



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 7 December 2023

REVISED EDITION

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Thursday 7 December 2023

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

QUESTIONS

Commission of Inquiry - Accountability and Trust

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.02 p.m.]

From the day after the commission of inquiry's report was released we have been asking you about the people the commission said they wanted to hold accountable but could not because of the impossible legal hurdles they faced. Late yesterday, the Attorney-General tabled a letter which showed your Government has been aware of those individuals since April.

Yet, on 17 October - six months after April - you wrote to the commissioners about those same individuals. You said:

As Premier, I'm concerned that the commission has not been able to complete its task and that state servants have avoided accountability for their actions. I am deeply concerned that this may have negatively impacted on the safety of children in state institutions.

Premier, is it not also deeply concerning that you are unaware that you had already been provided the information a full six months earlier and have, presumably, done nothing? How do you plan to rebuild trust, when for the past two-and-a-half months, you have been stonewalling any attempts to get answers about these individuals?

ANSWER

Mr Speaker, I have said many times that we will leave no stone unturned when it comes to rebuilding trust in Government institutions when it comes to the support and protection of victims/survivors, children and young people in Tasmania and, indeed, all Tasmanians.

In terms of the correspondence between myself and the commission, the commission has said:

We are confident that the commission made all referrals it was legally required to make including to ensure the safety of Tasmanian children.

Ms White - What about the bystanders, the enablers?

CHAIR - Order.

Mr ROCKLIFF - We are also having independent reviews regarding heads of agency and the matters that they were involved with. I announced that when parliament last sat. Former auditor-general, Mr Blake, is heading up that matter. We are going to leave no stone unturned. We have repeatedly said so.

We have demonstrated by our actions in setting up the commission of inquiry, which has thoroughly looked at the last 23 years of failures - systemic failures, in a number of cases - in the support and protection of our children and young people in state care.

The evidence provided by victims/survivors and others was very clear. I again thank victims/survivors for their courage in coming forward. I am mindful that took, and continues to take, a huge toll in reliving the trauma. I am very mindful of the need to do all we can when it comes to being open and transparent and leaving no stone unturned. That includes the matters around further scrutiny, which I have announced since the tabling of the commission of inquiry report. The Blake review is part of that.

When it comes to rebuilding trust, what we are going to do and what we have said we would do - as clearly demonstrated with the release of the report, as promised - is in terms of our response to the commission of inquiry recommendations on Friday 1 December by the Attorney-General, and the scrutiny this week. We have also set up an additional week for parliament for scrutiny to support the thoroughness and the questioning of the response of our Government to the 191 recommendations. There are others; with the Legislative Council, as I understand it, in March next year, and other opportunities and a comprehensive action plan on 1 July next year as well.

Mr SPEAKER - Premier, your time has expired.

Commission of Inquiry - Section 18 Notices - Outcomes

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.07 a.m.]

Yesterday, the secretary of the Department of Justice finally outlined the employment status of the 22 individuals. She said that two did not ultimately receive a section 18 notice; three were the subject of misconduct to other findings in the commission's report; two were not state servants; eight have left the State Service; and seven are still employed and under review.

Does this mean that only the seven still employed are having their cases reviewed? Have eight former employees essentially been able to resign their position and avoid being held accountable? What about the two other people who were not technically employed by the state, but identified by the commission of inquiry?

ANSWER

Mr Speaker, I thank the member for this question on this important matter. The member, I believe, needs to appreciate the enormous responsibility we all have, and that we have as a Government, to rebuild trust but also be proactive in implementing the 191 recommendations.

Regarding the member's question, in the final report the commission stated that there were 30 section 18 notices issued to 22 individuals. The commission does not say if all 22 individuals are current state servants.

Ms White - The secretary provided the update yesterday. I have just shared it with the House.

Mr SPEAKER - Order.

Mr ROCKLIFF - Section 18 notices are issued to individuals, and not institutions or the state.

What has been lost in this debate is the fact that, wherever there has been any inference or reference to a state servant through the commission of inquiry process, that person is subject to assessment by the heads of agency; so, we are looking beyond any email or list. We are leaving no stone unturned.

The commission of inquiry did not provide to the state a final list of state servants who received section 18 notices, or state servants who were corresponded with about a potential section 18 notice, or state servants who responded to a section 18 notice and subsequently were advised the notice was withdrawn, nor were they obliged to tell us. What they did provide, as the head of the State Service advised on Tuesday, was an email with the names of state servants who had received or who may receive correspondence about section 18 notices -

Ms WHITE - Point of order, Mr Speaker; it goes to relevance. The Premier is not answering the question. How are you going to hold accountable the eight people who resigned and the two people the commission of inquiry identified but who are not State Service employees?

Mr SPEAKER - Order. I will remind the Premier of relevance, but it is not an opportunity to restate your question. Premier, if you could - Standing Order 45, relevance to the question.

Mr ROCKLIFF - What they did provide, as the head of the State Service advised on Tuesday, was an email with the names of state servants who had received or who may receive correspondence about a section 18 notice.

Ms White - This is the answer you should have given on Tuesday. I am now asking a different question.

Mr SPEAKER - Order.

Mr ROCKLIFF - This was to allow the relevant heads of agency to provide appropriate support to individuals as part of their workplace work health and safety responsibilities. The state did not receive a final list of who received section 18 notices.

What I have repeatedly said is that we will leave no stone unturned. Any person who perpetrated harm to a child or young person will be held to account.

Members interjecting.

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

Commission of Inquiry - Cultural Change

Dr WOODRUFF question to PREMIER, Mr ROCKLIFF

[10.11 a.m.]

From the day the commission of inquiry report was released, your Government has been asked repeatedly about the individuals who may have escaped findings being made against them in the commission's final report. Victims/survivors and whistleblowers, many of whom are watching today, have demanded answers and we collectively have tried to get them. First, you denied there was any need to respond. Eventually, you announced some reviews and then after two full days of intense scrutiny, late yesterday we finally got some actual information from the Government. Talk about being dragged kicking and screaming towards a shred of transparency.

This is just one of the many recent examples where your Government has persistently demonstrated its addiction to secrecy. You continue to show it is only when the politics get too dangerous that you will consider doing the right thing.

Can you not see there is a desperate need for cultural change, not just in the State Service but in your Cabinet? Do you acknowledge this change is essential for your response to the commission of inquiry to be transparent, accountable, urgent and real?

ANSWER

Mr Speaker, I thank the member for her question and can inform her, as I have said repeatedly, we will leave no stone unturned. Victims/survivors and the broader Tasmanian community rightly expect that no stone is left unturned in taking action on the commission of inquiry report. We recognise the need for cultural change. We clearly recognised that before the handing down of the commission of inquiry report. This was evidenced by the actions taken with respect to cultural change in the Department of Health and recognising the need for cultural change.

On 26 September, I announced some \$4.5 million to support that cultural change right throughout our State Service, irrespective of department. As I committed to in parliament on 17 October, yesterday my department published a routine disclosure providing an update of assessment and actions by relevant heads of agencies of current and former State Service employees referred to in the commission of inquiry report.

Dr Woodruff - Why did you not provide that yourself?

Mr SPEAKER - Leader of the Greens, order.

Mr ROCKLIFF - This disclosure also included an update on assessments and actions by heads of agencies of current and former employees who may be alleged perpetrators referred to in the commission of inquiry report.

I stress again that all allegations of child sexual abuse are referred straightaway to Tasmania Police and relevant regulatory authorities, in addition to assessments by heads of agency. This disclosure also includes an update of assessment and actions by the Commissioner of Police of current and former Tasmania Police officers in relation to matters

referred to in the commission of inquiry report. I remain committed, and our Government remains committed, to providing the community with as much information as is permitted by law.

As I have repeatedly said, I understand there are concerns that individuals will not be held accountable for their actions. While I will not be providing further detail on individual employment matters, this does not mean that action is not being taken. No individual agency details are identified to provide the appropriate confidentiality of employee information, particularly with processes that may well be under way.

I want to assure parliament and the Tasmanian community that we are taking action to ensure that we respond to these concerns and ensure that all issues have been identified and addressed. That will continue as we work over the course of the next number of years, bearing in mind that some 83 per cent of the recommendations will be implemented by 1 July 2026. Our focus is very clearly on implementing those recommendations to ensure that justice prevails and to ensure that people who came forward with courage, conviction and great bravery are not let down by any government of any political persuasion because of inaction around investing in and implementing the recommendations.

The commission went back 23 years, since the year 2000, and highlighted deep failures. We will address every single one of those findings, and the recommendations.

Commission of Inquiry - Section 18 Notices - Transparency

Ms JOHNSTON question to PREMIER, Mr ROCKLIFF

[10.18 a.m.]

Victims/survivors, their families, the community and I, and I would assume my committee colleagues, were astounded by your - and your ministers - lack of curiosity. This is particularly concerning with regard to identifying individuals who received section 18 notices. It took until late yesterday afternoon before we finally got some information, information you should have provided on Tuesday, if not before that, following persistent questioning in this Chamber. Your repeated failure to be open and transparent has caused enormous distress to victims/survivors and their families. Will you apologise to them?

ANSWER

Mr Speaker, I thank the member for her question. I have repeatedly apologised for the failures of the present and past governments. We will continue to do all we can to ensure justice and that victims/survivors have faith and trust in government to implement all 191 recommendations and more.

When I say 'and more', we will not limit ourselves to the 191 recommendations. It is my vision that not only will we be implementing the recommendations, not only addressing the absolute wrongs of the past and ensuring that they are never repeated, but also having Tasmania looked upon as a state that does take action, that does not leave such a significant, if not the most significant, report that has been tabled in this parliament, certainly in my time here and I would suspect ever, to ensure that we are nation-leading in everything we do to support and protect our children and young people.

There is much to do. We recognise that. We will work solidly and proactively through the commission of inquiry's recommendations and always acknowledge the findings and the evidence presented to the commission of inquiry that led to the findings and the recommendations. We absolutely welcome scrutiny and accountability; that is also essential in rebuilding trust. That is why this week we are sitting for the two days of scrutiny hearings and today itself, and more no doubt. An independent monitor will be established and set up.

We are taking action. We recognise that trust has been lost between victims/survivors and the Tasmanian governments over many decades. We will do all we can to bridge that trust as best as possible, acknowledging that for some, if not many, that full trust will never be restored given the comprehensive failures of the past.

Protection of Children and Young People from Sexual Assault - Government Action

Mr YOUNG question to PREMIER, Mr ROCKLIFF

[10.21 a.m.]

Can you update the House on the Rockliff Liberal Government's actions to protect children and young people from child sexual assault?

ANSWER

Mr Speaker, I thank the member for his question. I again acknowledge the incredible bravery of victims/survivors of child sexual abuse who provided evidence to the commission of inquiry, who courageously spoke out about their own lived experience, and the many others I acknowledge who were able to come forward to ensure that children and young people's voices were finally heard.

Our Government set up the commission of inquiry because the safety of children and young people is our highest priority. Our response released last Friday will ensure that Tasmania can be nation leading in the protection of our children and young people in government institutions. Our Government is unwavering in our commitment to implement all 191 recommendations as outlined by the commission, 83 per cent of which will be completed in the next two and a half years, including 48 priority actions to be completed next year.

This includes establishing an independent reform implementation monitor, as I just mentioned, by the end of June next year. As I have already said, legislation to implement the monitor will be introduced in the first sitting week of 2024, with \$2.4 million allocated to appoint the monitor who will be responsible for holding our Government to account.

Over the next six months, the Tasmanian Government will work hard to develop a comprehensive child sexual abuse reform strategy and action plan that will not only include all actions that are being undertaken as part of our response, but will also, like the independent monitor, take into account broader work by the Government to improve systems and processes for responding to child sexual abuse. This includes outstanding recommendations of the royal commission; the Independent Inquiry into the Department of Education Response to Child Sexual Abuse; the Department of Health's Child Safe Governance Review and the Keeping Children Safe Actions.

The strategy and action plan will deliver a coordinated whole-of-government approach to creating, monitoring and improving our response to child sexual abuse and set out our roadmap for preventing, identifying and responding to child sexual abuse on a whole-of-system basis.

We cannot undertake cultural change alone, which is why the voice of the Tasmanian community, victims/survivors, supporters, experts, children and young people, and many others will be key to developing and co-designing the strategy, ensuring it is relevant across the community as a guide to reducing the risk, extent and impact of child sexual abuse and related harms in Tasmania.

Partnering stakeholder meetings commence tomorrow, with consultation on the strategy and action plan commencing in early 2024. Both will be tabled in parliament and published online in July 2024.

In regard to our response, Sandi Doherty, acting CEO of Sexual Assault Support Service, said on 3 December:

I would like to acknowledge that considerable work has gone into Keeping Children Safe and Rebuilding Trust response. We appreciate the intent of the response themes and the commitment to fund the implementation of the commission of inquiry recommendations. Additionally, we are thrilled to see that the Government has taken, on our suggestion, to fund action the National Centre For Action on Child Sexual Abuse to over sample in Tasmania as part of their study of community attitudes towards child sexual abuse.

Similarly, Beyond Abuse chief executive Steve Fisher said that our response was beyond what victims/survivors could have expected.

My continued commitment as Premier is that significant reform and change will occur, ensuring that future generations of Tasmanian children and young people are protected and kept safe from sexual abuse and harm in our institutions. We approach this task with commitment, with compassion and with hope.

Commission of Inquiry - State Service Employees - Employment Status

Mr O'BYRNE question to PREMIER, Mr ROCKLIFF

[10.26 a.m.]

On Tuesday I asked you a very simple question. I asked you how many individuals in government agencies are still employed in senior or leadership positions who were bystanders, who simply chose to turn their backs, and who have clearly failed to uphold their duty of care. You and the head of your State Service failed to provide that information, either because you did not know or you did not want to share. The community deserves an assurance from you that the people who oversaw these failings in government institutions are no longer in positions of authority and are held to account, but you could not even provide that assurance.

Premier, does it not say everything? After all this time, you still cannot say how many individuals in positions of authority across the State Service have been removed from their

roles. How can your Government commit to improving culture and leadership across government agencies if you cannot point to any repercussions for those individuals who have clearly failed in their duty of care?

ANSWER

Mr Speaker, I thank the member for his question. We are the first government in Tasmania to attempt to address cultural change across government. We are the Government that set up the commission of inquiry. We are the Government that will implement the 191 recommendations. Every person identified in the report as a possible perpetrator has been referred to the appropriate authority, be it Tasmania Police, AHPRA, the Teachers Registration Board or the Working with Vulnerable People Register.

All relevant heads of agencies are continuing to work through the findings in individual circumstances relating to matters of concern in relation to State Service employees, both current and former, identified in the final report. This work is not limited to the formal findings.

The findings in individual circumstances relating to State Service employees, both current and former, identified in the report are being considered again by relevant heads of agency. Each agency is working through those appropriate processes whereby any behaviour that is deemed inappropriate will be assessed for a potential breach of the State Service Code of Conduct. This work, again, is not limited to the formal findings.

Since the tabling of the report, as I have said before with the Blake review, we are getting a greater understanding of all the decision processes from heads of agency. They will be thoroughly scrutinised. Where heads of agency form a reasonable belief based on all the information contained within the commission of inquiry report that a state servant may have breached the State Service Code of Conduct, an independent investigation will be undertaken to provide advice to the heads of agency for determination and sanctions as is required by the State Service Act Employment Direction 5.

Investigations in potential code of conduct breaches have already commenced. I cannot provide further detail while those investigations are ongoing. All these actions taken in response to the information and concerns raised by the commission regarding public officers employed in the State Service will be subject to an independent audit, as I have said. The result of this audit will be tabled in parliament and any suggestions or findings acted upon.

Commission of Inquiry - Section 18 Notices - Former Employees

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.30 a.m.]

What will prevent the 10 people who received section 18 notices but are not subject to a code of conduct because they are no longer employed in Tasmania from being employed in the future by another state government, by a government in a different state, or in the community sector? In fact, how do you know they are not currently working in the community sector or in another state in a role that has the responsibility for keeping children safe? Will all cases be reviewed, including where people have resigned to avoid accountability to date, and will the

findings be made public where the state believes an individual has behaved in a way that would warrant a misconduct finding or other sanction?

ANSWER

Mr Speaker, I thank the member for her question. Whilst the provisions of the State Service Code of Conduct and Employment Direction 5 only applied to current employees, should there be an assessment by the head of agency that former employees referred to in the commission of inquiry report have matters of concern identified, the head of agency will write to the former employee indicating this and that an ED5 process will commence if the person were to be re-employed within the Tasmanian State Service.

As I have repeatedly said, strong action has been taken and we will continue to ensure that Tasmanian children and young people are safe and well in our care. If an ED5 assessment has started and employees have since left, as explained on Tuesday, that process will continue. I take the matter very seriously in terms of the question you raise. We will be very thorough in our investigations and our processes to ensure openness and transparency across the State Service and more to ensure that those people who harmed children and perpetuated harm to children will be held to account.

Infrastructure Projects - Supporting Families and the Economy

Mr WOOD question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[10.32 a.m.]

Can you update the House on the Government's delivery of infrastructure projects across Tasmania and describe the future pipeline of projects to support Tasmanian families and our economy?

ANSWER

Mr Speaker, with your indulgence I would like to respond to the question in relation to infrastructure program. I want to add to my answer in relation to road safety and respond as well on commission of inquiry future funding arrangements.

To build stronger public services and support Tasmanian families, we need to continue to build on our economic plan; it allows us to fund these many important initiatives. Our Government's massive new record on infrastructure delivery is a very strong illustration of that plan and it is all about Tasmanian families and our economy. The Government is boosting our economy with a record infrastructure program. I am pleased to report that the latest ABS data shows that our gross state product hit a new record in 2022-23, the Tasmanian economy reaching \$38.6 billion in value. That stands in contrast to those who predicted otherwise.

Our future funding boost includes the largest transport infrastructure project in our history, the \$786 million new Bridgewater bridge which I was pleased to inspect earlier this week. It has been co-funded by the Tasmanian and Australian governments. The other major projects include the near-complete Midland Highway action plan -

Members interjecting.

Mr SPEAKER - Order; members will come to order.

Mr FERGUSON - the \$350 million South East Traffic Solution between Sorell and Hobart -

Ms Dow interjecting.

Mr SPEAKER - Deputy Leader of the Opposition, order.

Mr FERGUSON - the \$120 million project to improve the Sideling; the Tasman Highway between Scottsdale and Launceston; and the Bass Highway \$280 million works between Launceston and Marrawah.

I hope the House is keen to know that in total in the 2022-23 financial year this Government delivered a record \$568.5 million -

Dr WOODRUFF - Point of order, Mr Speaker. For clarity, I understood that parliament returned this week to scrutinise the commission of inquiry report. I do not understand why we are listening to this.

Mr SPEAKER - The question has been asked and I will allow the minister to continue.

Mr FERGUSON - an all-time high, which is four and a half times higher than 2012-13. Across the Budget and the forward Estimates we are looking at \$5 billion in works.

Mr Speaker, I want to reflect on the importance of this program for road safety. Last year in Tasmania we had a horrific loss of life and serious injuries. I am advised that the current road toll in Tasmania to today's date is 30 lost lives on Tasmanian roads, including one as recently as last weekend. We need to redouble our efforts, particularly as we approach the Christmas season when we see a lot of families using our roads, including visitors. It is my mission, and I hope it is all of our missions, to get strong public messages out there to encourage everybody to observe the fatal five and get our road toll down to our target of zero.

In conclusion, I want to add to the commission of inquiry funding questions that were posed through the week. I want to make it clear that while this process is expensive, it is important. While we are providing \$55 million in the 2023-24 financial year we are in, when we go through the next budget process, more funding will be applied to the recommendations of the commission of inquiry report.

I invite members to be part of that. I look forward to those future debates. The House can be assured that whatever is required for the Government to respond to those recommendations will be funded.

Commission of Inquiry - Actions of Minister Jaensch

Dr WOODRUFF question to PREMIER, Mr ROCKLIFF

[10.36 a.m.]

We spent two days scrutinising the Government's response to the commission of inquiry's report. We understand it is an enormous task and most ministers and their agencies appear to be progressing work in good faith, albeit with unneeded delays in areas. The glaring exception is minister Jaensch, who has responsibility for education, youth justice and out-of-home care. He has been dishonest; he misrepresented the words and intentions of the commission of inquiry; he shows no capacity to listen to or engage with stakeholders and he delays on action and reform. Worst is that he denies the reality that children in Ashley and out-of-home care are not safe and are at 'live and present current risk of child sexual abuse'.

Based on minister Jaensch's performance this week, it is clear he is incompetent and incapable of fulfilling the recommendations of the commission of inquiry. Will you remove the blight who stands in the way of cultural change that is Roger Jaensch? Will you remove him as Minister for Education, Children and Youth? If you will not, will you accept responsibility for his inevitable failings?

Mr SPEAKER - The member's time has expired.

ANSWER

Mr Speaker, I thank the member for her question. First, as Premier, I accept responsibility for the actions of our Government, the actions of the commission of inquiry and all the failures, both past and present. I accept that responsibility and the importance, as such, of implementing the commission of inquiry's recommendations and more to ensure that we are nation leading. I have every confidence in minister Jaensch.

Dr Woodruff - On what basis? You said you would leave no stone unturned.

Mr SPEAKER - Order, Leader of the Greens.

Mr ROCKLIFF - I have every confidence in minister Jaensch, not only because I fully understand and know his capacity and compassion when it comes to the commission of inquiry recommendations -

Dr Woodruff - Compassion is irrelevant if you do not act.

Mr SPEAKER - Order, Leader of the Greens.

Mr ROCKLIFF - and education and related matters with children and young people more broadly. One of the areas that I know minister Jaensch has been working very hard and solidly at is the Youth Justice Blueprint which Mr Jaensch spoke about.

Dr Woodruff - Yesterday was absolutely appalling.

Mr SPEAKER - Leader of the Greens, if you interject on the Premier again I will ask you to leave.

Mr ROCKLIFF - This is an example of the stewardship that minister Jaensch has on his responsibilities and his dedication to reform in this important area. It sets out direction for Youth Justice in Tasmania over the course of the next 10 years. We have a very unique chance to transform the way we address youth offending, as an example, providing improved outcomes for children and young people and increasing community safety.

As the minister outlined, utilising a public health approach, the blueprint refocuses and strengthens supports for children, young people and their families through the implementation of an integrated service system that promotes wellbeing and reduced engagement in antisocial and youth offending behaviours. It is important to reform because, for those children and young people whose offending behaviour has escalated and involves a criminal justice response, the blueprint outlines an evidence-based, therapeutic criminal justice approach. That approach supports the young person to address the factors that led to their offending and preventing continued offending behaviours and ongoing involvement in the system.

The minister has enormous capacity and knowledge in these crucial areas - not only with his active interest in the subject matter at hand, but also the long involvement that he has had with these responsibilities under very difficult circumstances. He has not shied away from taking that responsibility and, as difficult as it is, to ensure that reform happens. The minister's focus now, of course, is the relevant areas of the more than 191 recommendations to implement.

As to your question, I have every confidence in the minister, Mr Jaensch and his ability to get the job done. I take responsibility for all the work of our ministers. There are many areas of responsibility and need that require action in and across government. As I have said to all my ministers, irrespective of whether they are directly involved in the commission of inquiry, the commission of inquiry recommendations are the number one game in town and the key priority of this Government.

Commission of Inquiry - Section 18 Notices - Transparency

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.42 a.m.]

