

Thursday 14 November 2019

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

QUESTIONS

Royal Hobart Hospital Emergency Department - Staffing

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.03 a.m.]

The pressure on our hospital system has reached crisis point. In recent weeks clinicians have been forced to go public with their calls for leadership and systematic reform of the health system. One of these people was Dr John Burgess, the President of the AMA, and co-director of the Critical Care, Clinical Support and Investigations Stream. Just two days ago Dr Burgess wrote a scathing assessment of the health system under your watch. He concluded with the frank statement: the fish rots from the head. He could never have predicted that your Government's response to this crisis would be so panicked, reactionary and vindictive.

Can you confirm that in the extraordinary development yesterday John Burgess and his fellow co-director, Trish Allen, were told that they had been targeted for removal from their roles overseeing the Royal Hobart Hospital Emergency Department and the ICU? Why have you scapegoated medical professionals on the front line rather than taking responsibility for this crisis yourself?

ANSWER

Madam Speaker, I thank the member for her question. As a Government we want to get our hospitals working together. As I have said this week, I want to see increased collaboration between hospital departments, empowered staff who can implement changes within hospital environments as well as ensuring accountability. There has been significant reform and improvement to the health system governance with reforms to deliver the One State, One Health System and the legislative changes made, following the election late last year, to strengthen local leadership.

Earlier this week, the director of operations at the Royal Hobart Hospital released a change proposal to streamline internal medical management positions at the hospital.

Ms White - Remove those that speak.

Madam SPEAKER - Order, please.

Ms COURTNEY - This proposal would put the emergency department and general medical in the same management stream. Local leadership consider this is important to address bed block and ramping. The ED is facing challenges with regard to bed block but it is patient flow throughout the hospital which is a key driver of this long-term change that is needed.

Ms O'Byrne - It is outrageous.

Madam SPEAKER - Order, Ms O'Byrne.

Ms COURTNEY - This proposal also includes a new nursing director position in charge of patient flow with a nursing director transferred at level to this position. This is a change proposal and is currently out for consultation. Local management welcome feedback and that is the right and proper process.

Ms White - Their stream has been abolished.

Madam SPEAKER - Could I please have quiet over here? I am struggling to hear the minister.

Ms COURTNEY - We back our local leadership and their work to improve patient care and they will support all staff through any changes that occur. Work to further strengthen local decision-making authority and accountability as part of the Access Solutions plan is nearing completion with the outcomes to be released in coming weeks.

I acknowledge ACEM's comments regarding the need to improve our hospital culture and processes to ensure that staff are supported and our hospitals are operating as effectively as possible, and that patients and our staff are seeing the benefits of the investment that this government is making. Furthermore, as I have outlined, work is underway right now to develop a cultural improvement plan for the THS in line with the Access Solutions actions to break down long-standing barriers as well as provide practical, clinical training opportunities to drive real and lasting changes to clinical practices.

Specific programs identified to support cultural improvement for the Royal Hobart include the Pathways to Excellence program and the Cognitive Institute Speaking up for Safety cultural improvement program -

Members interjecting.

Madam SPEAKER - Order. Discipline, please.

Ms COURTNEY - Ultimately, the changes we need will take cooperation from all levels of staff. I thank the staff who have been actively participating in implementing the Access Solutions. This will require input from staff on the ground, clinical and hospital leadership and management within departments.

I make it clear, that we have continued to invest in our health system: 1150 more staff in our health system since March 2014. This includes over 40 per cent more staff in the Royal Hobart Hospital's Emergency Department but we need to make sure that we are continually improving and we must make sure that staff and patients are feeling the benefit of these significant investments.

Royal Hobart Hospital Emergency Department - Staffing

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.08 a.m.]

The decision to remove senior clinicians from their roles has sent shockwaves through the health system. In a letter to his colleagues, Dr Burgess said that there had been no warning and no

consultation prior to this decision. He made it clear that he believes he has been targeted for speaking out, and I quote:

I will naturally continue to speak up for our patients, staff and the teams that care for them, notwithstanding this having personal costs.

