just around Hobart, who thought there should be no guns in the state at all. None. I don't know what they thought the police were going to do

when they were in real trouble, but it was fascinating. And then outside of Hobart, there was a view that there need to be. How many should there be? Well, that was a different story. It just shows that sometimes those who live in the city take a very narrow view of what it's like to live in Tasmania, because the vast part of Tasmania is not the city. And I represent an area that is not the city.

I note the minister is in the Chamber. He represents the same area that is not the city. There are so many people who work really hard to grow the food that we need. They have to deal with the vagaries of the weather, the vagaries of rising costs associated with global events outside their control, and the vagaries of vermin. The heartbreak you see from some farmers. My brother, who has a firearms licence and shoots, he would go out some nights before we did all the wallaby fencing around the property and shoot 100 wallabies. He'd go to King Island and the shooters there - well, there's millions of wallaby on that island. A lot of them died in the drought, sadly for them.

Ms Rattray - It's exactly the same on Flinders.

Ms FORREST - I'm sure it is. You also have the deer that decimate our landscape. So, let's keep our eyes up here. We're not legislating for Hobart. We're legislating for the state of Tasmania. Hobart's in it, I know. The minister's nodding - this minister, our minister -

Ms O'Connor - No-one is suggesting that we are legislating for Hobart.

Ms FORREST - I'm just saying that, obviously, that research was done that shows there are very different views. I think the views reflect the lack of appreciation of what it's actually like on the land and the pressures that people are on.

Ms O'Connor - I also think it's unreasonable to present the people of Hobart as having a homogenous view.

Ms FORREST - The people out there growing the food are under an awful lot of pressure at the moment. I'm just saying that from a context point of view because I'm not talking about guns necessarily here. I'm talking about the pressures that people are under and how it's important that when we make laws in this state, we look at the whole picture. We talk about the number of firearms per capita in Tasmania. There are a lot more people out in the rural communities, they're engaged in agricultural pursuits and a gun is a tool of the trade. A gun or sometimes more than one gun is a tool of the trade required to do that work. I just want us to keep that in mind, so we're not losing sight of what we're actually talking about here.

The purpose of the bill is to tighten up some of the gun control measures, and it's not unreasonable to do that. Things move on, things change. We didn't have this back in the Port Arthur days. There were no 3D printers. There were barely computers, I think, back then, in fairness. We couldn't have even contemplated a 3D-printed gun that worked. That was a bit sci-fi-ish, wasn't it? But I do know the Commissioner of Police noted in her letter of 5 February to the minister that the impact of those reforms that we did following the Port Arthur massacre have diminished over time. In my view, partly that's due to the changes in technology and the way some people have found their way around the mechanism and restrictions, and the intent of the legislation. I think I mentioned in a briefing that I went to our local gun shop a few months ago, and they took me to a storage room where they had guns being held for collection by the police to destroy because they were illegal. There were guns being held for other people,

predominantly people on family violence orders - I was really pleased to see a line of guns there, I can tell you. I'm not an experienced gun owner, but when I looked at them on both sides, it was hard to tell that they were completely different, because these ones on this side were legal guns. Like, they were cat A, cat B rifles and guns. The other ones basically should be out of circulation - the police were to collect them and destroy them. So, just looking at it, I don't know how you tell the difference. You would if you were experienced and knew what you were looking at, but I certainly didn't.

The number of firearms in circulation nationally now exceeds pre-1996 levels. As with all legislation, we should review it against its purpose and its intended outcomes to ensure it remains contemporary and fit for purpose. We also need to remember that our population has grown - not hugely in Tasmania, it's up and down a bit, but it has grown since Port Arthur. Closer to home, the impact of the misuse of guns was starkly seen in the absolutely tragic murder of Constable Keith Smith on 16 June 2025, and my heart is with the police who lived through that. In the commissioner's words:

> This is indeed a confronting reminder that a firearm can change the outcome of even a most routine policing task.

My thoughts remain with his family and colleagues, who live with that event every day, and I do absolutely acknowledge the very real risks our police face every day. They can be used inappropriately against our police - a legally owned, normally properly stored until it's pulled out to be used in that manner, firearm. Whatever change we make will not entirely make our police safe, but our police are better trained than we are, for example, to perhaps know when there's a greater risk and respond. But sadly, that's not always the case.

I want to also acknowledge the many people in my electorate who will live with the detail and implications of this law every day. As I mentioned, the farmers who use firearms as tools of the trade, and the sporting and recreational shooters who use them lawfully and responsibly. I think we do need to listen to them to be sure we don't limit it beyond what's reasonable - that's the balance and that's the key.