The commission of inquiry's final report appears to indicate there were more people, in addition to the 22 people who were issued with section 18 notices, who potentially avoided accountability because of the onerous requirements of the act and the actions of the state's lawyers. The commission wrote:

We received evidence or information that implicated people after our public hearings, or very close to finalising our report, which meant we did not have the time or ability to follow the required statutory processes. These are potential bystanders who looked the other way when allegations of abuse was raised with them.

How many people is the commission referring to? Have you attempted to find out? Can you outline for the House what you have done to ensure that they are not able to avoid accountability for their actions? Is this another example of your Government lacking the curiosity required to truly drive the cultural change that is needed and to rebuild trust?

ANSWER

Mr Speaker, I thank the member for her question. A very important part of the intent of the commission of inquiry is to rebuild trust amongst victims/survivors, and Tasmanians more broadly, who are horrifically aware of the system failings over the past 23 years and more.

The Department of Education, Children and Young People inquiry went back and involved itself in some matters - and I speak of the work of Professor McCormack and Professor Smallbone. Everything we do from this time forward, 26 September, from the tabling of the report, is all about ensuring that we are rebuilding trust and bridging what would be a very large gap between the victims/survivors and their trust in Government and state institutions. We started that process way before 26 September, and started that right throughout the commencement of the commission of inquiry and before the Department of Education, Children and Young People report that I speak of. I have spoken before about the actions that we detailed in May 2022 in the House in the ministerial statement.

Ms White - Did you hear the question?

Mr ROCKLIFF - Seventeen of those actions have been completed. I understand very clearly the desire and right of victims/survivors to ensure that this Government, and future governments, leave no stone unturned when it comes to accountability of those who have done wrong and harmed children - and to ensure that they are all absolutely -

Ms White - Have you done anything about these people?

Mr SPEAKER - Order.

Mr ROCKLIFF - held to account. We are working solidly through the recommendations and our commitment to victims/survivors and the brave employees who came forward within our State Service. I acknowledge and thank the employees within our State Service who saw wrong and came to provide evidence to ensure that we shone a light on the mistakes and the wrongdoings of the people in the past.

Ms White - Mr Speaker, point of order, Standing Order 45. If the Premier is not going to answer the question he should sit down. The question was, 'What has he done to understand who these people are?' He has not done anything.

Mr SPEAKER - The Premier has sat down. I will call the next question.

Abuse in State Care Program - Standing Down of Staff

Ms HADDAD question to ATTORNEY-GENERAL, Mr BARNETT

[10.47 a.m.]

The abuse in state care program resulted in more than 1800 victims/survivors being deemed eligible for compensation payments. This is in addition to the people who have made claims through the abuse in state care support service; the national redress scheme; civil claims in relation to Ashley Youth Detention Centre or the out-of-home care system; and other complaint mechanisms. How many staff have been stood down as a result of each of these

processes, all of which occurred many years ago? Is it possible that there may be hundreds of people currently employed by the State Government who should not be?

ANSWER

Mr Speaker, I acknowledge the victims/survivors who bravely gave evidence to the inquiry and thank them for that.

There was considerable concern and failure over the 20 plus years, as the Premier has outlined. I repeat the commitment, as Attorney-General, first law officer and Minister for Justice, to do what I can to ensure that those reforms - the 191 recommendations - are implemented. We have some 54 legislative initiatives that, as a result of the commission of inquiry, need to be implemented. There is a massive body of work with my department, and across Government, to implement the 191 recommendations. It is a very extensive legislative reform agenda, and some very significant initiatives. By 1 January, we expect the independent regulator's office to be established, and the independent regulator to be appointed.

Ms Haddad - What about stand-downs from previous processes? That is what the question is about.

Mr BARNETT - In terms of responding to the member's question regarding compensation -

Ms White - Stand downs, as a result of those processes.

Mr BARNETT - and the litigation around that, we have established the Office of the State Litigator, to ensure that those efforts are done in such a way that they are consistent and understanding and reflective of the concerns of victims/survivors.

Regarding the last part of your question, I will come back to you as soon as possible.

Commission of Inquiry - Audit of Claims

Ms HADDAD question to ATTORNEY-GENERAL, Mr BARNETT

[10.50 a.m.]

The commission of inquiry said that they re-discovered these claims through their work and noted that the safety of children at Ashley was at risk for years. They said:

We do not consider it in the public interest that the department holds potentially credible information alleging serious abuses against current staff and carers and does not act on that information.

Your response to the commission of inquiry's report said that an audit of these claims through those various redress and processes which happened many years ago would be completed by July 2026. Should not this work be a much higher priority to ensure that potential offenders as well as enablers and bystanders who are identified through those previous processes are held to account? Many of those people could still be working in the State Service. Do you not accept that there is a catastrophic risk of harm if this is not urgently dealt with?

ANSWER

Mr Speaker, I thank the member for her question and acknowledge again the importance of progressing the 191 recommendations as a priority. We have said that we will do them as soon as possible. That was outlined, in fact, by me last Friday in delivering the response from and for and on behalf of the Government. There is no work that is more important to this Government than the work of the commission of inquiry and protecting and supporting children and providing a safe environment in Tasmania for those children.

Obviously, your question goes at least in part to the Joint Safety and Accountability Team (JSAT), which is a multi-agency team, comprising key law enforcement and regulatory authorities.

On 28 September 2023 it was announced that the Tasmanian Government has committed to commencing an audit of all records that may contain allegations of child sex abuse and that JSAT would stand up phase two of the work program to conduct this important work. This commitment gives the commission's recommendation 12.05a of their final report. JSAT had already commenced the critical scoping work to assess the task ahead, meeting on a weekly basis. Once the scoping work is completed, JSAT will move into the auditing phase. It is anticipated that this work will be completed well in advance of the commission's time frame of 1 July 2026.

However, whilst the legal restrictions on the practicalities of auditing paper-based records are being reviewed, it is not possible to provide a hard deadline at this time. I believe my secretary outlined some of the reasons yesterday in the scrutiny. I thought it was a very comprehensive answer by my secretary. I am happy to assist members or others in any other way, but we take this as a priority. This is a top priority of our Government and, as the Premier has said, we will leave no stone unturned to ensure that children are kept safe in Tasmania.

Healthcare - Access

Mr BEHRAKIS question to MINISTER for HEALTH, Mr BARNETT

[10.53 a.m.]

Can you update the House on what the Rockliff Liberal Government has delivered in 2023 to ensure that Tasmanians have access to the right healthcare in the right place and at the right time?

ANSWER

Mr Speaker, the first thing I want to do is to thank the member for his question. The top priority for us is implementing the commission of inquiry report. I am very pleased and proud of the efforts of the Department of Health. The Department of Health has not waited. It has acted. We are talking about the mandatory child safety training. A total of 15 500 Department of Health personnel have undertaken that training. We take it very seriously. We have structural changes to reset the executive culture and the culture - this is not just a short-term or medium-term fix; it needs to be a long-term fix. We need to change the culture. That is happening in Health and across government.

Accountability of leadership and frameworks for reporting child safety concerns is a top priority. We take it very seriously and it is a top priority for our Government. We are spending record funds to deliver the healthcare that Tasmanians need. Tasmanian families and vulnerable Tasmanians need this healthcare. That is why we are delivering on that.

We have employed 2500 extra healthcare workers since coming to government. Indeed, 10 000 additional outpatient appointments every month. Just in the last couple of days, we have had a 35 per cent increase in elective surgery waiting list reduction. That is since January 2020; it is a huge result.

We are building a better health system for vulnerable Tasmanian families, people who need it. We take it very seriously. We are partnering with the federal government. We have the single employer model, the GP registrars, particularly in rural and regional Tasmania. It is so important. It is working. We are partnering with them in terms of the urgent care clinics. We are very pleased. We now have two more in Hobart and one more in Launceston. On 11 December, in a few days' time, one will start in Devonport. We are very pleased with that initiative and partnership arrangement.

The workforce is awesome. They are delivering the care that Tasmanians deserve. I was at the rural medical workforce centre at the Mersey Community Hospital in October this year, thanking them for their wonderful work and encouraging them to train more doctors, nurses and allied health care professionals to do the work that needs to be done.

In terms of a long-term plan, we have masterplans for the Launceston General Hospital and the North West Regional Hospital. We have a long-term plan for the St John's Park redevelopment. We have long-term plans in place and we will continue that effort.

I indicate that the Launceston General Hospital takes this very seriously because they have to respond to the commission of inquiry. They have done that by implementing those reforms; they have not waited. We have a new mother and baby unit at the Launceston General Hospital. I have toured there a number of times in the last months. I am pleased and proud of the development of ward 4K.

There is much that has been done and will continue to be done. We are very committed and we will get on with the job of delivering the healthcare that Tasmanians deserve.

Commission of Inquiry - Scrutiny of Implementation of Recommendations

Mrs ALEXANDER question to PREMIER, Mr ROCKLIFF

[10.58 a.m.]

The majority of the implementation of the recommendations will be completed by July 2026 and beyond. This is two-and-a-half years plus into the future. What opportunities will members of parliament have to apply scrutiny to the implementation process? Will you commit to setting up a separate yearly scrutiny committee so we can understand how this is progressing?

ANSWER

Mr Speaker, I thank the member for her question. I have stated today that the independent monitor has an important oversight into the implementation of the recommendations. As you say, a majority of recommendations - some 83 per cent - are to be implemented by 1 July 2026. Other forms of the House may well be utilised in providing parliamentary oversight in terms of the recommendations.

I will not speak for the will of the House, but the mechanisms already exist through question time and Estimates. I truly expect that when it comes to the budget Estimates process and the investment that will be required to support the implementation of the recommendations to welcome scrutiny, not only in the forward Estimates after the budget is accounted in May next year, but also the \$55 million we have already announced between the last Budget and 1 July next year.

The commission's final report made clear that independent monitoring and public reporting on the implementation of reforms is vital for making real progress on preventing abuse in government settings, improving institutional responses to abuse and ensuring that victims/survivors receive the support they need. In line with recommendation 22.1 the Government will establish an independent child sexual abuse reform implementation monitor to hold the Government to account in its delivery of the commission's recommendations and broader reforms, ensuring accountability and transparency to the Tasmanian community and upholding our commitment to change.

The commission recommended that the monitor should be empowered to undertake independent evaluations of the effectiveness of the measures and actions taken in response to the recommendation identified, especially the impact on the safety and wellbeing of children in government and government-funded institutions and victims/ survivors of child sexual abuse in institutional settings.

The implementation monitor will report to the Tasmanian parliament and will provide independent oversight and evaluation of the effectiveness of measures taken in response to the commission's report and enable assessment of change over time. In addition to the powers the commission has recommended, our Government will seek to legislate to give the monitor additional functions to monitor and report to parliament on the Keeping Children Safe interim actions, the Department of Health's Child Safe Governance review and other matters referred to in the monitor by the Premier. The monitor will ensure our commitment to adopting the commission's recommendations is independently assessed and evaluated.

I agree with you on that important oversight to hold governments to account. I say governments because I expect between now and 2029 we will be subject to elections and the government may well change over those successive times so it is important that that evaluation is consistent in the work it does to keep the government of the day accountable for the implementation of the recommendations.

Commission of Inquiry - Section 18 Notices - Transparency

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.02 a.m.]

Do you understand the substantial interest in the possibility that people have avoided accountability is because one of the most fundamental purposes of the commission of inquiry was to obtain justice that had been denied for too long? Do you acknowledge the impact the lack of answers from your Government over the past two and a half months has had on victims/survivors, their families, whistleblowers and advocates?

You cannot say how people who have resigned to avoid accountability will be held to account. You cannot say what protections are in place to prevent these same people taking up roles outside Tasmania or the State Service where they could continue to put children at risk. You cannot say whether you followed up to find out who the individuals are the commission of inquiry referred to but could not follow up because they had already finalised their report. You cannot explain why you failed to share information about the section 18 notices for so long until it was finally released by the Attorney-General yesterday and, even then, there are still questions.

Premier, will you apologise on behalf of your Government for your lack of answers on these very serious matters?

ANSWER

Mr Speaker, I thank the member for her question. We absolutely and correctly apologised in this place to victims/survivors last year for the failings of past governments and I repeat that apology today. We will do and are doing all we can to ensure thoroughness, transparency, accountability and to ensure that the recommendations of the commission of inquiry are fully implemented.

We took responsibility not only for our own failures but the failures of past governments and I carry that responsibility as Premier for all my predecessors on those failures. I wear that responsibility and it lives with me every day to ensure that we do implement these 191 recommendations. I can appreciate the heartache and the trauma of all victims/survivors who have courageously come forward and those who have not yet or will perhaps never be able to come forward, as well as employees within the State Service who shone a light on failures that they witnessed in the State Service.

I can appreciate the need for answers on behalf of all the people I have mentioned. I repeat, all those people who have failed children will be held to account. I have detailed the thoroughness many times when it comes to the State Service Code of Conduct, Tasmania Police, Australian Health Practitioner Regulation Agency (AHPRA), which is a national organisation, the Teachers Registration Board, and we have the working with vulnerable people register which we spoke of the other day as well. I repeat that commitment to all Tasmanians, especially victims/survivors, that no stone will be left unturned when it comes to these matters and those people who have failed children will be held to account.

Therapeutic Sexual Assault Support Services

Mr YOUNG question to PREMIER, Mr ROCKLIFF

[11.07 a.m.]

Can you update the House on what steps the Government is taking to support services that reduce the impact of harmful sexual behaviours in Tasmanian children?

ANSWER

Mr Speaker, I thank Mr Young for the question. We firmly believe that the additional \$1 million investment across two specialised therapeutic sexual assault support services to immediately access intervention supports for harmful sexual behaviours is an incredibly important investment. Led by the Sexual Assault Support Service (SASS) in collaboration with Laurel House and Mission Australia, the prevention, assessment, support and treatment of harmful sexual behaviours, known as the PAST program, will expand statewide thanks to the additional funding. I thank advocates for working with government to secure that funding because the important investment will support SASS and Laurel House to provide timely therapeutic services to children and young people who need them, regardless of their age, identity or location in Tasmania, including those in youth detention.

Having access to timely interventions helps protect children who are displaying harmful behaviours and their peers. The funding will immediately increase access to supports for harmful sexual behaviour through SASS and Laurel House that are aligned with best practices in other jurisdictions, as well as increase supports for young people in the Ashley Youth Detention Centre. It will also enable SASS and Laurel House to utilise their core funding for other therapeutic supports.

I was standing beside acting CEO Sandi Doherty today, who has spoken on how the small dedicated workforce provides a highly valued program and I can attest to the very strong advocacy and important articulation of Ms Doherty today in a public presentation and thank her for her leadership of the organisation and indeed that of Laurel House working with Mission Australia across the statewide service as it will become.

SASS has undertaken inspiration from similar organisations that have been delivering harmful sexual behaviour programs in other jurisdictions and our Government has been working closely with SASS, Laurel House and Mission Australia to expand these essential services in Tasmania. Ms Doherty said that the PAST program is an important investment in the future of our state and harmful sexual behavioural programs deliver proven benefits in terms of reduced harm risk, criminal justice system and service use costs.

This is, of course, part of the 191 recommendations outlined by the commission of inquiry to ensure that Tasmanian children and young people are safe and well.

In the commission's final report, there are 25 recommendations related to harmful sexual behaviours. This additional investment will assist by providing increased timely access to specialist therapeutic interventions for harmful sexual behaviours. This action is another very important step and, of course, it will not be our last.

Further actions regarding harmful sexual behaviours will be announced in our Child Sexual Abuse Reform Strategy and Action Plan - as I have said a number of times - to be released in July next year. We are working methodically to implement reforms and to change culture, ensuring Tasmanian children and young people are protected and kept safe from sexual abuse and harm in Government institutions.

I reiterate my thanks to victims/survivors and advocates, and those within the State Service, who helped shine a light on the past 23 years of failings and injustices against children and young people. We are committed - not only as a Government, but working in and across the parliament - to deliver systemic changes to ensure that the failures of the past are never repeated.

Time expired.

TABLED PAPER

Commission Of Inquiry Scrutiny Committee Report

Mr SPEAKER - In accordance with the order of the House on the 15 November 2023, I call on Mr Wood to bring up the report on the Commission of Inquiry Scrutiny Committee.

Mr WOOD (Bass) - Mr Speaker, I have the honour to bring up the report of the Commission of Inquiry Scrutiny Committee, together with the minutes of proceedings, the transcripts of evidence and additional information presented to the committee.

MOTION

Commission Of Inquiry Scrutiny Committee Report - Noting

[11.12 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I rise to speak on the Commission of Inquiry Scrutiny Committee Report.

Today, I have spoken about the great privilege to be Premier of Tasmania. Every day, I am very much aware of the grave responsibility I have especially for children and young people.

I start by acknowledging the very brave victims/survivors of child sexual abuse who courageously spoke out on behalf of themselves, and for many others who were unable to come forward and some who may never be able to, to ensure that children and young people's voices were finally heard. Without you and your dedicated resolve, the injustices and failings of the past 22 years would not have been uncovered.

Due to your strength and courage, my commitment to you today, as Premier, is that significant reform and change will occur, ensuring that future generations of Tasmanian children and young people are protected and kept safe from sexual abuse and harm in our institutions.

Our Government set up the commission of inquiry because the safety of children and young people is our highest priority. That is why, as part of the commission of inquiry process, I welcomed the opportunity to appear before the scrutiny committee on Tuesday in relation to my portfolios of Premier and Cabinet and Minister for Mental Health and Wellbeing.

Our Government agreed, in good faith, to the scrutiny hearings over the previous two days because we understand that our response to the Commission's recommendations that we released last Friday is extremely important work - work that everyone in this parliament, those who bravely spoke out, and the wider Tasmanian community, have a great interest in.

We are now, through our actions and our response, looking to give meaning to the commission's final report and to honour all those who have contributed to it, by implementing real change. The commission's final report provides us with the blueprint for systemic and holistic change. Actioning the report will ensure that Tasmania is nation-leading in the protection of our children and young people in Government institutions.

Mr Speaker, we are unwavering in our commitment to implement all 191 recommendations, as outlined by the commission in their staged approach. Of the 191 recommendations, 83 per cent of these - 158 - will be completed by 1 July 2026, including 48 priority actions to be completed by 1 July 2024. In many cases, we have already started work on reforms. Critically, this includes the state's Child and Youth Safe Organisations Framework and the Reportable Conduct Scheme commencing on 1 January 2024, which will dramatically increase accountability and transparency of all organisations engaging with children and young people.

These reforms were progressed ahead of the commission's report, making Tasmania the third jurisdiction to have these important safeguards in place, ahead of most other states and territories. We have also undertaken a large body of criminal and civil justice reforms to increase protections and penalties for child sexual abuse related offences, with further work underway to ensure we continue to strengthen our laws and justice system. Our extensive legislative agenda will further strengthen access to justice, improve protections, streamline processes, and improve reporting mechanisms across Government agencies to ensure the utmost safety for children and young people.

Recommendation 22.1 recommends the Tasmanian Government establish and fund an independent reform implementation monitor by the end of June 2024, which I spoke of just a few moments ago. The role is based on the monitor established in Victoria in 2016 to oversee implementation of recommendations from the Royal Commission into Family Violence. Legislation to implement the monitor will be introduced to parliament in the first sitting week of 2024. There will be \$2.4 million allocated to appoint the independent monitor, who will be responsible for holding our Government to account through monitoring and public reporting on our progress towards reforms to ensure implementation of the commission's recommendations result in sustained, systemic improvements towards preventing child sexual abuse in institutions; improved institutional responses to such abuse; and victims/survivors receiving the support that they need.

The proposed role of the monitor was to monitor and report to parliament annually, on the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse that were accepted and not implemented; the Tasmanian Department for Education, Children and Young People responses to child sexual abuse; and to undertake independent

evaluations of the effectiveness of the measures and actions taken. However, we have proposed that the monitor's functions now be extended to also consider the Keeping Children Safe interim actions in the Child Safe Governance Review associated with the Launceston General Hospital, and other matters referred to the monitor by me, as Premier.

We know that transforming Government institutions, systems, culture, and rebuilding trust will take time, investment and a commitment to deliver. I want to be very clear that we will safeguard our children and young people now and into the future. Importantly, over the next six months the Tasmanian Government will, under recommendation 19.1, develop a detailed child sexual abuse reform strategy and action plan. At present, there is no single strategy for preventing, identifying and responding to child sexual abuse in Tasmania. Development of the strategy and action plan, as recommended by the commission, will position all relevant activities into a single, coordinated, and strategic framework.

The strategy will be outcomes-focused and will describe the system that Tasmania seeks to achieve, and how we will work to achieve those outcomes. The strategy and action plan will include all actions that are being undertaken as part of our response. It will also, like the independent monitor, take into account broader work by the Tasmanian Government to improve systems and processes for responding to child sexual abuse, including outstanding recommendations of the royal commission; the independent inquiry into the Department for Education, Children and Young People responses to child sexual abuse; the Department of Health's Child-Safe Governance Review; and Keeping Children Safe actions.

The Child Sexual Abuse Reform Strategy and Action Plan will deliver a coordinated, whole-of-government approach to creating, monitoring, and improving our response to child sexual abuse, and set out our roadmap for preventing, identifying, and responding to child sexual abuse on a whole-of-system basis. Initial planning and system mapping are underway regarding the extensive policy work and partnering stakeholder consultation required to develop a strategy and action plan, with contact to be made throughout December with research, community and policy partners to design the engagement framework.

Mr Speaker, we cannot undertake cultural change alone, which is why, most importantly, the voice of the Tasmanian community, victims/survivors, supporters, experts, children and young people with specific experiences within Tasmanian institutional settings will be key to developing and co-designing the strategy. Consultation on the strategy and action plan will commence in early 2024 and the strategy and action plan will be tabled in parliament and published online in July next year.

To ensure community feedback underpins this work, we have engaged the National Centre for Action on Child Sexual Abuse to create Tasmanian-specific data. This will enable us to gain further insight into the unique challenges within our state and tailor our responses accordingly. In regard to these actions, Sandi Doherty, acting CEO of the Sexual Assault Support Service, said:

I would like to acknowledge that considerable work has gone into the Keeping Children Safe and Rebuilding Trust response. We appreciate the intent of the response themes and the commitment to fund the implementation of the commission of inquiry recommendations. Additionally, we are thrilled to see that the Government has taken on our suggestion, to fund the National Centre for Action on Child Sexual Abuse to

over sample in Tasmania as part of a study of community attitudes towards sexual abuse.

While we appreciate these words, we are committed to these reforms because they are needed and keeping children safe is our highest priority. We are committed to implementing all the 191 recommendations and 75 findings with our children and young people at the centre, ensuring we take all the necessary steps to transform our government institutions, our systems, our culture and rebuilding trust.

That is why we have already invested more than \$55 million to keep children safe since the commission began its work. This funding has led to important changes in the way services are delivered, with 17 of 30 Keeping Children Safe actions already complete and work well underway for the remaining actions. Actions already delivered include strengthening the accountability of heads of agency through revised performance agreements, rolling out trauma-informed practice training across the State Service which is ongoing, and placing a safeguarding lead in every state government school.

We have created new crimes relating to child sexual abuse, including failing to protect a child or a young person and sexual abuse of a child or young person by a person of authority. We have removed all limitation periods for child sexual offences, including for the summary offence of assault with indecent intent, provided greater support for victims engaging in the justice system through our witness intermediary services, and in removal of limitation periods for victims of crime applications. We have established two pilot multidisciplinary Arch centres in the north and south, bringing together specialist family violence services, sexual assault services and police and prosecution services under one roof, with planning under way on the third in the north-west.