You have been called on to show leadership to fix the health crisis, but this is not leadership, this is revenge. You sent a message that anyone who dares to speak out about the true state of the health system will be sacked. Why are you trying to silence senior clinicians, rather than listening to their concerns?

ANSWER

Madam Speaker, I thank the member for her question. I absolutely reject the slurs she has made contained within her question. This is about a Government empowering local leadership to make the changes that are necessary to see patient flow working better at our hospitals. We have talked this week about the pressures in the emergency departments and -

Ms O'Byrne - And you sacked them

Madam SPEAKER - Ms O'Byrne, please.

Ms COURTNEY - This Government is empowering our local leaders to make decisions. I want to make it clear, as I did in my first answer, this is a change proposal that is out for consultation and local management welcomes feedback. It is disappointing for the other side to make slurs against me and local management with regards to this because what I am doing as minister, what we are doing as Government, what we are doing is empowering local leadership at local hospitals to make the decisions that are right for them to make sure that we are continually seeing increases in quality of patient care.

Encampment Bay, Maria Island National Park - Proposal to Privatised

Ms O'CONNOR question to MINISTER for ENVIRONMENT, PARKS and HERITAGE, Mr GUTWEIN

[10.10 a.m.]

Tuesday's Federal Court judgment exposed just how inadequate the Reserve Activity Assessment process for developments in public protected areas is and just how complicit the Parks and Wildlife Service now is in privatisation of parts of the state's most precious public conservation treasures. Not only did Parks conduct the most scant and low-bar assessment of the Lake Malbena development, it did not conduct a wilderness impact assessment. It either did not consult its own expert advisers or it chose to ignore them, and it failed to consult the owners of the land, Aboriginal people and Tasmanian people.

As Justice Mortimer confirms, Parks and Wildlife manipulated the development proposal to avoid scrutiny of critical elements of it, such as the impact on Aboriginal cultural heritage, and it attempted to game the federal EPBC system.

Can you confirm this is the same corrupted process that will be used to push through stage 2 EOI proposals, all of which are secret, including a proposal to privatise Encampment Bay in the Maria Island National Park for exclusive use for another Ian Johnston proposal to cash in on public protected areas?

ANSWER

Madam Speaker, I am very pleased to get this question from the member, following on from yesterday. Persecution under privilege is what this member is engaging in. Any reading of that federal judgment, which she had obviously not read yesterday when she waded into this place, would indicate that stage 2 of that assessment process, should it proceed in terms of the Hacketts' desire in the original proposal to have a walk to an Aboriginal heritage site, will go through all of the necessary planning processes and will be referred to the EPBC if required. That is what happens and you know that.

It is time we called out the member for Clark, the Greens and the Wilderness Society for this persecution of a young Tasmanian family that simply wants to get on, showcase the best of Tasmania to the rest of the world and, in doing so, assist our economy to grow and create jobs.

Ms O'CONNOR - Point of order, Madam Speaker, on relevance. The Minister for Environment, Parks and Heritage was asked about a specific proposal to privatise for exclusive use Encampment Bay in the Maria Island National Park, and can he confirm that the existing RAA process will be applied to that proposal as well?

Madam SPEAKER - I ask the minister to be relevant, thank you.

Mr GUTWEIN - There was a lot more to this question than just that.

Madam SPEAKER - I accept that. As the member knows, I cannot put words in your mouth.

Mr GUTWEIN - I will see seek some advice on that and I will respond to the member once I have that advice.

I want to make the point that the member needs to be called out on this. I want to ask the question: were you aware that the Hacketts have had death threats?