Mr President, I also grew up on a farm where firearms were part of life. Back in the day - this is showing my age because the law has changed significantly since I was a kid - there were guns and ammunition in my home that were not locked away until our laws changed. In fact, the guns were beside the back door, ready to head outside. The hand basin was beside the back door and the cupboard beside the basin had all the ammo in it. That's the way it was. It was just there, you know? I know Dad never left a firearm loaded by the back door, but it just beggars belief that, when you look at it now, that was just normal. It's normal until it's not, I suppose.

I also spent years as a nurse and midwife, where you can be, and are, exposed to the real harm that can occur - accidental and deliberate use. Both these experiences, and listening to those in my community on this incredibly important matter, have taught me to look at harm through a public health lens as well as a legal one. We need to respond to reliable data and appreciate the differing points of view. They do need to be heard. As I said, I've seen the human cost of firearms used inappropriately, as I have the cost of car crashes and other forms of violence. Some of these things you can never unsee. I know that the police are in the same situation as well as our paramedics and other frontline staff. It's just some things that, even

accidents, real accidents, you just can't unsee them. They're still there. You can see them. You can smell them sometimes, too. It just doesn't go away.

I bring both of these perspectives to this debate. Supporting the principles of this reform and taking the concerns of lawful firearms owners seriously are not in conflict, because good law should be able to do both.

Mr President, I agree that these are the most substantial amendments to the *Firearms Act 1996* since its passage. We have had some minor - well, not minor, but amendments along the way, but this is a fairly major piece of work, and it also combines the antique firearms bill and the miscellaneous bill into this. There were a lot of submissions. I believe there were 646 submissions that were received across two consultation rounds, so there has been significant consultation. There has been some criticism. I've heard that not all the consultation was taken into account, but that's the nature of it. On any bill that's consulted, there'll be views that you take on board because they fit with the policy position, and there'll be views that you read, acknowledge, but don't take forward.

In summary, this bill does a number of things. It inserts a new object, section 2A, making public health and public safety the paramount consideration in the regulation of firearms. It moves straight-pull action and button or lever-release centrefire firearms and shotguns into Category C, which has been raised by other members, particularly with the straight-pull action centrefire. The straight-pull rimfire is not in category C, as I understand it, but the straight-pull centrefire is, in this. I understand the reason predominantly for that is that they were the firearms that were used in Bondi. Obviously, if it hadn't been those guns, I wonder whether we would be doing this if it had been a button-release firearm. But that's what it is and that's what has brought us here, so I do acknowledge that. I will come back to that matter.

It makes Australian or New Zealand citizenship the default for licensing, with exemptions for permanent residents whose genuine reason is primary production and population control, animal welfare, or business and employment, plus the commissioner's discretion. It strengthens the 'fit and proper person' test, including the important inclusion of family violence history, patterns of escalating behaviour, threats and whether a relative or household member is not fit and proper. It requires 24-hour notification of changes of address and of storage to another location for more than 24 hours. It formalises lending and borrowing between licence holders and prohibits on lending, and I do have questions further on about some of these provisions. It requires dealers to verify licences and permits, supporting the National Firearms Register. It creates an antique firearms permit and registration regime.

It lets the commissioner temporarily classify a new firearm type up to 24 months by *Gazette* notice. It creates a new offence of stealing a firearm or firearm part with up to 300 penalty units, or five years, and raises the penalty for possessing a stolen firearm to 300 penalty units. It inserts the presumption of at least three years' imprisonment for firearm theft, possession of firearms, trafficking and a section 234A Criminal Code offence, with exceptions for young people, impaired mental functioning or where it would be unjust.

I acknowledge there were amendments made in the other place, and the bill, as had been introduced, would have let the minister prescribe new 'genuine reasons' and would have grandfathered reclassified firearms with no time limit. Both of these were removed, and the proposal to permit suppressors was rejected.

One more point I'll make, and I'll seek to adjourn the debate. I do support the removal of the open-ended grandfathering. I think that was, in my view, never going to fly, but I do note it does have consequences for existing law-abiding owners. That's the reality, but I will return to that.

Mr President, noting the time, being right on 10.00 p.m., I move -

That the debate stand adjourned.

Debate adjourned.

ADJOURNMENT

[10.00 p.m.]

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That at its rising the Council adjourn until 11 a.m. on Thursday 29 October 2026.

Motion agreed to.

Ms RATTRAY (McIntyre - Leader for the Government in the Legislative Council) - Mr President, I move -

That the Council do now adjourn.

The Council adjourned at 10.01 p.m.

DRAFT