Since the commission's report was released on 26 September 2023, there has been extensive work across our agencies to carefully consider the full suite of recommendations and to map out the process of change. Delivery time frames for the majority of the recommendations align with the suggested time frames of the commission and for the small number that do not, we have indicated why. I want to reassure all members that where actions under a recommendation can be delivered ahead of schedule, they will be.

For example, in relation to recommendation 21.8, on Tuesday we announced our Government will be investing an additional \$1 million across two specialised therapeutic sexual assault support services to immediately increase access to harmful sexual behaviours intervention support, and I spoke of that this morning as well. Led by the Sexual Assault Support Service in collaboration with Laurel House and Mission Australia, the prevention, assessment, support and treatment of harmful sexual behaviours program will expand statewide as a result of our additional funding. This important investment will support SASS and Laurel House to provide timely best-practice therapeutic services to children and young people who need them, regardless of their age, identity or location in Tasmania, including those in youth detention. It will also enable SASS and Laurel House to utilise their core funding for other therapeutic supports.

SASS acting CEO Sandi Doherty said:

This is an important investment in the future of our state. Harmful Sexual Behaviour Programs deliver proven benefits in terms of reduced risk, harm, criminal justice system and service use costs.

Laurel House CEO Kathryn Fordyce stated:

Funding announced by the Premier today means Laurel House will have capacity to collaborate with SASS and Mission Australia to expand delivery of our highly specialist therapeutic programs in the north and north-west regions. It is essential that Tasmanians have access to specialist therapeutic supports in their local area when they need them, as they further prevent harm and promote healing and recovery.

This action is another important step and it will not be our last. For example, in relation to recommendation 19.5, I announced on Tuesday that the expression of interest process for the establishment of our new child sexual abuse adult victim survivor advisory group is now open. Our Government will work with the advisory group to inform and shape the implementation of the commission's recommendations with a priority focus including the development and enactment of a child sexual abuse reform strategy and action plan, as it is pivotal to have the perspectives of people with lived experience included.

The advisory group will also provide input and feedback to the Government on a range of policies, programs, services and initiatives directed at preventing or responding to child sexual abuse and the impacts on victims/survivors of child sexual abuse. Expressions of interest are now open for up to 12 members from a diverse range of backgrounds and locations across the state.

Other recommendations we are bringing forward in my portfolio of Mental Health and Wellbeing include recommendation 12.20 to be completed by July 2029. As outlined to the committee on Tuesday, we have started the progress. The recruitment of staff for the Youth Forensic Mental Health Service has already commenced, including the recruitment of a youth forensic psychiatrist, who despite apparently being incredibly rare individuals, we interviewed and found someone appointable last week, which I am personally very excited and pleased about as they will soon be onboard.

Recommendation 15.4 has been brought forward from July 2026 to July 2024 to help protect children through a safety culture. Recommendation 9.14 has been brought forward from July 2029 to July 2026 to assist in keeping Tasmanian Aboriginal children safe. Recommendation 9.23 has been brought forward from July 2029 to July 2026 to assist in meeting children's needs. Recommendation 9.28 has been brought forward from July 2029 to July 2026 to ensure the harmful sexual behaviour unit is established to support the implementation of several other recommendations, while recommendation 12.16 has been brought forward from July 2029 to July 2026 to help create a child-focused youth detention system.

Mr Speaker, 54 of the commission's recommendations will require legislative amendments, including for legislation that was brought into this parliament by previous governments. It is vitally important that we as a parliament work together across party lines to

give effect to these legislative reforms to deliver the changes the commission has recommended as we are trying to fix failings that have occurred across decades and across governments of all persuasions. The changes that are necessary must be enduring beyond future parliaments and generations of young people. This is a time to work together on a common goal to keep children safe and it is important the parliament work together to do everything we possibly can to support the implementation of the recommendations and the protection of our children and young people and to ensure that there is significant cultural change in and across government.

I also commit that the next five and a half years will not just be a tick-a-box exercise. My commitment is that through the recommendations we are implementing, Tasmania will become a nation leader in keeping children and young people safe.

It is every individual's responsibility to ensure that when they see a young person or a child who is not safe, or at risk of not being safe, it is reported straight away. All children have the fundamental right to be safe and secure and respected irrespective of government institution, whether that be a health facility, a youth justice facility or an education facility.

In regard to holding people accountable for the findings in the commission of inquiry, we all want to see justice served. I am committed 100 per cent to ensuring that no stone is left unturned to see individuals held to account and that all perpetrators are removed from the State Service. All governments need to abide by the principles of natural justice and also conduct investigations appropriately and according to law. As Premier, I cannot interfere in those processes as that may jeopardise the integrity of a process or break the law which is why I, or heads of agency, cannot provide details on any ongoing investigations.

I want to assure all Tasmanians that to rebuild trust, I am committed to providing the community with as much information as permitted by law, which is why the Government is working thoroughly and diligently through a number of processes to ensure accountability.

All allegations of child sexual abuse in the State Service are immediately referred to Tasmanian Police and the state service employee is immediately removed from the workplace. At the same time, the relevant head of agency commences an assessment of whether there may have been a breach of the State Service Code of Conduct and the appropriate legal and regular bodies are also advised - for example, the registration to work with vulnerable people, so if appropriate, that registration can be removed. This means the person cannot work in any other situation where a check is required.

I assure all Tasmanians that every person identified in the commission's report as a possible perpetrator has been referred to the most appropriate authority, be it Tasmania Police, Australian Health Practitioner Regulation Agency (AHPRA), the Teachers Registration Board, or the Working with Vulnerable People Registry. For some employees, a process has already been undertaken and they are no longer employed.

Every mention of a matter of concern in relation to a state servant is being assessed to see if further investigation under the State Service Code of Conduct rules is warranted. Relevant heads of agency are working through the findings in individual circumstances relating to matters of concern in relation to state service employees, both current and former, identified in the final report. This work is not being limited to the formal findings. An independent audit of all the actions taken in response to the information and concerns raised by the commission regarding state service employees will also be undertaken.

In addition, in March, the former auditor-general of Tasmania, Mike Blake, will report to me as Premier on those matters of concern which were raised in the report in respect to actions by heads of agency.

I would like to remind members that over 100 individuals, more than 200 referrals, have been referred to authorities from the commission of inquiry in the form of Section 34a notices, including: 100 received by the Registrar for Working with Vulnerable People; 59 received the Department of Education, Children and Young People; and 43 received by Tasmania Police.

Police have laid charges for 10 matters against nine people relating to child sexual abuse. As our routine disclosure as of 1 December outlines, 74 state servants have been suspended as a result of allegations of child sexual abuse since October 2020, with seven code of conduct breaches determined and sanctions imposed. People are being held to account. Furthermore, the head of the State Service has been publishing information through the routine disclosure processes since 2020 relating to suspensions of State Service employees due to allegations of child sexual abuse.

In the interests of transparency, an additional routine disclosure providing an update on the assessment and actions by relevant heads of agencies of Tasmanian State Service employees referred to in the commission of inquiry report was published yesterday. This new disclosure outlines actions by heads of agency with regard to current and former State Service employees and employees who may be alleged perpetrators referred to in the commission's report.

It also includes an update of the assessment by heads of agency of current and former State Service employees referred to in the commission of inquiry report and an update of assessment and actions by the commission of Tasmania Police in relation to current and former police officers.

The report will be updated monthly until all actions are completed. As committed during the commission of inquiry scrutiny hearings this week, an annual report will be tabled in 2024. This was a recommendation of the commission of inquiry and will be brought forward two years earlier.

In regard to the series of questions asked in respect of notices of misconduct issued to state servants throughout the commission's work, I would like to make sure that everyone has a clear understanding of section 18 notices, which have been referred to as misconduct notices because it is very important that they are understood in context.

First, as has been explained a number of times, section 18 notices are issued to individuals not institutions, like our departments or the state. As we have also explained, the commission of inquiry did not provide the State of Tasmania with a list of individuals issued with misconduct notices. It would be inappropriate for a commission of inquiry to do so as these notices are a part of the commission's investigation processes and should not be disclosed in order not to potentially prejudice any investigation. That would be like police publishing a list of all persons of interest in an investigation or sharing information with an employer before those persons had the opportunity to engage with the police and share their experiences.

However, if the commission had thought it was appropriate to share this information, it would have done so. It did not. Section 18 notices are part of the procedure for the commission:

they are not a conclusion or a finding; they are part of a broader process. As an example, a commission may issue a section 18 notice suggesting that an individual failed to make a mandatory report about an incident that occurred in their workplace. However, when an individual receives the notice, they print out their leave record which demonstrates that they were not at work that day and might produce evidence that shows they were on holiday interstate at the relevant time. The commission may then withdraw the notice. This is why the number of section 18 notices is not material to holding individuals accountable.

It is the section 34 A referrals which are the mechanism by which the commission advised the state of issues with its staff and other risks. This is why the work of the heads of agency in reviewing the report and the matters arising from it, along with all the referrals made by the commission, are the matters that must be addressed and these matters are being addressed.

To provide extra reassurance to Tasmanians in regard to both sections 18 and 19 of the Commissions of Inquiry Act 1995 and section 194K of the Evidence Act 2001 and their operations in the commission's process, the Attorney-General has made a referral to the Tasmanian Law Reform Institute to ensure these matters are considered appropriate.

In terms of reference for the review of being considered as a matter of priority, a final report will be made public. Our Government will consider all findings and seek to amend any relevant legislation. Section 34A of the Commissions of Inquiry Act is the mechanism by which the commission raised issues of concern with the state and by which they made 230 referrals in respect of over 100 individuals to Tasmanian and other authorities.

To ensure all referrals have been responded to, the Department of Justice has requested the secretary of each Tasmanian government agency, Tasmanian regulator and related Commonwealth entities to provide information regarding all section 34A referrals received for the purpose of auditing and reviewing these concerns. We wrote to the three former commissioners of the inquiry to confirm that they are satisfied that the commission made all necessary section 34A referrals and have sought confirmation that any of the 30 misconduct notices formerly issued relate to individuals the commission was not able to make a finding against because of issues relating to time limitations or legislative constraints.

The former commissioners confirmed that they were:

confident that the commission made all referrals it was legally required to make, including to ensure the safety of Tasmanian children.

In regards to the community sector, as I outlined to the committee a number of times, we welcome the community sectors' advice and assistance with the implementation of the recommendations of the commission of inquiry more broadly. This includes our Youth Justice Blueprint 2024-34 released yesterday - a 10-year, multi-systemic, contemporary, integrated and therapeutic model of care focused on the rights of the child, rehabilitation and breaking the cycle of offending. This blueprint has been developed in collaboration with other agencies, young people and key stakeholders to ensure that it is fit for purpose and nation-leading in its approach to achieving improved outcomes for children and young people in conflict with the law and, importantly, aligns with the recommendations from the commission.

We are under no illusions as to the large amount of work ahead of us. It will require a significant investment and it will take leadership. We have taken, and will continue to take,

significant action to implement cultural, procedural and programmed improvements to implement the commission's 191 recommendations over the next five-and-a-half years. Our Government is absolutely committed to working collaboratively across the parliament to deliver the systemic changes needed to ensure the past is never repeated. Together, we can deliver the change that children and young people need to navigate their formative years and thrive as our future generations. We share a collective responsibility to deliver change to safeguard our children and young people for now and for generations to come, and we approach this task with commitment, compassion and hope.

I thank the chair, the committee and all our team and staff for the work in preparing the committee and for the committee work, as well as departments and heads of agency for their efforts. I also thank all members of the committee for their time and questions and scrutiny over the last few days.

We all care very deeply about the protection of our children and young people. That is why we were united in setting up the commission of inquiry. That is why we were united in setting up the legislation to enable the commission of inquiry to set up the hearings to provide the opportunity for people to give very important evidence. That evidence was provided by victims/survivors who have been traumatised for life as a result of being severely and utterly let down by state government institutions over time. Some go back many decades, as we well know.

The commission of inquiry focused on the years from the year 2000. I acknowledge the trauma associated with victims/survivors and their abuse going back for many decades - in fact, generations. I repeat my thanks to all victims/survivors who have come forward to provide evidence to the committee and spoken courageously within hearings or outside of this place. I acknowledge the many people who have not yet come forward, or are not able to come forward, to talk about their lived experience. Some may never be able to. It is for those people, and all victims/survivors, that we must act diligently and thoroughly.

We must leave no stone unturned when it comes to delivering the 191 recommendations and accepting all the findings of the commission's report. We must do more to ensure that Tasmania is not only ticking a box on each recommendation but has the vision and ambition, as has been demonstrated over the course of the last three years with the evidence, to do our jobs in relation to the commission of inquiry's findings and recommendations. We must be nation-leading in our approach so that when people shine a light on which state or territory has the greatest protection and accountability mechanisms for our children and young people, they will go to Tasmania to see how it is done.

That could not be said over past decades and generations. We have failed our children. We need to acknowledge those failures to ensure that the wrongs of the past are never repeated.

[11.46 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I move -

That the report be noted.

I presume that is the process; I seek your guidance.

Mr SPEAKER - Take note of the debate.

Ms WHITE - Take note of the debate - thank you.

At the outset, I reaffirm the Labor Party's commitment to see the full implementation of the 191 recommendations from the commission of inquiry's report. We have been very supportive of the processes that were established by this Government following the receipt of a lot of information and evidence that led up to the establishment of the commission of inquiry. We were pleased to see it commence its work and recognise that it took an enormous amount of effort and energy. It also took a lot of courage for people to bring their stories to the public's attention, to shine a light on what was happening across state institutions, to put pressure on us to act, and to see the commission of inquiry established in the first place.

I acknowledge victims/survivors who have bravely spoken out, their allies and advocates, whistleblowers, their family members, and also recognise that some of those people are not here to see the work that has happened since the commission of inquiry got under way and tabled its report.

I also recognise and acknowledge the steps that have been taken across different agencies that are working hard to deliver the recommendations and implement them in full. Over the course of the last couple of days there have been some highs and lows. I will reflect on some of those things. I recognise that there are good people working across the State Service, at a range of different levels, who are doing their very best to make sure that we have child safe institutions in Tasmania.

I also reflect on the hard work of the commission and the staff in the commission, as well as the commissioners, for the work that they have provided to us, as that will inform what we do next. Some of those people are still working in roles there and I thank them for that. I acknowledge that over the course of the last couple of days there has been a lot of criticism, and some of it is warranted; but there has also been a lot of good work done. It is important that we pay tribute to those people for doing that work, because it is not easy work.

Cultural change is hard and will require sustained effort from the leadership across the parliament, but also within agencies, to effect the changes that we see, and believe, and agree are necessary.

Having said that, it was distressing to see the level of incompetence displayed by some ministers who were before the commission of inquiry committee over the last couple of days. There were moments when I shook my head in disbelief. There were moments when I felt enraged and frustrated and felt utter disbelief at what we were hearing from Government ministers in their response to damning evidence that demonstrates that we are not keeping children safe, that we failed to keep children safe and that there is still so much more work that needs to be done.

I am not just saying that as a member of an opposition party. I am saying that as a mum and as a member of our community, who expects us to uphold the highest standards. I did not see that demonstrated at every minute of the day across the course of the last couple of days. There was distressing incompetence on display. I saw the way that upset a number of victims/survivors who were joining us in the room listening to the hearings. I received messages from a number of people who were watching who felt a bit empty, given some of the answers that were received by the committee over the course of the last couple of days.

It defies logic - and certainly I cannot understand it - that the Government still has not been able to clearly explain, up until this point, what is going on when it comes to the individuals the commission of inquiry identified and how they will be held to account. The Premier was asked questions again today. He was asked questions over the course of the last couple of days. We have been asking questions over the last couple of months since the commission of inquiry report was tabled in this place. It seems like each day his answer gets a little better and clearer, which is good, but why did we not have those answers at the outset?

These were issues that were brought to the Government's attention before the commission of inquiry report was tabled in this place. I have spoken about this previously, particularly with regard to some of the concerns that the commission identified in their final report around the challenges they faced. This is 5.1, page 25, and we have spoken about this at length. These were in black and white for the ministers and Government and Cabinet to see nearly a full month before the report was tabled in this place, before the commission's work had ended, which meant that the Government should have read this and said, 'We have a problem. While the commissioners are still there and the commission is still in place, let us bring them in and have a chat. If we can rectify these matters while they are still available to give us information, we should do that'.

I respect that the Premier might have seen that could have been perceived to be political interference in the independent work of the commission of inquiry. However, given all that we now know, I think that was the wrong call to make. Judgment should have dictated that there was something the Government had a responsibility to do once they received that draft report and it did not do it. I still cannot quite wrap my head around that. If we are going to effect the cultural change the commission of inquiry tells us is so desperately needed, it requires leadership across all levels of government, every agency, and that is led from the top. It is led by the Premier and the Cabinet.

Mr Speaker, I could not believe that the second Dorothy Dix question the Government asked themselves today was to the Deputy Premier about infrastructure and building bridges. That is a problem. It talks to a lack of understanding of the significance of this week and today. It also demonstrates how cultural change will be hard under this Government. The Deputy Premier today did not read the room. I listened to that in disbelief. Also, over the course of the last couple of days, there have been responses given to answers that simply do not meet the mark.

The biggest failing of all has been an issue that was raised in the commission of inquiry report. I will go to it again. The Premier touched on it a bit more in his response to this motion just now. It is about the section 18 notices. The commission of inquiry was very clear when they talked about the challenges they faced. The report said:

Our Commission of Inquiry has the power to make findings or draw conclusions from evidence we gather under the Commissions of Inquiry Act. This includes:

- making adverse findings against a person under section 19, which requires us to notify the person in writing and give them at least 10 working days to respond;

- making a more serious finding of misconduct against a person under section 18, which requires us to follow more steps, including issuing a notice outlining the allegations and the evidence that supported it before that person gives evidence, allowing for oral or written submissions in response to the allegation and giving the opportunity for that person to call or cross-examine the witnesses or defend themselves.

The commission goes on to say:

The way these requirements were drafted enabled various parties, including the State and lawyers acting for some individuals, to adopt interpretations which had practical consequences for the way we approached our work. We heard arguments that any adverse comment about an individual's behaviour could constitute misconduct ... This interpretation made it difficult and, in some cases, impossible for us to make some of the findings we might otherwise have made.

They went on to speak about how those difficulties arose and I will summarise that: they did not have the time or ability to follow the required statutory processes; they were worried that victims/survivors would be recalled and cross-examined, potentially exacerbating their distress and trauma; and they were concerned that pursuing an adverse finding would have been time-consuming, expensive and lengthen the life of their inquiry. As we all know, they made a difficult decision to not pursue some of those matters because they had grave concerns about the Ashley Youth Detention Centre and felt they could not afford any delays for their findings and recommendations and therefore they handed down their report and it was tabled.

Of course, we have questions about the section 18 notices because the commission of inquiry named it as one of the challenges they faced. They did not talk about section 34 notices or raise that as one of the challenges they faced. They talked about section 18 so we were asking questions about that and have been for a very long time. This was going to be one of the questions we asked the Premier: had he found out the names of those individuals to make sure they are not working in roles that could continue to put children at risk, and had he made sure that if they had been found to have acted in a way that did not keep children safe from abuse, how are they held to account? They are fair questions to ask and we asked the Premier if he had received a list of those names.

We asked the secretary of the Department of Premier and Cabinet whether she had received a list of those names. The response to each of those questions I asked was no. That was semantics, was it not, because we were informed by the Attorney-General that they had received a list of individuals who the commission had intended or was considering issuing misconduct notices to: so they had that list. Certainly, it was the Premier's expectation that the head of the State Service was going to act upon the names on that list because that is what he told the parliament last month. He said:

I have asked the head of the State Service to confirm that we are meticulously going through all the materials sent to and received by the commission of inquiry. All referrals made by the commission are being reviewed as part of the already announced audit of all state servants and former state servants who have been adversely identified.

Mr Speaker, it was incredibly frustrating to have semantics play out the way it did over the course of the last two days. If the Government was true to its word around culture change, about transparency and about rebuilding trust, the answers from the Premier could have been very different. They could have been, 'I hear your question, I understand what you're trying to get to the bottom of. We received this list'. At that point he could have tabled the information that the Attorney-General tabled at Wednesday's committee hearing. He could have shared that transparently. He could have said, 'We received this list because it was provided to the head of the State Service'. We heard from the secretary of the Department of Justice that it was provided to the head of the State Service on 27 April. The secretary at that point should have said, 'We received this list and I will table it now in the interests of full transparency and to inform the committee'. That did not happen. Instead, we had an exchange across the table that was basically about how they could avoid sharing as much information as possible because, as we have seen from this Government, their natural instincts are to share as little information as they can get away with. That is not transparent.

What we should have seen from the Premier was him share the information that was shared the following day with the committee at that point in time, knowing it was of great interest to us and indeed a lot of public interest too. From there, he could then have elaborated and said what he just did before when he was speaking to this motion. He could have explained himself, provided an update to the committee about what work the Government was doing based on the names that they had come to know about.

I make the point as well that the information tabled by the Attorney-General in his committee hearing contained some further information that interests me, and I am sure it interests all members as well. I will quote directly from the email of 26 April. It says:

Given the important purpose of sharing this information with the state in order to appropriately manage any concerns in respect of the wellbeing for state servants, the commission will seek to update you if it writes to the legal representatives of other state servants not identified above. For example, in relation to forthcoming Ashley Youth Detention Centre, draft chapter contents.

It was made extremely clear that the state's lawyers would not only receive this information - and they did receive it - but they would receive further advice about more individuals if they were also written to around section 18 notices.

What I conclude from this is that this list of names is not the full extent of all the individuals who were issued section 18 notices by the commission of inquiry. Did we know there were 30 section 18 notices issued to 22 individuals? I am interested to know why this was the only email that was shared with the committee. This was an email that was provided by the commission to the state's lawyers, but was it the only one? They say:

... the commission will seek to update you if it writes to the legal representatives of other state servants not identified above. For example, in relation to forthcoming Ashley Youth Detention Centre, draft chapter contents.

I would be surprised if there were not any more names that came out of assessing that chapter. I feel concerned that the Premier did not choose to share information with the

committee that he could have. Whether he wilfully withheld it is a question that needs to be answered. It certainly was not full transparency. Was it misleading? I think there are questions about that - whether it was him misleading the committee or the secretary. Ultimately, it still raises questions about what the Government does with that information.

The Government has taken a very narrow focus around state service. Indeed, the Premier just spoke then again about how all State Service employees will be held to account. What about the ones who have quit to avoid accountability? These are questions that we have asked to understand what processes will be followed. There could be people - and we know that there are - who were issued with section 18 notices who are no longer employed by the State Service.

The Premier is shaking his head. Have I misrepresented that, Premier?

Mr Rockliff - We've spoken about that this morning.

Ms WHITE - There are people who are no longer employed by the State Service who will not be able to be held accountable under the Code of Conduct but who may have had adverse findings brought against them if they were, but who may be working in positions in other states or outside the State Service where their previous behaviour should be brought to the attention of their now employer. They could still be working in roles where the knowledge of their previous inaction to prevent abuse of children would be very important to know. That was the question we talked about in the committee process as well.

How will the state share information with other states so that people do not just move around, not just in the State Service like we have seen happen to avoid accountability, but move to other states? How will we make sure they do not move to the private sector or the community services sector and still be working in roles where it may not be appropriate for them to be working.

The working with vulnerable people check is only one mechanism to protect against those risks. As we know and the commission of inquiry said as much, people like 'Stan', at the time of writing the commission of inquiry report and handing that down, still held their working with vulnerable people card and yet they have been stood down for very serious allegations of child abuse. That is not a safeguard against all these individuals. It certainly is not a safeguard against enablers or those who looked the other way.