Ms O'Connor - No, I wasn't and if you are going to try to blame us for that when there is an upwelling of concern in the community -

Mr GUTWEIN - There were death threats made against the Hacketts. Mr Hackett stated that publicly back in June and it surprises me that the member would attend a Wilderness Society public meeting. To quote what she said in October - and I find it difficult to believe she is not aware of what the Hacketts have said regarding the persecution and the threats that have been made - 'I think it is really worthwhile placing pressure on the proponents'. A young Tasmanian family who have had death threats -

Ms O'CONNOR - Point of order, Madam Speaker, the Minister for Environment, Parks and Heritage is treading on some dangerous territory here, trying to accuse us of whipping up fear and loathing. I take offence when he connects any threats that have been made to a proponent to our advocacy for public protected areas.

Madam SPEAKER - What was your point of order?

Ms O'CONNOR - I take offence. I ask him to withdraw the imputation that we are responsible.

Madam SPEAKER - It is a bit of a long bow.

Mr GUTWEIN - Madam Speaker, I did not say that they were responsible. I asked if she was aware that the Hacketts had made it perfectly clear that they had had death threats, that they were being unmercifully persecuted through this process. If a leader in the community, somebody whose voice is listened to, is to go on a podcast of a public meeting, which was livestreamed on YouTube, as I understand it, and encourage people to put pressure on the proponents, the member for Clark needs to accept that some people will take heed of what she says. In an environment like this that is highly charged, when a young family have had death threats made against them, for her to continue with that call for persecution is beyond the pale.

Ms O'CONNOR - Point of order, Madam Speaker. The minister is being offensive now. He is deflecting from the question. There is no persecution here. Placing pressure on proponents who are part of a corrupted process -

Madam SPEAKER - You are not making a point of order but this is a very relevant thing for this whole House to think about. Language matters, as Ms O'Byrne often tells us, and we need to be mindful of our actions in this House and outside this House. I am going to allow the Treasurer to proceed.

Ms O'Connor - If he would just answer the question.

Mr GUTWEIN - I have answered the question.

Ms O'Connor - No, you haven't.

Mr GUTWEIN - I said that what I would do is seek advice and I would come back to the member at an appropriate time.

The point is about language and language does matter. We have a young Tasmanian family going through a process at a state and federal level, doing everything that is required -

Dr Woodruff - You are making them out as victims. They have been given this public land for nothing.

Madam SPEAKER - Order, Dr Woodruff. This is the end of this. I know it is an emotive argument but I am not going to put up with this constant interjection. When a question has been asked the speaker has the right to answer it.

Mr GUTWEIN - Madam Speaker, I call on the member for Clark and the Wilderness Society to ensure that they take heed of the fact that there are people who will listen to what they say, who will take action that they deem to be appropriate and, in the past, that has led to death threats against this family. The member for Clark, in terms of the language that she uses in this place and the arguments that she places and what she has said publicly that has been livestreamed in terms of putting pressure on the proponent, which is a young Tasmanian family, is beyond the pale and she should be called out on it.

Traffic Congestion - Pinnacle Road

Ms OGILVIE question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[10.18 a.m.]

Traffic is driving everyone crazy. Last week on kunanyi/Mt Wellington, Pinnacle Road was shut down and the visitor centre is moving off the mountain, too. Is this a stealthy shutdown of mountain access? Seven hundred thousand visits per year creates immense pressure on our mountain road. How do we ensure Pinnacle Road is properly funded, maintained and always safe? Will you investigate setting up kunanyi/Mt Wellington as a national park to enable some substantial funding to flow into our unique park for its future use and management? Will you ensure that the planning processes are run through a new, transparent RAA process?

ANSWER

Madam Speaker, I am very pleased to receive the question but I feel that she would have been better to address the question to Minister for Environment, Parks and Heritage. However, I take the opportunity to assure the member of the Government's understanding and recognition of the congestion challenge that we do have in our capital city. The member shares that concern and it is a simple fact of life and the consequence of a growing economy, more people in work, and more people using our busy roads. We are taking steps, we are taking action in the short-term and in the longer-term to ensure that we are addressing the infrastructure challenge.