What other protections are in place? I think we can all acknowledge that people who are bystanders or who are enablers have also failed to keep children safe from abuse. How will they be held accountable particularly if they are no longer in the State Service? It is not clear to me and it certainly was not clear from the Premier's answers that there is a clear process around that. What we do know is that no-one has been terminated. Not a single person in the State Service has lost their job because they have been sacked. Despite the fact that 74 people have been stood down and despite the fact that 10 charges have been laid against nine people, no-one has been sacked. Why is that?

The question that I put on notice was of the 74 that had been stood down on full pay, what agency are they from and how long have they been stood down for? The Premier has responded to that question on notice, indicating that information is not easy to access but we expect it will be provided by Monday of next week ahead of Tuesday's parliamentary sitting day. I think it is important to understand that because that will give us a picture of where the

greatest challenges are across different agencies. There has been no update on whether legal fees paid for by the state will need to be repaid by people who are found to have not deserved that legal support.

In the Premier's ministerial statement to this House on 17 October, he indicated that there would be a review undertaken by the Government to look at whether those who have had their legal fees paid will need to repay them. When I asked for an update about that in committee on Tuesday, I was told that no-one has even been appointed to commence that process and that it was unlikely that anyone would in the next couple of weeks - maybe before the end of the year, we might see that process start.

The Premier and the Government have had a couple of months to find someone to commence that review. It should not be difficult to make sure that any money paid by the taxpayer to somebody who does not deserve it are identified and that money is recouped, particularly at a time when the budget is in record deficit and record debt. We should not be paying people who have been found to have enabled child abuse to have their legal fees paid at the same time you are cutting \$300 million out of the state budget.

It should have been a priority to get that money back, but we have not seen any urgent action on that one, which I found very surprising given that there is urgent action to find \$300 million in cuts across the State Service - but not urgent action to get money back from people who have used the state's dollars to pay for their legal fees when the commission of inquiry has found them to have potentially enabled abuse of children, or maybe have perpetuated that abuse themselves. I heard the Premier say that no-one of that nature has been afforded the state support in paying for their legal fees, but let us wait and see what the review tells us.

This goes back to the challenges that the commission of inquiry identified in the final report around the operations of the act. There has been a referral made by the Attorney-General for the Tasmania Law Reform Institute (TRLI) to undertake a piece of work so in the future any of these challenges can be removed, hopefully. But that does not explain how we got to this point, whereby the commission has identified challenges that prevented it from making findings of misconduct because of the act.

Questions were raised of the Attorney-General about when the Government first became aware of some of the challenges that the commission of inquiry had identified. I understand it was 22 February this year when the commission of inquiry provided the draft chapter on establishing the scope and conduct, which raised concerns around matters of procedural fairness. As I have outlined, that led the commission to identify that. Because of some of the impacts that would have on the timing of the report, further traumatisation of victims/survivors and other witnesses and other matters, they decided to hand down their report because they would not have been able to afford procedural fairness under the act to those people who were identified because of those challenges.

A question was asked: when did the Government first become aware of that? It was on 22 February. The commissioners met with the Premier to discuss these matters on 27 February. On 27 February, the Premier had been made aware that the commission of inquiry was having difficulties around procedural fairness matters which meant that they may not be able to make findings of misconduct against certain individuals and that was to do with the legislation that they were operating under.

What did the Government do then? I know that the secretary of the Department of Justice went to some of those issues when she was providing evidence to the committee. I have carefully read through that transcript and thank her for the information that was provided to the committee about that. It begs the question of why, in the Premier's meeting on 27 February, a different action was not taken by the Government to understand whether amendments needed to be made to the act, given that the parliament was about to sit again in March. That could have given the commission the ability it needed to provide for procedural fairness and also to hold to account those individuals against whom they wished to make misconduct findings.

We know that since then, in March, the commission asked for an extension of time and the Government subsequently announced that extension of time. On 26 September we saw the commission of inquiry report tabled in this place. We also know that the commission was not able to progress those matters they had identified as challenges around procedural fairness and also findings of misconduct against individuals who they believed those findings would have been warranted.

There are questions about whether the Government could have taken more proactive steps in February this year to make sure the commission was acting under the best legislation it could to ensure that we hold people to account. This was supposed to deliver for victims/survivors and their families, to hold people to account for their failings. We can hold government institutions to account. There are 191 recommendations for how we are going to do that, but the individuals who have escaped accountability continue on with their lives. It is unclear to us how the individuals who are no longer State Service employees will ever be held to account for their actions. The Premier has not been able to explain that when we have asked about that on numerous occasions.

It was worrying to hear that the Government does not understand what protections are in place for people taking up roles. We did not hear from the Premier how potential bystanders who looked the other way when allegations of abuse were raised with them will be identified, particularly given the commission said that they received evidence or information that implicated people after the public hearings or very close to finalising their report. This meant that they did not have the time nor ability to follow the required statutory processes. How will the Government follow up on those different people? These are relevant questions to be asked. Again, it goes to the lack of curiosity of the Government.

The worst examples I saw over the course of the last couple of days around that were from the Minister for Education, Children and Youth, Mr Jaensch. It appeared to me that unless advice is provided on a platter, people do not go looking for information if you are a minister in Mr Rockliff's Cabinet. Unless somebody tells you, 'You should pay attention to this', or someone advises you that, 'Here's something that we now know', that is all you probably can expect. There is no curiosity. There is no apparent desire to get to the bottom of things. There is no questioning about, 'What's going to happen if this doesn't happen?', or 'Who are these people? Do any work in my agency and are any working now on the implementation of the commission of inquiry's recommendations?'. There did not appear to be any desire to proactively seek that information from these ministers.

I know they are tired. They have been in government for 10 years. I know they are running out of puff. You can see that on their weary faces, coming to the end of the year and all they want to do is get to Christmas so they can get out of parliament and have a break. That does not absolve them of their responsibility to do their job. I did not feel confident that they

were doing their job when we sat across from them in those committee hearings at those tables. They did not have the urgency, the drive or the desire to make sure we were doing everything possible as a state to hold people to account and to make sure we have child-safe institutions in Tasmania.

That is my take-out from the course of the last couple of days. There are still many questions that need to be answered. I am still perplexed as to the Premier's reluctance, or perhaps now complete aversion, to establishing the joint House committee that was promised to scrutinise the process around the commission of inquiry. It was something that the Premier has said in this House. I have asked questions about it and he has responded to me in this House. What we had over the last couple of days was not a joint House committee of inquiry. What the upper House has chosen to do next year is not a joint House committee of inquiry. The response that was provided to Mrs Alexander in her question today was not, 'Oh yes, we've talked about this before, we're going to have a joint House committee of inquiry,' it was, 'We'll assess it through the budget process like we do regularly in Estimates', but there is nothing outside of that.

That lack of interest in making sure there is independent oversight is concerning, because as the Premier rightly points out, his Government will not be the only Government making sure these things are done. That is why the parliament has taken a keen interest in these issues, and why the parliament has taken responsibility for making sure these matters are implemented. It is looking back over the last 23 years of failure of governments for children who are engaging with state institutions. Therefore, it is the responsibility of us all to make sure we do not keep repeating those mistakes of the past and that we put in place better processes to keep children safe now and in the future. That is why I find it very puzzling that the commitment that was given by the Government to establish that joint House process has not been progressed. We come back next Tuesday. Maybe the Government will surprise me and move a motion to establish the committee then before the year is finished, but I will not hold my breath.

Over the course of the last couple of days Tasmanians who have been looking to see leadership from this Government have been left feeling distressed at some of the responses that were provided. There is a lot more work to do, particularly when you think about some of the timings for the implementation of different recommendations. I note the question that was asked today by the shadow attorney-general around the audit across government around the different redress processes that have occurred to date, and whether there are still people working in government institutions who should have been picked up through those processes and held accountable through potentially a breach of the code of conduct or another accountability mechanism.

The lack of urgency for the Government to complete that work, noting that it is not due to be completed until July 2026, is deeply concerning. Given that this information has been rediscovered twice now - the commission of inquiry identified that it had already been rediscovered through another redress process - that should be information the Government has easy access to. They should know exactly who those individuals are and where they are working. If they are still working in the State Service, they should commence a proper investigation to understand whether they are appropriate to be working in those positions.

The fact that the Government is going to take a further 18 months to finalise that audit is simply not good enough. I do not understand why the commission of inquiry had to rediscover that information in the first place. I do not understand why a government that is not on top of

this issue, making sure that child wellbeing is truly its greatest priority, on receipt of those different claims that were made through various redress processes, would not have already said, 'These individuals here have a level of responsibility, we're going to see what next steps we need to take to make sure they're not in breach of the code of conduct and to check that they are a suitable person to continue working in that role'. Why has that not happened? Surely, it does not take 18 months to do that.

Mr Speaker, there are still questions that we have out of this process and I am sure there will be many more questions as we progress. The joint House committee of inquiry that the Premier originally promised would be established would have been a great process for this House to set up so that we can look at the process of implementation - given there is more work that will be handed down before the end of next financial year. It will be important for us to closely look at that. It cannot be done properly through the Budget Estimates process as there simply is not enough time to scrutinise the budget in that process, and all the different portfolios, let alone looking at the commission of inquiry's 191 recommendations to see the progress on their implementation. We all respect that that needs to be done outside the budget process. It is very important work. It should not be wrapped up in that other important work.

I asked questions about the budget. I was frustrated again to hear the Government does not even have an envelope in mind for its estimate of the cost of the full implementation of the 191 recommendations. It is evident that there will be a significant cost associated with the number of them. The Government has made announcements about some of the money it is already committing to the implementation and that is, of course, welcome. However, that is alongside the fact that they are still cutting \$300 million from agencies across the course of this financial year. They have asked agencies to find savings, and that will be reflected in next year's budget.

I asked whether the Premier had provided a direction to agencies to exempt any cuts from being made in areas that have responsibility for the implementation of the commission of inquiry response. He did not give that guarantee.

I can see what will now happen: agencies are going to be asked to do more with even less. How are they going to do that? When you look at particular areas that have direct responsibility for vulnerable children, such as in out-of-home care, the commission of inquiry has already identified that not enough has been done, there are not enough resources and not enough funding. Yet, the Government has efficiency dividends they want to put in place which, read another way, are cuts, and they are going to demand that departments fund the implementation of these recommendations. That is fair enough but you have to fund them to do it. You have to resource them so they have the people on the ground to deliver the services. You cannot expect them to do just that from the same bucket of money.

There is nothing more important than keeping our children safe. I believe we all agree on that. You cannot cut corners and you cannot cut budgets when it comes to making sure this work is done properly. Those are the sorts of responses that I was hoping to hear from the Premier; but he did not give a guarantee that he had sent a directive to the agencies that those areas would be exempt from finding savings.

There is no doubt that many people have put a lot of hard work into making sure that we do the right thing by our children. I recognise and thank them. I know there is going to be much more work needed over the coming years. We stand ready to support them in that work.

In conclusion, I reconfirm the Labor Party's commitment to supporting the full implementation of the 191 recommendations. We stand in support of all those. We want to see our children kept safe. We hope to see Tasmania become the model for other jurisdictions when they look to understand how you do that best. Of course, we want to see that be the case.

Mr Speaker, I thank everyone who supported us over the course of the last week in understanding how we could interpret the implementation plan and ask questions - those from the community services sector; victims/survivors; whistleblowers; advocates; and family members. It was a very short period of time to try to gather as much information as we could and ask questions.

I also thank my team for the work that they did - the parliamentary members and also our staff who worked very hard. I recognise that this has been a very distressing time for many. I hope there is an opportunity now for people to have a bit of a rest. Obviously, work in agencies continues and I respect that it is an ongoing matter. For those who are outside of that process, I hope they can rest and take some time to recover and know that this work will continue. Hopefully, they do not feel the same pressure they have felt for such a long time to be at the forefront of it.

[12.25 p.m.]

Dr WOODRUFF (Franklin - Leader of the Greens) - Mr Speaker, on behalf of the Greens, I recognise the victims/survivors, advocates and their families who have been following the process of this committee scrutiny week into the commission of inquiry and the Government's response to that. Many of them, and the people working in child safety and protection services and with children and young people across the state in Government and non-government organisations and institutions, work every day to do whatever they can to protect children from child sexual abuse.

We cannot forget that is the reason that we are here. The commission of inquiry tasked us all - and most especially the Government, which is responsible for overseeing the reforms they recommended - with creating and rebuilding trust in Tasmanians in government institutions. That trust has been appallingly broken from decades of abuses that have occurred in government institutions in Tasmania, and that have been enabled by people who have failed to take actions; who have covered up perpetrators; who have shifted them into other agencies; who have hidden and damaged evidence of abuse; and who have turned sideways while children have been abused.

That is the task we, collectively, have in front of us. Specifically, we are here this week because it is the Government's job today to manage and fund government institutions and be responsible for overseeing cultural change. The commission of inquiry was very clear: what is needed for cultural change in Tasmania is transparency and accountability. That was top of their list. That is what is required for cultural change to occur. From the very day that the commission of inquiry's report was tabled, we, victims/survivors and advocates, members of the Labor Party and Independents have repeatedly asked the Government about the individuals who may have escaped findings that were made against them, who were indirectly identified in the commission of inquiry's final report.

We must have that information in order to understand that the Government is taking change not just with the people who have abused children, but with those who have enabled the abuse. Without that transparency, there can be no trust rebuilt from the victims/survivors

community, and there can be no assurance to Tasmanians that the very culture that created the opportunity for abuse to occur in the first place will effectively be removed. If people like that are still in the system without any consequences, without any light being shone on their failures to report and take action - the people with responsibility who were tasked with the job of caring for children and who failed to do that - if we do not know that that has happened, no trust can be rebuilt.

I will start by talking about accountability and trust, with the Premier's comment this morning which suggested that the Government brought back this commission of inquiry scrutiny week. That is not that case, and it is not okay for the Premier to rewrite history. It was something that the Greens moved for and noted in the first instance.

The Government was going to deliver its response to 191 recommendations on 4 December and let it sink without any light shone upon it across the whole of the summer months until we came back in March. There was going to be a four-month break without any opportunity to look in real time at the actions that have to be taken by all agencies. Many of them must be taken over the next three months so that they achieve the timeline of 1 July. The majority of recommendations must be acted on by 1 July.

Let us not pretend that it was not pressure from the Greens with support from Labor and the Independents that persuaded the Premier that there was no political space for him to deny the opportunity for the scrutiny that has happened this week. We negotiated that together in good faith but it was not the intention of the Government to allow this process to happen in the first place.

What we saw again, so concerningly, throughout this week, and which only came out yesterday afternoon, was that the Government has repeatedly denied that they had access to the information about people who may have received or may have been on a list of people who had section 18 notices. It was the responses in the Attorney-General's scrutiny yesterday afternoon when we realised that what has been going on is, effectively, continual tricky language by the Premier and, especially, by the head of the State Service, Jenny Gale, on Tuesday morning, when that information was not provided in the first instance to the committee.

Looking back at the *Hansard*, I can see repeat comments by Ms Gale saying, for example:

We have not been provided with a list of people who received section 18 notices.

That is not true - except it is, because what she cleverly used was the word 'received' section 18 notices. On that technical point she is correct. She did have a list, like we found out the Attorney-General had a list. On 26 April, the Attorney-General had a list of 22 people from the commission of inquiry. We wrote to the state, the commission said, in relation to section 18 notices for three people and the relevant legal representation in relation to section 18 notices were another 17. They may also write to legal representatives in relation to another five. It comes to 22 in all.

What we heard from Ms Gale was repeatedly tricky language, almost calculatedly deceptive language, deliberately misleading the committee without actually saying a word that was untrue. She appeared to connive to lead the committee to understand that there was no

information available. Yet, the next day that information was tabled by the Attorney-General. We found out the next day it was sent to the Attorney-General on 27 April.

We want to understand why the Premier and the head of the State Service did not provide the Premier's committee on Tuesday morning with the same information that was tabled by the Attorney-General the next day. Why not? Why would you not provide all the information you possibly could in the spirit of transparency and accountability on the very first day of the commission of inquiry scrutiny, knowing that in this parliament we collectively have been asking those questions for months and months?

We have been asking them here. The member for Nelson in the Legislative Council, Ms Webb, has been repeatedly asking them. Yet, that information was withheld. Why? Why did the Premier do that? Why did the secretary fail to volunteer whether she provided that information to the Premier or anyone else in the Premier's office? It is pretty clear. On 2 November, when the Premier made a statement in parliament in relation to these 22 individuals, he said:

My response was that the commission did not provide the state with a list of individuals who received misconduct notices.

Again, tricky language. Clearly, the state was provided with a list of 22 individuals, not necessarily who received it but who the commission of inquiry identified as potentially having a section 18, which is misconduct under the State Service. The Premier went on to say:

I am advised that the commission of inquiry did write to the state's lawyer in April this year, advising of current and former state servants who the commission had intended, or was considering, issuing misconduct notices to. The purpose of this information exchange was to ensure wellbeing supports were in place for state servants.

To be clear, this correspondence was not shared with myself, ministers or our offices.

That is not true because we know that it was received by the Attorney-General. He told us so yesterday. We know it was received by him on the 26th and we know on 27 April it was passed. Ms Webster said:

The state's lawyer, at my request, also sent advice about all the employees from all the agencies to the head of the State Service the following day.

On 27 April. So, on 2 November the Premier misled parliament when he said:

To be clear, this correspondence was not shared with myself, ministers or our offices.

It was shared with the Attorney-General and according to Ms Webster it was shared with the head of the State Service. Why did the head of the State Service, Ms Jenny Gale, not tell us yesterday whether she had passed that to the Premier? It might be because her whole job appears to be focused on protecting the Premier and his Government from political risk. However, here is the problem: she is tasked with leading the cultural change that the

commission of inquiry says must happen. She is responsible for leading that cultural change and yet she has shown that she is more than capable of calculated deception, tricky language, and covering up the truth. She has a cloud over her head. This is the person whose job it is to ensure that we change direction in the State Service to protect children from child sexual abuse.

In our opinion we have grave concern about the capacity of Ms Gale to do this work, very grave concerns. The Premier is on notice that we need an explanation about this. This is unacceptable behaviour. Clearly, her whole focus is on the language to make sure that she reveals as little as possible information to Tasmanians about the consequences for people who have obviously been involved in what the commission of inquiry allege is misconduct. They wanted an investigation into the misconduct of 22 people. How can we have confidence that the Premier's Government is capable of cultural change across agencies when it is headed by someone like Ms Gale, when it is headed by someone who is obviously considering and attending to the politics of the situation, in our view, much more than she is to the reality of the hard and difficult cultural change that needs to happen?

The point about cultural change is that it is not easy. It needs a person who is very attentive and deeply committed to doing that, not just keeping the ship going in the same direction. At every point, the Liberals over 10 years have shown utter resistance to being open with Tasmanians. It has always been secrets at every point. It is a reflex response. It is impossible to see how there is going to be the change that is required. The Premier stands up and says, 'I will leave no stone unturned'. Yet, we have minister Jaensch, who is the blockage for children and young people in this state - he has been overseeing, through his time, a system in crisis. That is what the commission of inquiry called it. He has overseen that for years.

They lay out the system in crisis in the Ashley Youth Detention Centre - outdated policies and procedures; insufficient staff understanding and adherence to legislative and policy requirements; limited access to support services to young people; a lack of confidence among staff in management and governance; resistance to change amongst staff; poor incident reporting; inappropriate record management; inadequate complaints processes; isolation; and the use of force, all of which we have heard minister Jaensch recently downplaying, euphemising and pretending there are other reasons for what are human right abuses according to the United Nations Convention for the Prevention of Cruelty and Torture.

They are occurring on a daily basis. Restrictive practices, also known as isolation, are being practised every single day in Ashley Youth Detention Centre according to the Commissioner for Children and Young People. Under this Government and this Premier, that will continue because he has complete confidence in the minister who will continue to leave children there, resisting all the time engagement with the community sector to find alternative options for children who are only there because they have no house to be bailed to, put on remand because of a failure of the Government to provide the social services structure that children need, yet Minister Jaensch has been resisting convening a working group. It was only because of the questions we asked the Premier that he made a commitment.

I recognise that the Premier made the commitment when I asked him about the fact the community services sector wants to formally engage in options about alternatives. They want to be convened as a formal group to respond to the blueprint and the youth justice detention model which is being written up and developed within the department. They want to be part of that. More than that, they want to be part of keeping children safe today by doing what they can to make sure they do not go to Ashley in the first place. We know that 11 out of 14 were

there on remand yesterday and it was 12 out of 15 the day before; those were the figures we got.

Every single day, the majority of children in Ashley are only there because they are on remand. This means they are not, as the minister keeps referring to them, people with criminal behaviours. There is no crime that they have committed. They are there on remand. They have not been convicted of any crime. Yet there is an attitude that it is about keeping the community safe. These are vulnerable children who have been traumatised, a majority of whom have lived a life of abuse and neglect, have mental health issues, cognitive impairment and high levels of mental health distress, fetal alcohol syndrome - all reasons that they need to have specialised support, but they do not under minister Jaensch.

The community sector wants to be involved. The Premier made the statement that he had no doubt minister Jaensch would welcome the idea of organisations with working and lived experience in this important area providing feedback. The Premier said it will be crucial to hear their feedback. Of course it will. Why is it so hard to get this basic level of engagement with the sector from minister Jaensch? Why did he stonewall all this time? Why did he not come to them with open arms and say, 'Please, let's get on with this, let's do everything we can to make sure not a single child goes to Ashley Youth Detention Centre we can prevent being there'? The figures that we saw in the response to questions on notice show that the mean duration of day stay for 11-year-olds in Ashley in the last year has been 15 days. That is more than two weeks. Eleven-year-olds are put in a prison for more than two weeks on average. That is unconscionable, and hard to fathom.

This has been writ large for the Liberals the whole time they have been in government. The Noetic report in 2016 laid out every single issue that the commission of inquiry again had to prosecute in their investigations - the isolation, the use of force, the bullying, the sexual abuse, the lack of therapeutic involvement, and the lack of education. All these things were discussed in the Noetic report. Minister Jaensch has been there for years and has not taken action. Why would the Premier have confidence that he is going to do it now, especially when he is still so resistant to taking up calls from the community sector and the youth justice sector to get involved and work together on better outcomes for children in Ashley?

There are children who are 13-year-olds spending an average of 55 days in Ashley Youth Detention Centre. We know the majority of them are there on remand because they do not have a home to be bailed to. They are from split families, they are children who are homeless, they are children without love and support. They do not need to go to a prison. They do not need to be locked up with other older young people. Young girls were recently locked up, according to the commission of inquiry, and suffered abuse at the hands of older boys. This is not okay. It is absolutely something that can be changed. However, we have no confidence that Roger Jaensch as minister in any way understands that there is and must be a way of bringing those children out of Ashley sooner than his time frame. We do not believe it will even be done in the time that he says.

The Premier has a problem with having Ms Gale as the head of the State Service. He has a problem with a person who has not demonstrated that she is capable of leading critical change. He has a problem with the minister responsible for the three key portfolios that the commission of inquiry has done its largest body of work around: out-of-home care that the member for Clark, Mr Bayley, will speak about in depth later; education, he will do the same on that; and Ashley Youth Detention Centre and youth justice.

We also note that we got some important undertakings from the Premier about the process going forward. It really matters enormously to victims/survivors and advocates and the wider child safety community that we have proper monitoring of implementation.

I recognise, obviously, there will be a monitor but that process will take some time to establish. What we need, and what we heard from the Premier, was an undertaking that there will be a commitment to have a reporting timetable for each of the recommendations with milestones and achievements listed by quarter, up until the projected date of implementation, according to the commission of inquiry's recommendations. That is important because I am aware that the community service and justice sectors will have many non-government organisations - many people who are working in child safety support services who will want to be involved in consultation processes. Much of that is happening front-on in the first quarter of next year. It is really important for those people who want to be involved to have a timetable set out for the consultation processes so that they can decide which ones they want to be involved in: have a plan of work for themselves.

Most of those people will be doing it unpaid off the side of their desk but their voices are critical. We need their voices in the new legislation that will be drafted - the 13 legislative reforms that are going to be delivered by 1 July next year that the Attorney-General is involved in. We need those voices and people need to know in advance. I was pleased to hear from the Premier and the Attorney-General, and his deputy secretary, that they are committed to providing that information up-front so that people can plan how they get involved in the process going along.

What we set up in the first half of next year is critical to the state being able to go on over the following years, to change the culture that we need to change, and to make the real actions on the ground, in systems.

I really want to also welcome the agreement from the Premier that there will be an investigation into having a separate part of the budget which looks at the commission of inquiry spending. Unless we have an understanding as members of parliament and community members what has been spent by what agency on the commission of inquiry dedicated to implementing the recommendations, then we cannot be confident that there will be new money allocated and that it will not be taken from existing recurrent expenditure within each of the agencies.

It is critical that the Government does not rob Peter to pay Paul in this situation. We cannot cut back on any services to out-of-home care; to children in education, especially, Aboriginal children in education; to youth justice just to pay for new initiatives under the commission of inquiry. One of the biggest issues the commission raised was the lack of essential baseline funding in the first place. We call on the Premier to recognise that, in order to fulfil the commission of inquiry's recommendations, there will need to be a supplementary budget that must come to us before the full budget next year.

It is implausible to believe that the injection of money that is required into out-of-home care, into the sexual violence and support sector, to education and to youth justice can be found within existing budgets. Existing budgets are beyond over-stretched - many of them are, essentially, drowning.

I heard from the Sexual Assault Support Services about the recent figures of women and family and other people who are coming to their hotline and they cannot keep up. These are all individuals who are escaping violence, or trying to escape violence, and they need support. They have other people in their lives who are affected by what is happening, and the money is not there for the existing services in the first place. They are asking for this support. All those sectors are doing this work and they need the support. Out-of-home care - they need the money in the transition that will be occurring. And all of that must happen, of course, before the budget next year.

In the few minutes I have left, I will reiterate the concerns of the Greens that there must be a change in the portfolio management of education, children and young people. The minister, Mr Jaensch, is not fit to hold that portfolio. We cannot have a person in that role who shows not only by his failures to act, but by his failures to be honest with the committee. He has been deceptive with the committee on a number of questions that we asked him. He was not honest in his answers. It is concerning that he spends more time trying to cover up the reality of what is going on at Ashley, instead of recognising it. He did not and would not recognise the truth that the commission of inquiry found that there is a live and present risk to children at Ashley Youth Detention Centre because of the situation that exists there now.

It was a depressing affair, trying to scrutinise Mr Jaensch, because he is fond of creating false narratives. One of those was around the so-called justice blueprint where, even in his evidence, he suggested that the fact that the draft blueprint had been sitting on the website for a year was an indication that it was the final blueprint.

It was a draft blueprint. The reality is that, in their submissions last year, organisations like TasCOSS and the Commissioner for Children and Young People made very strong points about what needed to change in that blueprint. The expectation from people in the community service sector and the commissioner, I believe, was that changes would be made. Having a draft blueprint sitting on the website would mean that people would have assumed that changes would be made.

There was no proper consultation on the final blueprint. Instead, the minister handed it out to individual organisations to go through and look at the final draft on their own, without talking to anyone else. He said it was referred to by TasCOSS as 'an embargoed copy'. There is only one reason you use that word, 'embargoed' - it is about keeping it secret until it could be made public.

There is no reason to have a secret blueprint for 10 years for the youth justice system. The only reason you would do that is because you wanted to craft the politics of an announcement; and the politics were that it was announced on the day that he was drowning under his failures as a minister, and coming before the committee where he knew he would be held to account.

That is why it was released. That is why it was given to the service sector as an embargoed copy - because he did not want to be put in the spotlight, and he was trying to cover himself. I call shame to the minister, and to the Premier if he cannot see what is going on in that portfolio. He knows it is not the only one. He is also the minister for Aboriginal Affairs and he is doing terribly in that job too.

Why do you not turn over the stone that needs to be turned over in your Cabinet, Premier, and do something? It is obvious that the disasters will continue to happen if he is in that role.

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

MOTION

Commission Of Inquiry Scrutiny Committee Report - Noting

Continued from above.

Dr WOODRUFF (Franklin - Leader of the Greens) - I conclude, Mr Speaker, by underscoring, as I have made my point numerous times, the concern of the Greens about minister Jaensch retaining his role and responsibilities as Minister for Education, Children and Youth. Amongst the many concerns we have about his response to the commission of inquiry's recommendations, we found out in the scrutiny that there are things which the commission has recommended and ought to occur immediately, for example, that there are children and young people in Ashley Youth Detention Centre who are currently being denied access to phone calls, video calls, visits from loved ones, families or from other people, and access to temporary leave as a form of behaviour management.

They call this out as another type of punitive response that has been standard operating practice in the culture over many decades at Ashley Youth Detention Centre. It is an indication of the punitive nature of how young people who act out or who have been convicted of crimes are treated, rather than being understood as children and young people who deserve comprehensive wraparound therapeutic support to help them to recover and to become socialised with the support that they clearly need because they are there in the first place. They deserve all our support and resources so they can recover and process the life that they have had and be given support and direction to take a different direction.

At the moment, when they act out or misbehave in Ashley, they are withheld their right to phone calls, visits or the opportunity for temporary leave as a form of punishment. That is yet another example of the fact that minister Jaensch did not commit to stepping in and prohibiting that behaviour.

We are also very concerned at the number of Aboriginal children who are in Ashley Youth Detention Centre. From the responses, 40 per cent of children who are in Ashley are Aboriginal and yet we know just 3 per cent of Tasmanians are palawa people. It is clearly the case that Aboriginal children and young people need to have support. One of the recommendations, 12.27, to develop an Aboriginal Youth Justice Strategy has to happen urgently according to the commissioners but it is marked as not yet commenced by the minister and there are no details about his Government's response for that. That is yet another failure.

In wrapping up, we have no faith in minister Jaensch in his role. What we do have is an enormous amount of gratitude and respect for the community services sector and people working in NGOs and people working in the State Service who, every day, spend their time looking after, caring for and protecting children who are in our care.

I especially thank Laurel House, the Sexual Assault Support Service, the Women's Legal Service, TasCOSS, the Justice Reform Initiative, the people at the Tasmanian Aboriginal Centre, the Community Legal Centres Tasmania, the Prisoners Legal Service, the Tasmanian Law Institute, Law Enforcement Studies, Colony 47, Kennerley Children's Home, Glenview - so many of the other organisations around the state who provide out-of-home care and who provide sexual violence support counselling services. They are there every day doing the work on behalf of Tasmanians to keep children who are most vulnerable and in need safe.

They have been at the forefront of the commission of inquiry process over the last two-and-a-half years. They will continue to be there as the voice for the community and the children they advocate for. They are the ones who must be engaged with and they are fundamentally the ones who must be funded to do the work they do. They are all over-stretched. They need a substantial injection of money into the budget. When we return to parliament, we will be calling to have a supplementary appropriation bill.

Time expired.

[2.36 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I am probably not going to speak for 20 minutes but I want to put a number of remarks on the record about the proceedings of the last few days.

I begin my contribution by again acknowledging the victims/survivors and whistleblowers and their advocates who justifiably have taken a very keen interest in the last two days and ongoing in the commission of inquiry's proceedings and their outcomes. We recognise that in the last few days, and forever really, there will be difficult times for them and that they have the support of this parliament as we move forward together to ensure that we can make our government institutions safe for all children.

That is what this is all about and that is where this came from. It came from the victims/survivors and whistleblowers who had the courage to come forward to advocate for change and for justice, and to have their voices heard. Whilst the Government and the Premier might claim that it was they who initiated this process, the broader Tasmanian population has a good appreciation of the fact that it was initiated by the people who came forward which led to the decision being taken by the Government at that time.

We would not have had these past two days of hearings had it not been for the parliament coming together to agree to that. That too was not an initiative of this Government, although the Premier said it was during discussions earlier today in this place. The parliament came together to make that decision because we felt that it was enormously important to have the opportunity to work through and scrutinise the Government's implementation plan around the commission of inquiry and to have every opportunity to ask questions about it.

That is why it is so important that the discussions today about there being a separate mechanism for this parliament to further scrutinise those 191 recommendations and the progress being made by this Government against each of them, whether it be over phase one, phase two or phase three, that there is an individual opportunity that sits outside the budget process to enable that scrutiny to happen. This is very important work and, as has been said by others, that work will extend over many parliaments in the future whatever colour or persuasion or makeup they might be. That is why it is so important that there is a foundation that is set

aside for that work to continue and to be scrutinised by whomever is in this place at whatever point in time.

Much has been said about the Government's inability to be honest and upfront about information. I remind the House that this is not the first time that we have seen this characterisation of, and this pattern of behaviour from, this Government. It has become even more evident in more recent times when it comes to large projects across the state, namely Marinus and the Premier's stadium project proposal for Macquarie Point.

I have spoken at great length in this place in the past about that culture of secrecy, that culture of dribbling out information when the pressure and heat is put on this Government to provide more information. It is only at those points in time that they do that.

During the hearings yesterday, the secretary of the Department of Justice was finally able to provide that information we had been asking for for a very long time, and that the Government should have been aware of for a considerable amount of time before it was finally provided to the committee and the Tasmanian community. We have not asked these questions because we wanted to take aim at or find the individual identities of each of those people; that is not what the purpose of this has been about. This has been about eliminating any risk that might be existing currently in the State Service around the safety of children, which is fundamentally what this whole body of work is about. It is about preventing anything of the scale of what has happened in the past, which has been devastating for those people who have been involved, from ever happening again. That is why it is important that we have that information.

I am not a government minister but if I were I would want to understand more details about that list of people, those names, their comings and goings and their current status. I was really shocked that each time we asked respective ministers they were not able to say that they had even asked - particularly the Premier - to see that list. I would have thought, as the Executive, as the Cabinet, as those who are primarily, at this point in time, responsible for implementing the recommendations of the commission of inquiry, that they would want to know that information.

I understand - and I look to the Attorney-General when I say this - that he has confidence in the secretary. I make reference to the committee hearings around Health, where the current secretary was able to provide some further information during the hearings. As minister, should you want to have that confidence yourself as well to make sure that you were absolutely certain about the status of those people and any risk that might be posed.

Our questioning, over many weeks now, has not been about witch hunts or identifying individuals. It has been about due process and making sure that everybody is informed but, most importantly, understanding whether the Government is informed of information that we think individual government ministers should be aware of and across, as they begin their role and responsibility in creating the cultural change required across the Government and across our community to see that this does not happen again and that any risk is ruled out. If we were going to leave no stone unturned, and learn from the past, I would be diligent in seeking the information and asking questions.

During the hearings over the last couple of days, I heard a lot about bureaucratic processes that have now been put in place. In reflecting on that and thinking back to the

commission of inquiry and the work of the commissioners, it was many of those processes that enabled things over many years to be covered up. I believe that whilst processes and procedures are important, transparency is important. We need to ensure the Government's priority is not covering up and not being honest about information but being open and transparent and accountable. The commissioners in their report called for greater transparency, greater accountability and more information sharing than there has been in the past.

I hope each of those processes were outlined by the respective secretaries during the hearings do not hinder that process. That is the last thing this process needs right now. That is also the last thing victims/survivors, whistleblowers and the broader Tasmanian community needs right now. They need confidence from their Government that they will go forward and make these changes and they will have significant impact for those people who have been severely impacted by the events of the past.

I want to thank all those involved in preparing that information that came to us as part of the hearings - that was a mammoth task, no doubt - and all those people who are continuing to work across individual government agencies playing their role in making sure the recommendations are implemented in a timely manner. I think about those in my shadow portfolio area of health and all the work that will be going on across each of those areas to meet each of those recommendations that are outlined, which I will talk about more in my contribution.

When you look at the Health portfolio and all the pressures on that area at the moment - pressures on the staff and on the department around resourcing, meeting some of the current challenges such as ambulance ramping, the congestion in our emergency departments and the significant issues we have with access flow across each of the major hospitals across our state - they already have their jobs cut out for them without the additional layer of the commission of inquiry recommendations. I sincerely hope the responsible minister, Mr Barnett, recognises that and commits to providing them with the level of resources required to do this work.

During the hearings we asked about budget allocations. It was disappointing that the Treasurer was not there to provide advice throughout the hearings to inform those who were on those committees to understand budget preparation and deliberations that are happening now around each of those areas in the recommendations that need to be implemented within that first time frame of phase 1. It was disappointing that we were not able to be provided with more detailed information about that. Many areas of Health are already under-resourced. There are significant issues around recruitment. A number of the recommendations will require additional recruitment across the Health Service and also around child safety, which I will come to in a moment.

Priorities will need to be made and actions taken. We have an already compromised health system this Government has cut in the past and we know they will need to find savings across that agency. I hope that does not come at the cost of the recommendations of the commission of inquiry and there is money allocated to address those as well. The minister might provide a response in his contribution after mine.

It is important the budget allocations are made across each of those areas to ensure that there is no hold-up to those recommendations. In particular, I want to mention the mental health area, which is the Premier's responsibility, and a mental health inpatient unit for our

young people in Tasmania. I might add that this Government committed to building it some time ago and then reneged on that when Michael Ferguson was the Health minister.

There is a dire need for more dedicated mental health beds for our young people across the state. Currently, in the north-west, there are no dedicated beds. There is a model that is going to be rolled out that will be provided in the community, but that will not be the appropriate location for what has been outlined by the commissioners in their request around providing that service across the Tasmanian community. During the hearings I asked that to ensure there is equity of access for that facility, consideration be given to building that in the north, and was told that needing a critical mass of clinicians was one of the reasons it would be in the south. Consideration needs to be given to some services being in the north to provide greater equity of access for our young people, particularly those who live in more rural and remote areas.

The other point I want to make from the Health hearing is around forensic examinations and making sure there is equity of access for those around the state as well. We discussed this at length during the hearing and the fact that at a very traumatic time for people they could have to travel for two hours to Burnie or even from Burnie to Launceston if there is not a specialist paediatrician available to provide that examination. The commissioners clearly recommended that more resources be put into training and employing more people to be able to provide that particular examination service in more rural and remote areas. I hope the Government upholds that commitment.

One of the additional things that has been raised with us and I certainly want to acknowledge Sexual Assault Support Service (SASS), Laurel House and other service providers that have played a pivotal role in raising awareness of some of the concerns of victims/survivors, whistleblowers and advocates across the state. A concern that has been raised with me is that the recommendation report is focused on the here and now, and a series of recommendations that need to be implemented by the Government. It does not talk a lot about prevention and what this Government intends to do about prevention across our community. There should be a focus on that.

It is quite narrow and inward-focused on Government. I understand why that is, given that it is in relation to government institutions. However, some of those people we have heard about through the commission of inquiry were members of community organisations and others, and things that they did that were not right extended outside the public service. Whilst the Government has a direct responsibility for government institutions, I believe the Government has a direct responsibility for the community and changing that culture in the community, as our government of the day.

There is not much in this recommendation report that looks at or outlines how the Government intends to do that. Much of that comes down to culture - and this Government's culture is pretty poor. That starts at the top. There was a great example of that during the hearings with the inability to answer questions - or, I think someone described it as 'being tricky with your answers'. This is above politics. It is about people and it is about our community. The Government has a responsibility to start changing that culture across our community as well. I would like to hear from the Premier on how he intends to undertake that.

I will briefly speak about the out-of-home care hearing, which I was able to participate in on behalf of my colleague, Sarah Lovell, from the upper House. I am sure she will have

some other remarks to put on the record in the other place about what has transpired during the commission of inquiry hearings. However, what stood out to me, and particularly from the information that we have gleaned from the questions on notice, are the issues with resourcing across this critically important area and the staff vacancies that have been revealed.

Mr Jaensch was unable to clearly articulate what he hopes to do to attract more people to work in this critical area of service delivery. He has created the positions, but he cannot fill them. That is a significant issue. There was not a lot of discussion, although there was a bit of reflection on an allied health scholarship that the Government has introduced. People want to hear from this Government how it intends to sustain our essential workers across the state.

You can talk about workforce development plans, but to my mind that is 10 years too late. They have not commenced the work that has been required to plan for people retiring across our public service, across each of those key essential services. Health is another prime example of that. You have a current environment that is burning people out because of the pressure that they are under. I suspect that is very similar across child safety services and out-of-home care. You have to start changing that culture to be a place where workers feel supported; where there are incentives in place to make them want to stay and work here in Tasmania; and where there are incentives in place to make them want to come to Tasmania to work. We want to recruit more people to work across our public service.

I did not hear anything new from the Minister for Health or Mr Jaensch during the hearings that clearly articulated that this Government has a plan when it comes to the recruitment of essential workers. We cannot provide these services, or implement the recommendations of this commission of inquiry, if we do not have a workforce to do that. This is a workforce that needs to be built, supported and nurtured over the years so that we can achieve each of these individual recommendations into phase 3.

It starts with career pathways. It starts with our schools. This Government has given no consideration to that over their last 10 years. Thus, it is now finding it very difficult to deliver essential services in this state. You only have to look at bus services, health services, child safety services - we do not have the professionals on the ground working in these specialist roles that are outlined in page after page of the commission of inquiry recommendations. There simply are not the people working in the public service, or there is the inability to get these people here to work in the first place. Paediatricians - we have severe skill shortages.

Another point is the pressure on those community-based organisations like Laurel House and the Sexual Assault Support Service (SASS) that have huge waiting lists at the moment. They are having to pick up the slack, I suppose, which is not really a very good use of words; but they are having to fill the gap where the Government is not able to provide these services. There needs to be a holistic look across the community into the needs of the public service workforce into the future.

In concluding my contribution, it seems strange to me that the Government would coordinate these hearings and yet not be able to provide all the information that was being asked during the hearings through the questions on notice process. Surely, you would have known that you would have had to provide that for reporting back today. That is why we have extended the sitting to the next week to make sure this can be properly scrutinised.

Time expired.

[2.56 p.m.]

Mr BARNETT (Lyons - Attorney-General) - Mr Deputy Speaker, I am proud to be standing here as the Attorney-General, Minister for Justice and first law officer and also as Minister for Health. It is an honour to be here to take note of this debate.

I acknowledge again the victims/survivors and their bravery in coming forward and sharing their hearts and their stories on behalf of themselves and so many others, to ensure Tasmanian children and young people are safe. I acknowledge the massive amount of work undertaken not only by the commission but by our Government in recent times.

As I said last Friday in delivering the response, this is the most important piece of work our Government has undertaken. This is a very significant reform, and it will occur. It will happen and we will deliver for the sake of Tasmanian children now and in the years to come, to keep them safe, to give them protection, to provide an environment in which they can excel so that they can achieve their potential, and be the best that they can be. These are future Tasmanians, and we are committed.

We have just witnessed a watershed event in our legislative lifetime as a parliament, but also as a state. We are at a pivotal moment in history where we will be moving into a transformative time and a time of transition. Next year, there will be a massive amount of work undertaken - not just by our Government, but across the community. It is a pivotal moment for us and it is going to be transformative, because there will be a change in the way we operate as a community.

In past deliberations, I have referred to the Child and Youth Safe Organisations Framework and the Reportable Conduct Scheme which will come into effect on 1 January of next year - which is just weeks away. This is going to have an impact across the community in terms of all those relevant organisations - businesses, community groups, volunteer organisations. We are not just talking Government; we are talking about a transformation. We are talking about a transition to a new world where children and young people can feel safe; can be in an environment where they can reach their potential. That is what we want as a Government, as a parliament, and I know, on behalf of the community, we want that as well.

I know, as the responsible minister, the Independent Regulator will be starting on 1 January. The office is already set up ready to go and I am delighted to advise that the applicant has accepted. In the near future I will be able to outline details of the experience, background, dedication and commitment of this applicant who will fill that role as the Independent Regulator, starting 1 January or soon thereafter. The Office of the Independent Regulator will start on 1 January.

That gives me confidence because the role of the regulator is not only one of regulation but also education. The member who has just sat down was talking about there not being enough focus on prevention. I can assure you, as a result of the implementation of the Child and Youth Safe Organisations Framework, as a result of the transition and the transformation around the community, that is building an environment which will support prevention.

You would have heard me say in recent days and weeks how proud I am of the Department of Health with respect to the fact that 15 500 of the just over 16 000 people in the Department of Health have completed the child safety training. That is fantastic. Congratulations, well done and thank you. We are talking about a change in culture. We are

talking about the change that is coming to us. It is already here; we have not waited. We are delivering.

There is a range of legislative reforms. I thank the former attorney-general for her work on delivering those reforms already into this parliament, into Tasmania. I put on record my thanks to both my secretaries. The Department of Health secretary, Kathrine Morgan-Wicks, with her team, has not waited. We have 22 years of very sad history in terms of caring for our children. In our health settings and our hospitals that was prevalent. I know that for sure as a father, a husband and as a resident of Launceston, regarding the Launceston General Hospital.

I have a personal commitment to deliver these reforms. I know the community of Launceston wants that to happen and they want it to happen all around Tasmania in our health and hospital settings. It will happen. It is already happening. We have had the GAP review. We have responded to that and the vast majority of the recommendations in that review have been implemented and are being implemented. This is good news. This is progress. The level of commitment in that space is substantial.

I could focus on all the things that we have already done but I want to focus on what is ahead because we are moving into a new era in Tasmania. In the next six months, from 1 January through to 30 June, a substantial body of work is going to be undertaken. I am going to outline some of those initiatives.

At the top of tree is the Child Sexual Abuse Reform Strategy and Action Plan. This is a massive body of work across government that will be in place by 30 June next year. This is our commitment. There will be much consultation and feedback from relevant community groups, business organisations, members of the community, of course victims/survivors and all the relevant organisations - the advisory groups we have already set up and that are operating and those that are about to be established. We will need to develop that strategy and action plan. We will consistently work to that month in, month out, year in, year out and decade in, decade out.

The Premier has given that commitment to have the independent monitor set up as soon as possible in the second half of next year. As a priority, we will bring legislation into this parliament as a first order priority when we come back in 2024 to establish the independent monitor. This will be an independent monitor, monitoring the progress of government of whatever colour or persuasion for years to come; an independent monitor of incredibly high standards, ethics and transparency reporting back to parliament and reporting into the community on progress of the 191 recommendations. I am confident this will occur. We have now set up the apparatus, the framework, for making future governments accountable to these 191 recommendations, to the 75 findings, to the response that the Government has provided where we have committed to implementing those 191 recommendations. Let us not beat around the bush on that.

There has been reference to the budget: \$2.4 million is being granted to establish an independent monitor. There is a lot of work to do. The child sex abuse reform strategy and action plan is allocated \$2.5 million. While we are touching on the budget, the Government has already advised more than \$55 million for this part of the work. My counterpart member for Braddon, Ms Dow, asked about the budget and I will quickly respond to that.

We must be diligent. We must go through a process. We have provided a commitment through the Treasurer to \$55 million. We have to go through and we have to get it right. We do not want to pull numbers out of the air. We go through a budget process and by budget time next year we will have it all bedded down in terms of the plans for the forward Estimates. This is how it works. This is a professional approach to managing government. I do not buy the Opposition's criticisms when it comes to the budget and how much it is going to cost. We would have to do the homework. It has to be done. This is normal government process. I have been a member in the federal parliament and a member in state parliament; this is appropriate and professional.

Another major piece of work in the first half of next year is the setting up the commission for children and young people. This is a massive, significant body of legal reform. That will be a priority that will be introduced in the first quarter of next year and, subject to parliamentary approval, the hope, the desire, the objective is to have that commission operating at the start of the second half of next year. That is our commitment. It is a huge body of work and it is not just my department. This will be led, in particular, by the Department of Premier and Cabinet under the leadership of the Premier. This is one of the 54 pieces of legislative reform that we are undertaking. This is a significant initiative. This is a body of work that is unusual and substantial. This will happen over coming years but, in the next six months and through 2024, it is going to be significant.

I want to recap and remind everyone that of the 191 recommendations we are delivering 83 per cent by July 2026, which is 158 of the 191. We are delivering 48 by 30 June next year. This is a huge effort and we will have to be accountable. It is as simple as that. We have made this commitment and we stand accountable to deliver. We are giving that commitment that we will deliver. I am sure the community will advise if they feel as though we have not or will not deliver.

You have a commitment from me and everyone in this Government, and I believe in the parliament, to deliver these recommendations. There is a lot of goodwill in this parliament to deliver these recommendations. For that, I am very grateful.

I want to touch on a few other matters to respond to the Leader of the Opposition's remarks, in particular. She asked some questions particularly around receiving legal assistance by state servants. I want to respond to that and a couple of other remarks she made to put on the record so that is clear for everyone.

In terms of sharing that responsibility to deliver the changes that are necessary to safeguard our children and young people now and for generations to come, we approach this task with commitment and compassion. The commission of inquiry made findings against several individuals who were granted legal assistance under ED16 in its final report. A number of concerns have been recently raised, both through the media and directly to the state Government, about legal assistance being provided by the Government to current and former state servants who are subject to findings made by the commission of inquiry. Legal assistance was granted to 26 individuals during the commission of inquiry.

In response to these concerns, this Government is progressing an independent review, which I announced some time ago, of where there are appropriate grounds to require any public officer who received a grant of legal assistance pursuant to employment direction 16, for

indemnity and legal assistance in the course of the commission to reimburse the Crown for reasonable costs and expenses.

I have determined, as Attorney-General, to engage an independent reviewer external to the Tasmanian Government who possesses the appropriate knowledge, skills and experience to undertake this review. I can announce today that the highly experienced barrister, Sam Tatarka OAM from Victoria, will be undertaking this important work. The Government will provide all assistance and information as required to Mr Tatarka to enable him to complete the independent review.

The review will inquire into, report on and make recommendations in relation to the following matters: whether any of the public officers who received a grant of legal assistance, where such legal assistance was to be provided independently of the state, in the course of the commission did not at a relevant time act in good faith; whether it is reasonable for the Crown to seek reimbursement of legal costs from any of the public officers identified above; and any associated relevant matters. A final report is to be submitted to me. As Attorney-General, on behalf of the Government, I can advise that at the conclusion of the review the outcomes of and the recommendations will be made public.

There was a reference made earlier, I think by the Leader of the Opposition, in relation to 'Stan', who was referred to in the commission of inquiry report. I refer to the response in my scrutiny period yesterday from Mr Smith, the deputy secretary, where he said that 'Stan' is under risk assessment. I hope that clarifies that matter.

There was a question from Ms White with respect to when the state's lawyers first became aware of the issues with procedural fairness. There has already been a reference to this but I will put it on the record for parliament. The state agencies through the Department of Justice first became aware on 22 February 2023 that commission staff had concerns regarding the procedural fairness-related requirements of the Commissions of Inquiry Act 1995 when the commission provided a draft chapter on 'Establishing the scope and conduct'. That is what I am advised. It is noted that the receipt of this draft chapter coincided with the receipt of draft health chapters and case studies. The commissioners met with the Premier on 27 February 2023 to discuss the need for an extension of time. In that meeting the commissioners advised they needed additional time to support the process of review of draft chapters for accuracy and legal issues by relevant state agencies, and to allow the commission to amend its obligations under the act regarding procedural fairness.

On 3 March 2023 I am advised that the state responded to the draft chapter called 'Establishing the scope and conduct' and noted that the provisions of section 18 are a codification of the rules of procedural fairness, and the suggestion that compliance with such rules inhibited the commission's work was concerning. The state referenced the amendments made in May 2021, giving effect to the recommendation of the Tasmania Law Reform Institute (TLRI) and further noted that the commission was provided with the bill that amended the act for feedback and consultation. No feedback or request was received that called for additional changes to section 18.

What did the state do about it? I am advised the state suggested that the commission may wish to seek additional time to complete the inquiry so that it could comply with the procedural fairness-related requirement and the commission sought an extension on 27 March 2023. The

Premier and former attorney-general announced the extension on 4 April 2023. The former attorney-general said:

The commission has requested more time to finish its important work, to give due consideration to the grave matters it is examining and to ensure it complies with its legal obligations.

On the website under the heading 'Frequently Asked Questions' and the question 'Why has the commission of inquiry been extended?', the commission states:

It will also enable the Commission discharge our procedural fairness obligations under the Commissions of Inquiry Act 1995.

Further, under the heading of 'Why does the commission need extra time?', the commission states that:

Under the Commissions of Inquiry Act 1995, the Commission has certain legal obligations, including providing procedural fairness in relation to its report.

Throughout March and April 2023, the state was regularly liaising with the commission, which included discussion regarding a number of options for complying with the procedural fairness requirements of the act and then there were additional hearings. On 7 June 2023, the commission advised the state that additional hearings were going to be held to ensure that its procedural fairness obligations were met. On 14 June 2023, the state's lawyers met with the commission's lawyers to discuss these matters, including when the commission proposed to hold those additional hearings. Senior counsel assisting the commission advised that the hearings were proposed for 29 and 30 June 2023 with further dates available from 24 to 27 July 2023. The purpose of the hearings was to address procedural fairness matters related to the Department of Health and it was understood that the commission was also considering if additional evidence may need to be heard in relation to Ashley Youth Detention Centre.

On 20 June 2023, the commission's lawyers advised that it would not be holding hearings on 29 and 30 June 2023 but was still contemplating hearings for 24 and 27 July. On 11 July, the commission's lawyers advised the state that additional hearings would be held on 20 and 21 July but no further details were provided. On 13 July, the commission advised that it would likely not be holding hearings on 20 and 21 July. I wanted to provide an update on that for the member.

Ms Haddad, member for Clark, asked a question of me earlier today. I will update the House with respect to that in this contribution and I believe this will assist also in understanding the debate we are having today.

The Abuse in State Care (AISC) scheme ran from 2003 to 2013 and consisted of four rounds. The Government, through phase 2 of the Joint Safety and Accountability Team (JSAT), is engaged in a review of these matters. I want to be clear the AISC scheme records have already been reviewed and audited on multiple occasions. Throughout the course of the scheme, matters were referred to Tasmania Police where alleged perpetrators were identified. However, if a victim/survivor indicated that they did not want a report to be made, those wishes

were respected. The records were further reviewed for the Commonwealth royal commission and that data set was made available to law enforcement and other regulatory entities.

In 2021, the child sexual abuse joint review team was established as a multidisciplinary police-led review team. That team reviewed tens of thousands of reports across Tasmania Police, the then Department of Communities and the Department of Justice's systems. A total of 770 entities were identified in this process and all reports were found to have been actioned appropriately.

Whilst the work of the joint review team was not focused on the AISC scheme records, it reviewed the systems that store information that underpins claims made to the scheme. It identified these matters so that members are aware that the review under recommendation 12.5 of the commission of inquiry report is under way and supported by significant work. I think this was raised yesterday by my secretary. The recommendation is to be completed by 1 July 2026 but we have not waited. We expect it will be progressed sooner than that and it is being progressed as soon as possible. This was made clear yesterday in scrutiny, and I am making it clear again today.

I had a question yesterday about the Commonwealth National Redress Scheme. The Department of Justice manages the Tasmanian Government's response and engagement with the National Redress Scheme (NRS). When a claim is received from the National Redress Scheme, the department provides the detail of that claim to the relevant government agency or agencies. Those agencies, as the custodians of the relevant records and information, are responsible for engaging in all child-safe reporting obligations, including reports to: Tasmania Police; Teachers Registration Board; Registration to Work with Vulnerable People Scheme; and others. It is important to note that the Australian Government, through the NRS, also reports directly to Tasmania Police.

The commission of inquiry was concerned that reports to law enforcement and regulatory entities should also be made by the department when the claim is received. This process has been adopted by the department. It is noted that agencies receive a copy of the claim within a matter of hours or, at most, one business day of the claim being received by the Department of Justice. The change in process means that the law enforcement regulators now receive an initial report from the department and will then receive the substantive information from the relevant agency. It is noted that all claims were audited prior to the commencement of the commission of inquiry to ensure that all agencies had a full data set for claims relevant to them. This enabled agencies to confirm that all appropriate child safe reporting actions have been undertaken. I hope that will assist the member for Clark, the shadow attorney-general.

To conclude, I provide my sincere thanks to the Department of Justice and the Department of Health. The body of work already undertaken is significant. I am thanking them in advance because the body of work for the months and years ahead is also significant. There has been a reference to the workforce; in terms of the health workforce, we have a Health Workforce 2040 Plan. That is the whole point of acknowledging the challenges across Australia and across the world, particularly in terms of the health workforce. That is why we are committed to delivering on building capacity in the health workforce. That is why we have a range of initiatives in place to ensure that we can grow that health workforce. I am very pleased with the outcomes of Government negotiations with our nurses in finalising those arrangements and, more recently, with our doctors as well.

This is very important to ensure that we have the workforce for the future. We have scholarships in place for the allied health workforce around Tasmania. It is going really well. I was on the north-west coast and launched that a couple of months ago. I was at the Mersey Community Hospital at Latrobe and was able to visit with the Rural Medical Workforce Centre at that institution. They are growing and building the capacity for doctors, nurses, allied health professionals and others in the health workforce for the future. Once their training is done, they are more likely than not to stay in and around the north-west coast of Tasmania. This is the beauty of the plan that we have to deliver for the future, to build capacity in our workforce.

There was a reference to the Tasmanian Law Reform Institute and the inquiry that I established more than a month ago. I indicate my sincere thanks to the institute, to the chair, and to the director, Jeremy Prichard. We have finalised that arrangement, as a government. The terms of reference have been settled and that is now under way. The terms of reference for the review is available for all to see. I am very pleased with that and both those reviews. The Premier made reference today to the importance of those reviews to hold the Government to account. In terms of the response and feedback from those reviews, we will carefully consider them and provide openness and transparency on the way forward so that we can have a very strong commitment to deliver.

In conclusion, this is the most important piece of work, in my view, that our Government has ever undertaken. The response is comprehensive - 191 recommendations. We will deliver on it. It is easy to say but it is hard to do. With the collective commitment of this parliament and our community to deliver on this - to build a child safe environment, an environment for our children and young people to prosper, to reach their potential, and be the best that they can be - that is our vision, that is our hope and we will deliver.

Quorum formed.

[3.28 p.m.]

Mr JAENSCH (Braddon - Minister for Aboriginal Affairs) – Madam Deputy Speaker, I first take a moment to again acknowledge and offer my own sincere apology to every person who has ever experienced abuse in our state government institutions. We are indebted to the brave survivors of abuse who spoke out on behalf of themselves and others, to ensure that children and young people's voices were heard, and the failings of the past were uncovered. We thank them for their strength and courage and for their dedicated resolve to ensure the injustices they experienced and witnessed never happen again, to protect future generations of Tasmanian children and young people.

In acknowledging people who have been affected by child sexual abuse directly or indirectly, I also acknowledge their hunger for answers and closure; for those responsible to be held to account and for certainty that what happened to them cannot happen again. I get that and I will do everything I can to help you get that closure.

I know that there have been times when I have been unable to provide the information or answers you are looking for, especially in relation to complex, ongoing, legal and procedural matters to do with the conduct of individual public servants. I know that you question why there may be information that has not been provided to me, which you might expect me to have or to be curious about. To those who ask those questions, I promise you that I am more than curious about these matters. I am continuously asking questions and seeking answers to satisfy

myself that we are doing everything possible to join the dots and be forensic in our investigation of these matters.

For those who stand outside of these processes, they must seem like a black box. I understand that it is hard to accept that there may be names and numbers and details that do not exist or cannot be shared, even with me as a minister. I hope the proactive disclosure of the assessments being undertaken by heads of agencies regarding current and former state servants referred to in the commission of inquiry report, the Joint Safety and Accountability Team (JSAT) audit that was spoken about again this morning, and the independent reviews that have been announced are evidence that there is a significant and continuing body of work under way to follow all these leads and all these matters to their conclusion, while we also begin work on the important reforms we have committed to in response to the commission of inquiry and that your past experiences prevent them from happening again.

I know the legal and procedural reasons that we give for not always having all the answers you want are deeply frustrating to you and sometimes do not make sense to people outside of these processes. They will make you disappointed or angry, and angry at me for not being able to provide them. I would rather accept and endure that anger than be told one day that because I shared information against legal advice that a perpetrator could not be tried for their crimes against children or be told that an innocent person took their own life as a result of allegations against them that could never be proven. I could not live with that. I will continue to act in accordance with the best advice available to me at any point in time when I provide answers to you, as uncomfortable as that may be for both of us.

With that, I would like to refer to work under way and matters examined in the scrutiny regarding the portfolios that I am responsible for. Our Government's response - keeping children safe and rebuilding trust - commits to implementing all 191 recommendations made by the commission in its final report. In my portfolio, the Department for Education, Children and Young People's ongoing work demonstrates our commitment to ensure that our department is an exemplary child-safe organisation that keeps children and young people at the centre of everything it does.

Since receiving the report from the independent inquiry into the former department of education's responses to child sexual abuse in July 2021, the department has implemented 14 of its 20 recommendations already.

Work that has already been undertaken includes:

- release of the department-wide integrated framework for safeguarding children and young people from abuse, which is structured to directly align with the national principles for child-safe organisations and Tasmania's child and youth safe standards now embedded in the Child and Youth Safe Organisations Act 2023;
- the appointment of a safeguarding lead in every government school with a specific focus on understanding, preventing and responding to child sexual abuse;

- development of a safeguarding risk management procedure for schools, and training of safeguarding leads to build their understanding of risk and their capacity to undertake child sexual abuse-related risk assessments;
- employment of additional support staff in our schools; updated resources and training for school staff in preventing, identifying and responding to child sexual abuse; and
- revised mandatory reporting training which is compulsory for all departmental staff, contractors and volunteers.

The department also recently launched the Tell Someone website and an accompanying community education campaign that aims to raise community awareness of child sexual abuse, including grooming and the community's responsibility to report it.

The Office of Safeguarding Children and Young People is now working with vendors to develop a better system for reporting, recording and responding to concerns of child abuse, including sexual abuse and grooming, ensuring all schools have a safeguarding risk assessment in place by the end of the year. It is working with the University of Tasmania to ensure the introduction to children's rights and safety and child safety, child abuse awareness and prevention modules are compulsory for University of Tasmania education students from 2024.

From term 1 of 2024, the team's work will centre on cultural change, safeguarding risk management and education about identification, prevention, early intervention and support in schools in the early years. In addition to the safeguarding in schools unit, the department has also recognised that there is a need to ensure there is a strategic whole-of-agency approach to the development of child-safe policies and strategies to ensure the department can operate as an exemplary child-safe organisation. This is needed to ensure that our continued efforts towards safeguarding children and young people are connected and cohesive across all parts of the agency and that children and young people are at the centre of all decision-making and processes that impact them. We also need to ensure that the child- and youth-safe standards are delivered in a consistent way across the department.

To achieve these important outcomes, the current Office of Safeguarding Children and Young People is taking a coordinated and consistent approach to deliver the child- and youth-safe standards, building a culture that champions the rights and safety of children. I can confirm that neither the safeguarding in schools unit nor the Office of Safeguarding Children and Young People will have a role in assessing or evaluating the appropriateness of responses to incidents.

The department is developing an incident review process that will cover all service areas of the department. This will help ensure that lessons learnt from the responses to any incidents are used to inform reviews of any relevant policies and procedures as well as informing cultural change.

The Tasmanian Government is committed to developing a youth justice system that achieves better outcomes for young people and their families and keeps our communities safe. That is why we have now released our nation-leading Youth Justice Blueprint 2024-2034 which outlines our clear plan to transform the youth justice system in alignment with the commission of inquiry recommendations. It includes our firm commitment to raise the minimum age of criminal responsibility to 14 years and the minimum age of detention to 16 years by 2029.

The blueprint has been developed in consultation with a range of government agencies and non-government organisations and, importantly, with children and young people with experience of the youth justice system. Working with all our stakeholders will be critical to ensure targeted action plans and fit-for-purpose effective solutions. We will seek their perspectives and expertise through a range of mechanisms including through the establishment of a community consultative committee. The blueprint will be implemented through a series of action plans with the first to be released in the first half of next year.

While we are developing our first action plan, we are not waiting. A number of actions under the blueprint which align with the commission of inquiry's recommendations have already commenced. We are progressing our plan to close the Ashley Youth Detention Centre and transition to new facilities under our youth justice model.

The Government has identified a site in Pontville in the state's south-east as the preferred site for the new youth detention centre. The new facility will deliver a therapeutic and trauma-informed service model that focuses on improving outcomes for young people in terms of their safety, wellbeing and learning. Implementation will be completed by July 2026. The immediate next steps for the Pontville site include further site assessments such as Aboriginal cultural heritage, natural values and geotechnical assessments. These assessments are under way and will take a couple more months to complete and will not result in any significant impacts to nearby residents.

Work is also under way to identify options for quickly delivering assisted bail and support service functions to reduce the overall number of young people entering detention.

We have been engaging with non-government organisations which are keen to be involved. We have commenced discussions around capacity of the sector more generally to deliver services for different packages of needs of young people who are entering our detention facilities but who may not have been sentenced to detention.

Establishing options to keep young people out of detention and to prevent re-entry will be key to reducing the overall numbers of young people entering our detention facilities in the future, allowing our replacement facility in the south of the state to be a smaller, more focused therapeutic service centre for a smaller number of people. We are continuing to focus on the safety and wellbeing of young people who are in the Ashley Youth Detention Centre now until alternative placements are found for them and until our new detention facility is ready to receive them, including improvements to accommodation units and program areas, upgrades to entrance visiting areas and increased electronic surveillance.

We have delivered new CCTV technology which has increased accountability and safety for young people and staff. Body-worn cameras will be introduced in a trial capacity from the week commencing 11 December 2023, next week. A new personal searches policy introduced in 2019 ensures that any personal searches at the Ashley Youth Detention Centre comply with the UN Convention on the Rights of the Child. A full body scanner has been procured. Relevant procedures and training are under way for its commissioning.

An incident review committee has been established to review Ashley Youth Detention Centre incidents on a weekly basis for compliance with policy and procedure. The Maybo Training Approach, in use in several institutional settings in other jurisdictions, has also been implemented at the Ashley Youth Detention Centre. We are also investigating opportunities

for staff to access additional training, including certificate 4 in youth justice training. In addition, the centre now has strong independent oversight mechanisms in place, including the Custodial Inspector, appointed by this Government in 2017, who provides independent statutory oversight of Ashley Youth Detention Centre, which includes undertaking independent inspections and reports.

The Commissioner for Children and Young People conducts monthly visits at Ashley. Young people can contact the commissioner directly with concerns they have in relation to their care, who can then advocate with centre management or the department on their behalf. The Australian Childhood Foundation are on-site each week and provide regular individual assessments and therapeutic services as independent service providers.

Ashley reports all critical incidents and follow-up actions to the Custodial Inspector and the Commissioner for Children and Young People and each month provides incident, isolation and search registers. This has been further enhanced with the Advocate for Young People in Detention now providing more regular advocacy services for young people on behalf of the commissioner. We are developing a youth justice model of care to inform practice in Youth Justice Services and the design of the new centre. We are working with the sector to explore options and capacity for alternatives to remand, the development of a Youth Justice Services diversion framework that covers foundational issues such as priorities and criteria for diversion, and establishing key governance groups such as a community consultative committee, a multidisciplinary expert advisory panel and a cross-agency working group.

The 2023-24 Budget provides \$10 million in funding on top of the \$40 million in last year's budget to support the delivery of our plan for new facilities under our Youth Justice reform program and we have also provided additional funding of \$11.5 million in 2023-24 for the Ashley Youth Detention Centre to continue to prioritise the safety and wellbeing of young people in the centre. With the launch of our 10-year blueprint we will also be bringing, through the budget process, a package of works to support the first two-year action plan for delivery of the blueprint's initiatives, including those key elements of the Youth Justice facilities reform.

Madam Deputy Speaker, I am also fully committed to implementing all of the recommendations from the commission of inquiry relating to child safety and out-of-home care. We are a small state and we have a unique opportunity to truly transform our child safety and out-of-home care systems. Our reforms will ensure that children have a real voice in the matters that affect them. We will provide effective avenues for children and young people to participate in decision-making and build relationships with trusted adults involved in their care. We will deliver responsive and child-friendly processes to ensure children's concerns and complaints are heard, understood and acted upon. We will ensure the unique needs of each child are met and their rights upheld.

We will deliver the biggest changes to the out-of-home care system in our state's history. A key element of these reforms will be the outsourcing of all out-of-home care to the non-government sector. This structural reform will see a staged transition to the non-government sector that is strategic, well-planned and, critically, done in partnership with the sector, carers, children and young people. As the regulator, the state Government will set rigorous standards to ensure we achieve excellent outcomes for all children and young people in care. The Government will work with the NGO sector to build their capability and capacity so they can meet these standards, implement a trauma-informed and therapeutic model of care and offer excellent quality of care for children and families. The reforms I am describing will be truly

transformational, with the Government to provide additional funding in the 2024-25 Budget to make them happen.

To deliver these nation-leading reforms, we will invest heavily in our staff. We will continue to build their capability, listen to their expertise and ensure that our changes support them to keep our children safe and well. Across the portfolio of Education, Children and Youth, we will provide responsive and child-friendly processes to ensure children's concerns and complaints are heard, understood and acted upon. We will ensure that children and young people and those with lived experience are meaningfully and consistently engaged in the design, implementation and evaluation of our reforms. The commission of inquiry highlighted the need for children and young people to have a real voice in matters that affect their lives and that is what this Government will deliver.

The Government will continue to build our strong relationship with the community sector. Many of our reforms will require us to partner with the community sector and design and deliver innovative services together. This week's announcement of a community consultative committee which will support the implementation of the Youth Justice Blueprint is just one example of our commitment to continuous engagement and co-design with our non-government partners.

I will also speak to the importance of the relationship we have with Tasmanian Aboriginal people, children and families, and Tasmanian Aboriginal community-controlled organisations, who have been central to several recommendations of the commission of inquiry and are also addressed through our Youth Justice Blueprint. We need to have new and different and better ways of addressing the over-representation of Aboriginal young people in out-of-home care, in our child safety system and in our youth justice system. Through the Closing the Gap Capacity Building Funding Program, we have already invested \$2.5 million with the Tasmanian Aboriginal Centre on important pilot capacity-building programs which will assist us to better implement the Aboriginal and Torres Strait Islander child placement principle in our out-of-home care sector. We are looking forward to working with several Aboriginal organisations and advocates to develop an Aboriginal youth justice strategy for Tasmania, including consideration of the role of Aboriginal organisations in decision-making about the placement and care for young Aboriginal people who come into contact with the youth justice system.

We are committed to ensuring that all children and young people in our care are known, safe, heard, well and learning. We will leave no stone unturned to ensure our children and young people are protected, safe, and feel safe now and into the future.

I look forward to leading these reforms across my portfolios in partnership with children and young people, our staff, those with lived experience and the community sector. I thank my office, my department and advisers on all the work involved in preparing the Government's response to the commission of inquiry's report and recommendations, and for their assistance in preparation for the scrutiny hearings this week, and for the preparation of answers to questions taken on notice. It is a huge undertaking, responding to this enormous body of work that the commission has done and that we have received and committed to implement.

This is just the beginning. We will have our Child Sexual Abuse Reform Strategy in the first half of next year. It will mirror and be complemented by our first action plan for our Youth Justice Blueprint, and both of those will be iterated, rolling programs of work that show Tasmanians what we are doing; communicate our progress; and hold us to account for

delivering reforms that make a difference in the lives of Tasmanians. It will provide a road map for ourselves, our partners, our departments and the Tasmanian community, to see the direction that we are taking, and to know what to expect from this and future governments when it comes to reform that keeps our children safe.

I acknowledge and thank all those people who supported the commission of inquiry scrutiny process as well: the chairs; the secretaries to the committees; the members of the committees; the Hansard staff; and the other attendants, who were able to conduct and support the scrutiny process during what has been a unique working week put together for this specific purpose. I thank them for their support and their service at short notice to make it a success.

I also thank the department secretaries and their teams for the extensive preparation that went into the commission of inquiry response and the scrutiny committee process, and for the work continuing to be undertaken to ensure we respond to all questions taken on notice and the extensive work programs that will roll out over the coming months and years to deliver on the commission's recommendations.

[3.52 p.m.]

Mr BAYLEY (Clark) - Madam Deputy Speaker, I rise to offer my reflections on this week and the Government's response to the commission of inquiry.

To start, I acknowledge victims/survivors who have been in the House over the course of this week and watching online; whistleblowers, advocates and families. It is through their strength, bravery, and commitment that we have reached a place where a light has been shone into a very dark place. We now have a strong suite of recommendations about how the kind of abuse we have heard about through the commission of inquiry will never happen again. I acknowledge their bravery, their strength, and I stand with them in solidarity.

I also acknowledge the work of the commission of inquiry and its staff, and the 2021 work of Professors McCormack and Smallbone. This is very difficult work: hearing the stories, dissecting the evidence, seeking solutions, and taking the time to articulate it all in a comprehensive and coherent way. It is a mammoth task, professionally and emotionally. I have the utmost respect for the work that was conducted and how it was conducted.

Further, I acknowledge the departmental staff charged with working on the Government's response, and recognise that. Many of them must be in a very difficult position, having all the evidence of the problem, a clear understanding of the solutions, and yet tasked with drafting a response that is hobbled by Government policy, artificial budget constraints and, at times, poor ministerial direction as to how to respond. It must be a debilitating way to work. The underwhelming commitment of Government must be a challenge to endure from the inside.

Finally, a message to the media. I acknowledge you, Camille Bianchi. Your podcast *The Nurse* can be credited with breaking the shocking record of paedophile nurse, James Griffin, at the Launceston General Hospital, and kicking off the impetus that created the commission of inquiry. To the Tasmanian media pack over recent years, diligently reporting on the evidence of proceedings, and now the Government's response and our scrutiny: this is all too often thankless work, and given the content, can and does have personal impacts. I hope that all in the media pack are doing well. I thank you for your diligence and work, because it is such important work. Sadly, it is all too often the case that it is the work of the media, the exposure they provide, and the accountability that this creates that finally pushes government

to take action. That was the case with the commission of inquiry. Media exposure, coupled with the work of my predecessor, Cassy O'Connor, and Dr Woodruff, built the compelling case to establish a commission of inquiry - and so, it was established.

At the very high level, we have all read and heard this week that the Government's response to the commission of inquiry's recommendations is one of perception versus action. I am not saying the Government is not responding to the recommendations, initiating responses and funding some of them. How could I say that? However, this commission of inquiry is the most profound investigation into a social and administrative crisis that Tasmania has endured for decades, presumably since colonisation. Since the sealers and settlers stole Aboriginal girls for slavery and servitude, and young convicts cohabited with their charges and cohorts, sexual abuse in this state has been rife.

The statistics today tell us all we need to know about its extent, and the culture of secrecy and cover-up that has continued to provide fertile ground for perpetrators to persist. This must change and it must change now.

There are thousands of Tasmanians with lived experience watching closely - not only victims/survivors and their families but their advocates, members of the State Service and health professionals who have witnessed the impacts of sexual violence and a systemic apathy towards doing much about it. I am not saying that Government is not responding to the recommendations. I am saying that, above all, even above the desire to do something about it, sits this Government's desire to be seen to do something about it - to look like they are acting, to manage the fallout, to minimise the damage, to protect its people and to manage the media and other coverage about it. Government has been dragged kicking and screaming and blocking to the place we are today.

This week of scrutiny has not been delivered thanks to Government, as we would be led to believe from the Premier's contribution this morning. This scrutiny has been delivered because of a proposal from the Greens, originally rejected by Government but ultimately supported by this House. It was not a proactive proposal from Government. We are not here in the voluntary spirit of transparency, of improving the outcomes and ensuring the response of Government is as good as it can be. We are here because this House demanded it. I thank my colleagues for their support.

We are here because the Government lost its numbers due to transparency and secrecy over other important issues. A collaborative parliament used its new-found power to compel Government to respond. Parliament agreed to hold an initiative to stand up a committee and to recall the House to do its job: to hold Government to account and to represent its constituents.

One only needs to consider yesterday - the very day that Youth Justice was to front the committee and our first opportunity to scrutinise a Government response to a suite of long-running, shocking and appalling failures; an opportunity to interrogate Government about its response to a list of clear-minded, independent recommendations of what to do about these failures. On being seen to act, even if the action is underwhelming, yesterday delivered us a classic example. Yesterday, with Youth Justice - despite years of debate and expert advice, with months to consider the commission of inquiry's report, with weeks knowing the timing of Government's response and committee scrutiny, which was scheduled for 11.40 - what did we get? An early morning media conference to release a 10-year Youth Justice Blueprint with

some juicy announcements, all deliberately timed to dominate the media coverage of committee scrutiny and distract from long-running failures and substandard responses.

The timing of the release denied the committee members a good faith opportunity to digest the blueprint in advance and ask genuine questions that would flow from it. On questioning, the minister claimed the strategy was only finalised on Monday. Believable? I am not so sure. Even if true, it demonstrates an incompetence and contempt that I am only just beginning to realise is possible in this place. These hearings have been established for weeks. The Government's RTI response was delivered on Friday. While the 10-year blueprint would have been in train for months, it was released just an hour or so before committee scrutiny.

I am pretty new to this place. I would like to think I am not yet scarred and jaded. However, my experience this week has somewhat advanced this process. I am not a victim/survivor. I can only imagine the frustration and pain, the anger and despair of victims/survivors listening to a government dodge its responsibility, resist transparency, fail on accountability and respond to a profound problem that is writ large and ubiquitous, with commitments that are delayed, underfunded or deflected. For me, as a member of this place, at a personal level I feel frustration and sadness. I am frustrated we cannot do the job expected of us. I am sad we as a parliament are not doing enough to respond to the spirit and letter of the commission of inquiry.

In his ministerial statement on tabling the commission of inquiry report, the Premier called on us all to step up and collaborate. He said:

The weighty legislative agenda will require the support of all of us within this parliament to ensure we are working together to deliver the changes the commission has recommended.

While I expect there to be due and appropriate scrutiny on the reforms that come forward, all members of parliament have an active role to play in delivering the changes the commission has recommended quickly and efficiently. It will also be important that we, as a parliament, work together across party lines to make sure the legislative changes endure over time.

Premier, we stand willing to work. We want to do it quickly and efficiently, as you have suggested, but you and your ministers need to change, to act with urgency, to give us reasons to be confident in your actions and to share details about how you will deliver them, particularly details about how you will fund them.

This process has been plagued by perplexing decisions. The issue of section 18 notices issued by the commission has been discussed in depth so I will not go into detail. How is it that after weeks of requests, intense scrutiny in the committee and profound public interest, you release some details in the penultimate session of the committee? How is this a solid strategy to demonstrate confidence and trust? You look bad, we get frustrated, victims/survivors are angered and, finally, the pressure builds such that you release the information anyway. Go figure. How does that work for anybody?

This is not the only perplexing decision. I want to raise an issue sensitively but strongly. Last week the Deputy Premier said:

Jacque Petrusma has joined our team as the commission of inquiry adviser in the Premier's office to support the significant and important job of implementing recommendations.

Mrs Petrusma is a very nice and capable person doing good work in the community. She is both well respected and liked. I share that respect and affection. Nothing I say here is a reflection on her personally. However, the simple fact is that she was a responsible minister for relevant portfolio areas at the very time some of the incidents heard by the commission of inquiry were perpetrated. The commission of inquiry report details numerous examples where, as minister, Mrs Petrusma received information - a report, a minute, regular updates - that included allegations about serious misdemeanours in the Ashley Youth Detention Centre. As we know, Ashley is now infamous as a hotbed of abuse and neglect, including across the period of Mrs Petrusma's ministerial responsibility.

I make little comment on jobs for mates and another Liberal insider receiving a plum, well-paid job inside the Liberal Government. It does not really stand the pub test, but that is a debate for another day. I make comment on the optics, the impact on victims/survivors and the level of confidence the public can have in the advice that is needed to change culture and take action that will be given in a frank and fearless fashion. This is a former minister who refused to act. There are real questions that all relevant ministers need to answer about the past values under their watch. Employing one to give advice going forward is, unfortunately, both inappropriate and alarming. I will leave it at that and repeat that this is not a reflection on Mrs Petrusma as a person. This is a reflection on a conflict of interest and the impact that a decision like this can and will have on victims/survivors and others traumatised by the system and its failures, and oversights by this Government and its ministers, both past and current.

From what I have seen and heard I do not have confidence the Government is adequately funding the delivery of its actions. I heard much this morning about the Premier's commitment to support the workers of the Sexual Assault Support Service (SASS) and Laurel House - \$1 million to assist those organisations to deliver their service. That is one-thirtieth of the new harness and greyhound racetrack in the north-west, or one-fortieth of a new track through wilderness areas on the west coast. While this money will assist harmful sexual behaviour programs these organisations run, and identify and intervene with potential perpetrators, it does nothing to address the massive backlog of victims/survivors needing help to cope with the trauma they have experienced.

With an epidemic of sexual abuse we have an explosion of victims/survivors reporting and organisations like Sexual Assault Support Service have seen a doubling of referrals since 2020. As we break down the barriers of silence and change the culture about accessing services, Tasmania can expect an increase in reports and demand from people needing help. With so much of the commission of inquiry recommendations focused on systemic government problems and most of the government funding on internal reform, external providers and responding to the needs of victims/survivors will suffer. We must do more in this space, but even then, internal funding is inefficient.

On questioning about the 2022-23 budget and initiatives that flow from the independent Department of Education inquiry, Mr Jaensch had a cute, confusing and entirely unconvincing argument. Apparently, no-one need worry about statements in the budget like:

This is a new initiative funded from within the department's existing resources.

According to minister Jaensch, this does not mean what it says. According to minister Jaensch, the state school system is given more than it needs in advance and the fat in their budgets can fund the kinds of initiatives that fall out of the independent commission of inquiry. I am struggling to believe it. That is why I am debating the motion to establish this scrutiny process. We Greens urge Government to proactively articulate the funding required for each recommendation and where it will come from.

With Education, putting aside budget statements we heard in 2022-23 such as, 'This is a new initiative funded from within the department's existing resources', I note there was no allocation in the supplementary appropriation bill passed a month ago, and no additional money allocated in the wake of the commission of inquiry report. While on Education, I make the point that the Smallbone and McCormack inquiry completed in 2021 has still not been published in full. By publishing the recommendations only, the Government avoids accountability and impacts on a fuller understanding for members of parliament and the public.

Tracking of teachers across the system is one of the simplest measures the department can implement and is standard across multiple Australian jurisdictions. The commission of inquiry has demonstrated this failure across the Tasmanian system, with children in the education system suffering as a result. Pushing reform back two years means two more years of exposing children to unacceptable harm. While the Government said this would be its highest priority, we see them spend more time pushing out childish social media slurs against political opponents than information about how Tasmanian children are to be kept safe and about how to report abuse.

In evidence at the commission of inquiry, Ann Moxham, the then registrar of the Teachers Registration Board of Tasmania, gave evidence that a relief teacher who had been reported for inappropriate behaviour and had that complaint upheld was consequently lost in the system and they moved on. Ms Moxham also gave evidence that the Teachers Registration Board did not need to be notified of an incident of child sexual abuse until 28 days after the investigation had been concluded, which in many cases could take months. This needs to change.

The Government's response to an explicit commission of inquiry recommendation that legislation be changed by 2024 to allow for immediate rather than emergency suspension of a teacher's registration is to be pushed out to 2026. Why? To quote the minister from yesterday, 'It is sensible to make all changes to that act at once'. For me, it is sensible to do as much as we can as soon as we can. Who cares if we amend the Teachers Registration Act twice in three years? It is what the commission recommended. It is not a difficult task and this House stands ready to do it. It prioritises children and for me that is what is sensible.

In out-of-home care the scale of the problem is immense. There are almost 1000 Tasmanian kids in out-of-home care and the risks remain great. The commission of inquiry heard harrowing evidence of abuse at the hands of carers, family and other children exhibiting harmful sexual behaviours. The commission of inquiry documented the issues and articulated the changes needed, but we do not seem to see the level of commitment and reform required to change the dial to improve things for children and to change the culture and administration of the care of some of our most vulnerable children. As with Ashley, minister Jaensch pushed

back recommendations, acquiesced to inadequate funding and displayed a disturbing lack of urgency and compassion.

Data produced today to questions on notice highlights the particular vulnerability of Aboriginal children and their over-representation in care and detention. I will read directly from the *Hansard*:

As at 3 December 2023, approximately 40 per cent of children in care are Aboriginal.

A cohort of people who make up less than 5 per cent of Tasmania's population make up 40 per cent of the children in state care. How can that be allowed to happen? How have we failed? I am looking forward to answers yet to be received, taken on notice, about Aboriginal education workers. Aboriginal people working directly with Aboriginal children in state schools is a critical mechanism to build connection to culture and community and keep Aboriginal kids out of care and detention.

How much do we actually value these workers? My questions centre on the security of these positions, the permanency of the people filling them, and the support we give them when school is out. Do these Aboriginal education workers lose their position in December, remain unemployed over summer to be re-appointed at the start of the next year's term? If this is the case, what does that say about how we value that work? How is it fair to treat frontline staff from a vulnerable community in this way? How does it affect recruitment and retention? What are the flow-on impacts on Aboriginal children in out-of-home care and detention?

To conclude, this is not all bad. We have the recommendations thanks to the commission of inquiry and thanks to the evidence of victims/survivors and experts. We know what to do. Some of them are on track and others can be put there. We just need to change the culture. We just need to change the leadership.

I finish by offering my genuine thanks to a range of people working in this space - it is one of the most difficult. To community service providers and their staff, to teachers, healthcare professionals, justice workers and police, to volunteers and carers, overwhelmingly, you are good, committed, compassionate, professional people. Your work is recognised, valued and is critical to the function of our community. We are talking about a minority of perpetrators and people who are on the outlier. For the overwhelming majority of you, we recognise you. We see you. We see the work that you do and we thank you from the bottoms of our hearts for it.

[4.12 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, I appreciate the opportunity to make a contribution in response to the information we have heard over the past two days and by its very nature the information that we have heard over some time now.

My contribution was going to be extremely similar to everyone else's. It would speak of gratitude for the work that has been done by the community, by the sector, by those who have spoken out, and a sense of disappointment for the way that the Estimates process and the entire process was conducted. I am disappointed that we did not receive answers to things that anyone could have expected to be asked. I look forward to seeing the rest of those answers. I was also

a little concerned on occasion with some of the tone. That is something we should all reflect upon.

I acknowledge victims/survivors who are listening; anyone who may be here in the building. I also acknowledge those people who support them. I acknowledge those who have spoken out and those who cannot or choose not to. I note that we all got to participate in that conversation and we all get to participate today. We have our voices heard regularly in this debate. What is missing is the input for the victims/survivors. I want to let them know that their tears yesterday and the day before did not go unseen, and their voices should not go unheard.

I have two contributions that I wish to make on behalf of victims/survivors in the time that is available to me. The first is from Alysha. The second is from Amanda. We all know them well. From Alysha, who is an Ashley Youth Detention Centre (AYDC) clinical practice consultant and whistleblower:

I took part in the Commission of Inquiry as I am a staff member who witnessed and reported severe abuse at AYDC. I am not a Victim Survivor in Tasmania, however, I have represented many children who are and who are often not allowed, nor able to have a voice themselves.

There is not only a pervasive culture in the State Service of silence and reprisal against those who speak up, but a culture in AYDC whereby the children too must stay silent or face inconceivable retribution. I would not have believed such an entrenched and dangerous culture could exist in Australia until I experienced it first hand, at all levels of Government.

I gave evidence for 2.5 years, and have been reporting abuse to the Tasmanian Government about AYDC for over 4 years now. I was bullied, assaulted, harassed at work for doing so. I was nearly bankrupted, made incredibly sick, my small children and I were surveilled in two states and bullied relentlessly by the Deputy Solicitor General. The Tasmanian OSG tried to break me, they tried to prevent me from giving evidence to the COI. My family and I, have been put through hell. All because I reported Child Sexual Abuse.

Jeremy Rockliff, has been kind and is not someone I hold responsible for what was done to me. Which perhaps highlights how detached and powerless premiers can be if they do not have the right people around them and in crucial roles.

I am a Victim Survivor also, from another State. I know how much difference just one adult who listens and acts can make. It was never a choice for me to be that adult for many children. I have been through a criminal justice process for 7 years personally and it was not as ruthless and damaging as dealing with the Tasmanian Government has been as a Staff member who reported child sexual abuse.

I worked very closely with the Commission for years. I provided over 6000 documents. Some of which the State did not produce, and no longer appear to exist outside of my copies. I worked with the AFP seconded to the COI,

full time, for years. I cannot fault the COI's conduct in any way, from beginning to end.

However, they expected their work would be fully empowered and supported by the Tasmanian Government. They expected to be supported in making Misconduct Findings final, without having to cross examine victim survivors. That is something they would never do, and it is abhorrent that the State lawyers answer to the legislative barriers in Section 18 - was to allow more time for the COI to take steps such as cross examining witnesses, as opposed to urgently bringing the act into line with every other State.

The COI promised us accountability by way of appropriate criminal referrals, their report and of course Misconduct Findings that would be in the final report. The State, are who made this impossibly difficult to achieve. It is difficult to understand why every step possible, was not taken by the State the moment they became aware of these barriers, to fix them and ensure accountability occurred the way in which it was meant to. Why, these steps were not taken is a question that remains unanswered.

As a reform specialist, I do not believe that any major reform agenda or in this case, the implementation of recommendations from the COI, can be effective, meaningful or sustainable without very firm foundations having been set first. The COI process was one part of this, and their Misconduct findings was another. Tangible accountability is important in creating a safe culture for all. With Misconduct Findings in the final COI report having been made impossible by the States lawyers, with not a single person terminated and with not a single person described in the COI report having been charged - there could be NO clearer evidence that tangible accountability has not occurred and will not, in the ways we were promised and the ways that Victim Survivors deserve.

I do not wish for those names to have been published as promised for petty vindication. I wish that those names were published, because it sends two critically important messages:

- (1) It would set a clear, and loud tone to ALL State Servants, that misconduct regarding children will not be tolerated. You will not be protected. You will lose your jobs. The protection racket is over.
- (2) It would demonstrate, in a powerful and tangible way to all those affected by CSA in Tasmania, that what happened to them has not and will not be tolerated. That the Government has unapologetically chosen to stand with children above the adults that allowed harm to come to them.

I expected a couple of things to happen this past two days, and as always, I have been left feeling disappointed and despairing in the absence of an appropriate response to these terrible circumstances.

I expected that The Premier, HOSS and other Ministers would have made a genuine apology to all Victim Survivors, whistle-blowers, and Witnesses, for failing to empower the COI to complete their intended work, thus causing FURTHER harm to many. Many of my friends who are Victim Survivors in Tasmania are not even able to watch this because they are so retraumatised by the fact that they have been harmed and let down again, by the Government that allowed them to be abused in the first place. The failure to empower the COI appropriately, feels like a continuation of abuse to some Victim Survivors.

I expected the Government to show humility, empathy and horror at the fact that Misconduct Findings were prevented from being made. I expected them to urgently, remedy this. Publicly and honestly. I expected honest ownership for this catastrophic failure of the Government to ensure the most important body of work possibly ever to be completed in Tasmania, was able to take all actions they needed to. I expected them to publish the names and the content of the COI's intended misconduct finding, as this is what was intended by the COI. It is the only way to allow the completion of their intended work, in order to move into the next phase with any hope of rebuilding trust. I expected the most heartfelt of apologies, for again, failing Victim Survivors of Tasmania. I don't believe that the failure of the State Government lawyers to communicate these issues to the Premier, or indeed to remedy them when there was still time, was even raised.

The implementation of the recommendations of the COI is the most important part of this process, in terms of learnings and safeguarding future generations of children. However, for it to be done right, it cannot be undertaken in isolation. Foundations need to be laid first to earn trust, show good will, remedy failures and DEMONSTRATE that the culture has changed.

Without the above steps having been taken, and in contrast, ongoing obfuscation and dishonesty occurring in a deeply distressing manner, I do not believe that the right foundations have been laid to ensure the implementation of the COI's recommendations are implemented effectively. The culture that has allowed, enabled, minimised and covered up abuse of children remains. In fact, the Head of the State Service who much of the abuse and subsequent cover ups happened under, is the person running this process.

I do not believe that we have seen any evidence of a government or a Head of State Service, willing to put accountability and child safety ahead of Politics, self-interest and protecting senior bureaucrats.

On a personally heartbreaking note, I have reflected, that I would have achieved more safety for children at AYDC if I didn't report a thing and stayed in my role, in our home, safe and with my career intact. The hell hole remains open anyway. The kids I did this for remain at risk. I could have at least been a safe adult to speak to, if they're going to be tortured in any case. I have lost my life and career, my health. My family has been put through hell. I have lost a baby, and the first four years of my youngest child's life to

giving evidence that I trusted would result in REAL change and accountability for vulnerable kids in Tasmania.

As things stand, acknowledging this is a statement no one should EVER need to make:

I regret ever speaking up about Child Sexual Abuse in AYDC in Tasmania. Everything has been lost, with very little gained. Certainly, the children at AYDC aren't safe, those responsible for such harm did not receive misconduct findings and my career and life is in tatters.

I hope with all my heart, that one day soon I will feel proud and glad that I reported as I have, and that it has contributed to children at AYDC finally becoming safe.

I remain grateful to all MPs, members of the media, advocates and community members who have shown integrity and continue this fight with all Victim survivors, whistleblowers, and children in Tasmania.

I have read the letter in full as I have been given the permission to do so, Mr Speaker. The second one is from Amanda, who wrote:

The Commission of Inquiry gave me hope. Hope which took residency in a corner of my heart from the age of 6. Hope that one day my big sister would have the opportunity to speak her truth and witness justice for the rape she endured whilst sick, vulnerable and alone in an LGH hospital bed. Whilst I appreciate the Commissioners and the inquiry they undertook, I can't help feel frustrated by our government's response to the Commission of Inquiry.

Our government, who constantly reiterates they will 'leave no stone unturned', did in-fact recklessly and carelessly stride past the first stone, thus leaving it unturned - the Tasmanian Commission of Inquiry Act. This archaic piece of legislation has impeded both truth and justice for so many children and family members.

When the government refers to 'victim-survivors, family, advocates & whistleblowers', we are not somewhere far in the outskirts of society, we walk among you all. We live out our day-to-day lives as if we have not just re-lived the most deeply intimate, private and harrowing details of our personal lives to benefit Tasmania in the years to come. That was a choice we chose to make. However, we did not knowingly make a choice to provide evidence to a Commission of Inquiry which would become impeded by our Tasmanian state lawyers, government and state legislation. Knowledge of such interference may have helped individuals make informed decisions about whether providing evidence to the Commission felt safe and right for them, prior to engaging with the Commissioners.

If the government was not aware of the limitations within the Commission of Inquiry Act prior to the CoI commencing, then one may deem this as incompetence. For the government to be aware of such legislation and not

amend it, or at minimum, notify the public of the narrow parameters the Commissioners would be forced to work within, some in the community may view this as negligence, perhaps even corruption.

My parents, Anne & Craig Duncan, named my older sister 'Zoe', which in Greek means 'life'. Zoe's name has and will forevermore live on in Tasmanian history as a little girl who bravely spoke a violent and horrifying truth to ensure her nieces, nephews and all Tasmanian children are safe and protected in the future. As a little sister, please understand my frustration with the government. For 22 years my sister was my life and she will remain so for as long as I walk this earth. I will never waiver in my persistence to ensure this state walks-the-walk of integrity, transparency and accountability because I have seen what harm and devastation it can do to someone's life when a abhorrent crime is inflicted on a child.

To demystify any uncertainty, someone who consciously with malice, or unconsciously due to incompetence, does not report disclosures of child sexual abuse, is of equal harm to the community as the individual who perpetrated the child sex crime. Criminal and industrial legislation must reflect this. Regulatory governing agencies must not be solely relied upon as their systems and processes are equally as flawed. Responsibility cannot be hand-balled.

Whilst the government and the community have heard horrifying details of my sister's child sexual abuse, I ask this one small favour of everyone - when you hear the name 'Zoe Duncan', please know and remember Zoe for the legacy she has truly left us all with - love, joy, quick-witted humour and outstanding intelligence.

Even in hardship, Zoe continues to give us life.

Mr Speaker, I wanted the voice of victims/survivors to be heard in a week when they have not been heard very much at all. I do thank those two people for allowing me to read into *Hansard* their very deeply personal and harrowing responses to the work that has been undertaken in this parliament in the last couple of days, the work that has been undertaken by the commission of inquiry, this parliament, the media and advocates in the sector for some time.

There seems to be a view that everything is going to be okay because we are doing this work. I remind people that in the southern region alone in October, there are 86 children who experienced child sexual abuse on the waitlist. There are 99 adults. There are 20 adults who experienced child sex abuse in institutions, and there are 52 children in the harmful sexual behaviour list in the south alone. The Government has responded to the harmful sexual behaviour funding. That is welcome. However, harmful sexual behaviour programs are not the only thing we need to be doing, and the fact that these organisations are trying to do all their work with nowhere near enough resourcing is something we all need to be very aware of.

I finish by saying that I was the Minister for Children and Minister for Health during some years. I have found this entire process to be heartbreaking. I have spent a lot of time in personal reflection of what I could have done differently and what I could have done better. I

thought out of the commission of inquiry I might learn how I could have done something differently, how I could have ensured better practices and better safety. I am not sure that ministers have a pathway from that in the work that is before them. There is a lot of agency work, there is a lot of relying on cultural change, but I genuinely wanted to know what I could have done differently, what I missed and what I could have done better.

With that, the only thing I can do is say that whilst I will live with that forever, it is nothing like what victims/survivors and their families, loved ones and supporters are living with. The only thing now is to say that I am deeply, deeply sorry, and my heart is with you all.

[4.28 p.m.]

Mr ELLIS (Braddon - Minister for Police, Fire and Emergency Management) - Mr Speaker, I acknowledge all victims/survivors for their bravery in sharing their experiences so that we can implement change to prevent this from ever happening again. We thank you for your courage and your strength. I also sincerely acknowledge the many others who were not able to come forward, but who we know need our full commitment and support. You will receive it.

Our Government, our parliament and our community must do everything we can to make sure our children and young people are safe, protected, nurtured and loved. We must make sure that the mistakes and the failings of the past are never repeated.

The commission's final report extends across eight volumes, with over 3000 pages and contains 191 recommendations. We have committed to implementing all 191 to keep our children safe. Our police and our emergency services are pillars of our community and do incredible work. However, we know there have been devastating failings in protecting our children and young people in the past, as found in the commission. There is a fundamental need for reform.

As Minister for Police, Fire and Emergency Management, I am committed to doing whatever it takes to make sure that we are able to keep children safe in Tasmania. I know that I stand side by side with the Commissioner of Police and Secretary of the Department of Police, Fire and Emergency Management, Donna Adams, and that she shares this commitment. For this reason we did not wait for the commission to take action to make immediate improvements, and this includes reviewing the systems and processes in place to implement change to keep Tasmanians safe. As a result, significant changes have been made to the Tasmania Police Manual in 2021 to include very clear guidance and direction when dealing with child sexual abuse. The Tasmania Police guidelines for investigating child sexual abuse were also reviewed and refined later in 2021. This ensures information relevant to these investigations is consolidated into a single protocol for ease of reference for police.

Relationships with partner agencies have been strengthened to enable more timely intervention for children at risk and to provide better outcomes for victims/survivors. There have been improvements to the sharing of information with key government agencies, including information regarding child safety, to ensure appropriate responses and actions are undertaken when information regarding child sexual abuse is received.

New mandatory family and sexual violence response training for police was introduced in January this year. A dedicated family and sexual violence command has been established within Tasmania Police to deliver a cohesive response that fosters greater connectivity,

information sharing and response capacity, and brings together key work with a clear focus to prevent and respond to family and sexual violence. We have appointed specialist sex crime investigators in all three Tasmanian policing districts. Tasmania Police has renewed its Joint Anti-Child Exploitation Team (JACET) memorandum of understanding with the Australian Federal Police (AFP) with two additional AFP investigators being placed into our Joint Anti-Child Exploitation Teams and expanding on the AFP members already posted in Hobart, working closely with Tasmania Police investigators.

A review was conducted into reports regarding James Griffin and the resulting recommendations have been completed by the Child Sexual Abuse Joint Review Team. The review team completed a multi-agency review of third party information holdings to look for potential child sexual abuse offenders. Tasmania Police provided a submission to the commission of inquiry in July 2021 on structure and information sharing, and this has informed some of the recommendations of the commission.

Of the 191 recommendations made by the commission, 11 recommendations and five findings are the responsibility of Tasmania Police. A further 32 are attributed to other agencies but will require engagement, consultation and change by Tasmania Police. Tasmania Police is collaborating closely with these agencies on these important reforms. The recommendations for Tasmania Police relate to:

- improvements in information sharing;
- strengthening enforcement strategies;
- establishing specialist police units to respond to victims/survivors;
- establishing a third Arch centre in north-west Tasmania and considering enhancements to our existing police infrastructure;
- improving accessibility and options for reporting crimes through online reporting, as well as an enhancement to professional development and training for all police and specialist police. Tasmania Police is prioritising this work across the agency.
- a commander of police has been appointed to lead the response.

Further, our Government has announced a total of just over \$55 million in funding in the 2023-24 Budget to take immediate action to keep children safe. Of this, \$7.74 million is provided to Tasmania Police to implement their recommendations. Of this funding, \$5 million has been provided to develop a third north-west Arch centre by June 2024, taking total investment to \$20.1 million for three centres across Tasmania. Our Arch centres have been a centrepiece of our proactive preparation to the commission of inquiry, and we now have an Arch centre in the north at Launceston and in the south at Hobart.

There are currently 15 investigators assigned to the north and south Arch centres. When Arch is established in the north-west, a further seven investigators will work from the centre and those already appointed will further enhance the services to the region.

Multidisciplinary Arch centres are a proven model in other jurisdictions, both nationally and internationally, as they ensure that victims/survivors of sexual and family violence receive immediate and integrated wraparound support in a safe place from a range of services, including law enforcement. These services are focused on the victims/survivors to provide them with comprehensive support for when they come forward to report a crime or to seek care. Our Arch centres bring together support services, child safety services and specialist police investigators under one roof. This includes Sexual Assault Support Service in the south; Laurel House in the north; Family Violence Counselling and Support Service; child safety services; and Strong Families Safe Kids Advice and Referral Line.

Co-location of services mean that victims/survivors only have to attend one location to receive the help that they need, and they will have choices for the pathways that they would like to take. Individuals may choose to first seek therapeutic support and not engage with police. Even so, evidence can be preserved, meaning that they have options available in the future if they want to pursue a justice outcome. Anecdotal feedback from clients, service providers within Arch and other key stakeholders indicates that victims/survivors find Arch a calm and safe place where they can feel at ease.

Further, there are examples of victims/survivors who have had a negative past experience of reporting sexual harm that have come forward again through Arch and described having a much more positive and satisfying experience. Since opening in July 2023 to October 2023, 41 adults and 31 child victims/survivors have been clients of Arch and they have received these key supports. Arch centres facilitate the timely sharing of information to inform best practice responses that place victims/survivors at the centre.

Organisations and individuals that represent diverse community groups, government agencies, victims/survivors and support services have all contributed to the establishment of Arch centres. Our independent evaluation into the Arch centres will help us inform further improvements and investments. In addition to the \$5 million provided for the third Arch centre, a further \$59 000 has been provided to Tasmania Police to fund an additional soft interview room on the north-west coast. The site of this interview room will be determined after the site of the Arch centre is confirmed. Supporting our victims/survivors is so important and I take this opportunity to thank all victims/survivors who have contributed to the development of these important centres.

Unfortunately, shortcomings have been identified during the commission of inquiry in the referral process of information across government agencies, in relation to at-risk children. The Department of Police, Fire and Emergency Management (DPFEM) holds important information relied upon by other agencies and entities, including redress schemes, courts and administrative tribunals, to make decisions in protecting children and vulnerable people and responding to historical claims.

These processes include research, analysis and the disclosure of historical and contemporary police records, intelligence reports, occurrences, offence reports, files and charge records. Requests for information action by DPFEM have increased and are expected to continue in this direction in the foreseeable future. One key area of growth has been in the partnership with the registration to work with vulnerable people. Responding to reportable behaviour obligations and supporting requests for information in a timely manner ensures that the registrar can make decisions quickly and therefore reduce risk of harm to a child or vulnerable person in the community.

To support the improved information sharing, we are investing \$2.15 million to support efficient information sharing within Tasmania Police, and between police and other agencies. Of this, \$1.14 million has been provided to DPFEM information services to assist with their anticipated increased workload to progress working with vulnerable people approvals and information sharing protocols. A further \$1 million has been dedicated to the Family and Sexual Violence Command and information services to address training and analytical and investigation support, as this area has experienced an increased demand for services and need for training.

The funding will support three child safety service analysts; two investigative support officers; four information disclosure officers; one level two lawyer; a review of information sharing practices; and two right to information officers. All positions will be recruited by quarter one of 2024.

The commissioner has recommended Tasmania Police review its professional development on child sexual abuse. In 2021 Tasmania Police Child Sexual Abuse Joint Review Team developed additional and updated training and guidelines for all sworn Tasmania Police officers. This included mandatory training for all sworn officers in relation to new policies and procedures, including Tasmania Police initial notification and investigation of child sexual abuse guidelines and the Keeping Children Safe handbook. This training was completed in March 2022. Recruit training has been updated to include contemporary practices relevant to child sexual abuse. These guidelines, policies and procedures at all levels will be reviewed in line with the recommendation.

Further, nearly \$530 000 relates to child safeguarding training and resources dedicated to DPFEM being a child and youth safe organisation in line with the new acts and independent regulator.

We are considering legislative reform to keep children safe, improve information sharing within and from Tasmania Police to other agencies and also to the public on registered sex offenders. Tasmania Police maintains the community protection offender register and is bound by the Community Protection (Offender Reporting) Act 2005. The register is a confidential record of personal information about people who have been convicted of sexual or certain other serious offences. These individuals are known as reportable offenders.

The act requires a reportable offender to keep police informed of their whereabouts and other personal information and details for a period imposed by the courts. The Act limits the disclosure of information that can be made relating to reportable offenders. We are progressing amendments to the Community Protection (Offender Reporting) Act 2005, including mandating the sharing of information from the community protection offender register across government agencies and prescribed entities for that purpose.

The 2023-24 state budget provided \$2.9 million to appoint an extra five dedicated investigators to undertake compliance, management and investigation work in support of the register. These five sworn members will be appointed by 11 December this year and embedded in Tasmania Police's Family and Sexual Violence Command in each district. These officers will be dedicated to ensuring that sex offenders comply with their court mandated orders and are not posing a risk to our communities. These new officers will join Tasmania Police's new Family and Sexual Violence Command, which is the first of its kind in Tasmania, to focus exclusively on these crimes.

We will also establish a sex offender disclosure program with \$300 000 to allow parents and guardians to ask Tasmania Police if someone who spends unsupervised and regular time with their children is on the sex offender register.

This follows devastating experiences that have been brought to the Government's attention through the commission of inquiry that if information had been shared regarding a convicted sex offender status on the sex offender register, abuse of a child could have been stopped. We are making these changes because we are serious about protecting our children and we know that these sex offenders are on the register because they pose a risk. Through this, we empower parents and guardians to protect their children from sex offenders. We will ensure that any program developed by the government also provides educational resources.

We will progress these amendments to the Community Protection (Offender Reporting) Act which will include community consultation as a priority. This reform will further enhance Tasmania Police's capability in responding to protecting the most vulnerable people in our community: our children.

In closing, please allow me to reiterate that the crimes that have been exposed as part of the commission of inquiry have been devastating, and this must never happen again. As a government, we are committed to continuing to take strong action to ensure that Tasmanian children and young people are safe and well in our community. Cultural change must occur across our government state service and our community. It is hard and it will be uncomfortable for many, but we must face up to this. Status quo does not cut it. This is too important for our children, and all of us must challenge ourselves to continue to improve and ask ourselves the hard questions.

I again acknowledge victims/survivors for their incredible courage and bravery. As Minister for Police, Fire and Emergency Management, I am committed to leading the cultural reform that is needed to rebuild trust and am doing whatever it takes so that we can make sure we keep children safe.

[4.45 p.m.]

Mr O'BYRNE (Franklin) - Mr Speaker, I will start by acknowledging the tireless work of victims/survivors, for their incredible persistence and dedication for justice, and for their drive to create a safe space for all children. Those who gave evidence before the commission did so with immense bravery despite how difficult it was for them to tell their story and relive their trauma and their pain. This week of scrutiny hearings has also been an incredibly difficult time for them.

I acknowledge all those who were failed by Tasmanian Government institutions who could not share their story, please know that your experiences are not less valid; the families and the supporters of victims/survivors, advocates, journalists, and so many other people who have also contributed so much over the last few years, and in some cases the last few decades.

The commission's work brought to light the failings and gross injustices that occurred in, and in many cases were supported by, Tasmanian Government institutions. It revealed the atrocities that occurred and the terrible harm that was inflicted on children: children who should have been kept safe; children who deserve to be kept safe today, tomorrow, and every day into the future while under the care of a Tasmanian Government institution.

It is hard to put into words the scale of the work that went into the commission of inquiry. Thousands of hours, thousands of submissions, heartbreaking moments, and emotional stories told, and those experiences do not come without impact on the commissioners and all those people who worked so hard to ensure that it was a safe environment for those victims/survivors, their advocates, and for people who cared deeply about children and the need for change. The task ahead of this Government, future governments, the parliament, and the Tasmanian State Government agencies is enormous.

I welcome this Government's commitment to implement every single recommendation made by the commission. I acknowledge the scale and complexity of this commitment. There are some timelines within the Government's response that I am concerned about. Sadly, what we saw in the hearings, which was an echo of some of the responses of Government since the commission of inquiry report was released, where we see a level of - it is hard to find the right words - a level of disappointment in responses. That is the best way to put it: I am disappointed in some of the responses from the bureaucracy.

I know they are good, decent people but I think the scale and enormity of the problem, and the proportionate response by the current custodians of government bureaucracy departments and the government itself, is probably not matched in what is required to satisfy those people who have had terrible experiences, but also take the necessary steps and have those steps transparently assessed by this parliament and the community. I do not think that is matched. There are a number of challenges. We saw in some of the answers over the last couple of days that it disappointed victims/survivors, it has disappointed advocates, and disappointed all Tasmanians who are seeking - not only answers - some evidence that there is a seismic change in how government agencies act and work to ensure the safety of all children.

There are a couple of points I want to quickly touch on. I am not going to take my full time. There has been a long debate about Ashley Youth Detention Centre. It is unacceptable that Ashley is to stay open until at least 2026 when this Government and the previous government knew for years that it was not providing the care that young people needed. The commission of inquiry unequivocally recommended that Ashley needs to close as soon as possible. The entire state agrees that Ashley needs to close as soon as possible.

To say that that can only happen once you have built another facility is not acceptable. Former premier, Peter Gutwein, committed to a timeline that would have seen Ashley close next year in 2024 and a new facility completed. We have seen this timeline drag out. It has taken the Government two years to select the Pontville site, but we know there are interim options and alternatives that can see Ashley close sooner. There are opportunities to move some young people out of that facility into better environments, potentially as soon as next year. It does not seem that those options have been taken up by this Government. That is a mistake and to continue that pathway in the face of public calls and the recommendations of the commissioners is fraught with difficulty. It undermines the Government's integrity in terms of its response, particularly in terms of Ashley.

The commission's final report identified a raft of Tasmanian legislation that is in dire need of review. For example, the confidentiality, privacy, and secrecy provisions in legislation, such as the Personal Information Protection Act has served to cover up gross misconduct, protect abusers and enable the most horrific crimes against children to go undetected for too long. This Government seemingly will not get around to making these fairly simple

amendments to that legislation until 2026. That does not pass the pub test. I do not understand how you can justify that.

Another example is the Teachers Registration Act 2000. The commission found that the Teachers Registration Board was actively prevented from accessing and sharing information with other agencies that would have kept children safer but, again, this Government has not committed to introducing the required amendments until 2026. Again, I do not understand that.

These flaws in current legislation need to be fixed. I believe they are simple fixes to make and yet, apparently, it is not practical or feasible to expect these changes to occur in less than two years.

We have been recalled for other matters of public policy or we have had to deal with, through a suspension of standing orders or through other means, to fast track them through this place and the other place. I cannot see why they are seen as more important than some of the most important recommendations in creating a safe framework of referral from the commission of inquiry. The Government has said that implementing the recommendations is a top priority of this Government, but if it is going to take you up to three years to fix obvious flaws in Tasmania's legislation, it does not appear to be your top priority at all.

The commission revealed systemic, cultural and leadership issues across leadership positions within government agencies and it showed how bystanders enabled perpetrators to commit these atrocities. These people simply turned their backs on their duty of care and their obligation to keep children safe.

On Tuesday, during the scrutiny committee hearings, I asked a very simple question: how many State Service employees who have had adverse comments made about them and who have been implicated in the commission's findings are still at work and are still in senior positions of authority? A simple question. The Government either did not know or did not share what it did know. I am not sure what is worse.

I asked the question in parliament today:

It is not just those people that the commissioner has found with evidence presented to them that are in question. I think the people of Tasmania want to know what steps did the Government take to ensure that all areas of the public service are being reviewed in terms of leadership positions.

They should not have to wait for a section 18. They should not have to wait for a commission of inquiry. Secretaries, deputy secretaries, and people in leadership roles across our public service have an ongoing eternal obligation to take action and make people and children safe. When I asked the Premier and the Government that, they could not say. I did not want to know names; I did not want to know departments. I needed to know, and the people of Tasmania need to know, what steps this Government has taken to ensure, even outside of the section 18, and even outside of the evidence provided. You should not have to wait for a royal commission to tell you to do the right thing. We all know, and as the commissioner said, it is systemic, it is government sector-wide.

I know when you generalise, people in a bureaucracy think we are attacking them, but there are clear examples of absolute failure. We have an obligation to call that out and we have

an obligation to go to every corner. We should go to every room, every part of the public sector to convince and satisfy ourselves that we are making it as safe as possible. Those people, who by their inaction or action have contributed to children being unsafe and being abused, should be called to account and a natural justice process applied. There should be a proportional response to their lack of or their activity that has led to such heinous crimes and dangerous circumstances.

All the community wants is an assurance of the people who oversaw these failings in government institutions are no longer in positions of authority and are being held to account. It is one of the most important things the Government can do to ensure the culture and leadership changes within our agencies.

Those individuals in senior and leadership positions who may not have personally committed crimes against young people but who turned a blind eye and enabled this abuse to occur unequivocally failed in their duty of care. It is completely unacceptable that the Government cannot provide assurance that every single one of these individuals who enabled these crimes to occur and whose failure to fundamentally align with the values government agencies should hold are not still working in the very same roles in which they enabled abuse to occur. The Government's commitment to eventually publish this information online after the scrutiny committee has ended is not good enough and it has failed their own commitment to provide accountability and transparency.

Too often during scrutiny hearings last week we heard the term 'past failings' being used to describe the scope of the commission's work. It is true in some respects, but the commission of inquiry was never solely about past failings. It was also about identifying the failings in Tasmanian government institutions that still exist today: failures that your Government must address it as soon as it can.

There are problems and circumstances in Tasmanian government institutions that means that right now, children and young people are not as safe and protected as they could be. Ashley is still operating. There are still legislative barriers in place for sharing crucial information necessary to keep children and young people safe and out of harm's way. An unknown number of State Service employers who have had adverse comments made about them and who have been implicated in the commission's findings are still at work and still in senior positions of authority.

I find the recent language from the Government around the commission addressing past failings deeply concerning. I believe it downplays the issues that exist today that still need to be urgently addressed. The public of Tasmania needs to be convinced and needs to see that the Government is not just responding to the most egregious breaches, but they are making sure that all areas of the public service and all leaders of the public service are held to account and are applying their duty of care appropriately for young people and children.

If the very people who are obliquely, indirectly or not even referred to in the commission of inquiry but are in positions of authority under whose watch these things happen are still in those positions of power and authority, then the people of Tasmania can have little or no confidence that it has been taken seriously. I say that with the utmost respect. There are many decent, hardworking public servants who care deeply about the work they do and I know they, along with many others, have been shocked and horrified by what evidence is before the commission of inquiry.

In summary, again I acknowledge victims/survivors and their advocates. I acknowledge their pain. I acknowledge their suffering. It has been a particularly difficult time and for many people who are not directly involved, we do have a benefit. We are able to move on and continue with our lives. For many victims/survivors and their advocates, this is a constant and ongoing nightmare for them. We should never forget that. Every day we should be inspired by the hope that we can bring some closure and bring some justice to those people and that there is a fundamental change in the way our government institutions look after children, treat children and respond to those people who seek to break the law and seek to behave in a way which is so detrimental to so many people.

Report noted.

ADJOURNMENT

Mr JAENSCH (Braddon - Minister for Education, Children and Youth) - Mr Speaker, I move -

That the House do now adjourn.

The House adjourned at 5.00 p.m.