We are responding with better management, now that we are the owners of the couplet, Davey and Macquarie Streets. I can say that the state Government is a far better steward of those roads than the previous owner, the Hobart City Council, which unfortunately did not manage those clearways at all well. Nonetheless, we are working hard, together with our tow truck initiatives, to clear breakdowns and congestion and people illegally parking in clearways.

As the member would know, we are presently in the market to advise on the best way to build our fifth lane on the Southern Outlet, together with improved public transport measures, particularly those that were outlined in the Hobart City Deal.

I would be happy to invite the minister for Parks to write to you further with advice in relation to Pinnacle Road, which I am not advised on. I do not have a brief on that but I can indicate to the member, on behalf of the Government, that I am not aware of any validity to the suggestion that the state Government is doing anything by stealth there because it is not an initiative that we are at all behind.

Bushfire Readiness

Mrs RYLAH question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr SHELTON

[10.21 a.m.]

Can you please update the House on the work undertaken by the Hodgman Liberal majority Government in preparing for bushfires?

ANSWER

Madam Speaker, I thank the member for her question. I recognise the community's genuine concern about bushfire risk. As someone who has been a firefighter, I know that it is a matter of when, not if.

Every member of this House is concerned about the possibility of bushfire in their communities. Every one of us has spoken to our constituents over the recent days and weeks, and they are concerned about what they have seen unfolding interstate, on television and in social media. They do not want it to happen here, but the reality is that it can.

Dr Woodruff - The reality is that it will.

Madam SPEAKER - Order, Dr Woodruff.

Mr SHELTON - I know that some of them have already experienced fires in their own local communities this year. I am well aware that many of my own constituents across the electorate of Lyons have lived through major bushfires in the last few years. This is why, as the minister responsible, I am committed to making sure that we are ready - and we are ready. I want to reassure Tasmanians that today we are better prepared than ever before for bushfires because of actions we have taken. Our political opponents are seeking to make political points by saying that we are not prepared. They are scaremongering. Rather than calm leadership, they are offering mistruths and hysteria, and I reject that. Today we are ready and I can update Tasmanians on the combined capabilities of all fire agencies.

As of today, we have 5675 firefighters in total, over 5000 of whom are volunteers. We have 179 remote area firefighters ready to go now and another 30 will be ready to go by December. Across all fire agencies we have acted to reduce the risk of bushfire and to make sure we are ready.

Mr O'Byrne interjecting.

Madam SPEAKER - Order, Mr O'Byrne.

Mr SHELTON - Our people are ready and our plans are in place. Brigade districts have been briefed, fuel reduction burns have occurred in all regions -

Ms O'Byrne interjecting.

Madam SPEAKER - Order. I am asking you to be quiet and listen to the minister. This is an issue that is of severe importance to most Tasmanians.

Mr SHELTON - Madam Speaker, we have a new combined airbase to improve our aerial firefighting. We have 36 on-call aircraft in Tasmania to rely on and those contracts are in place. We added new state-of-the-art fire trucks to our fleet just last week. We have community protection plans for all high-risk areas. Our strategy to better manage campfires has been activated and our community education programs are ongoing.

Dr Woodruff - Meanwhile, only two of these recommendations have been implemented.

Madam SPEAKER - Order, Dr Woodruff.

Mr SHELTON - One of the key actions we have taken to reduce risk is significant fuel reduction burning across public and private land. Over the past five years, the Government has funded 608 individual fuel reduction burns, more than 80 000 hectares, and around 15 per cent of that was on private land. Fuel reduction is all about reducing the risk; by reducing the fuel load, we know that fire intensity is reduced. You can never eliminate all the risk, but fuel reduction gives our firefighters a chance that they otherwise might not have. Labor and the Greens should be supporting our fuel reduction strategy, not talking it down because it is working.

I am advised that scientific analysis shows that statewide bushfire risk has been reduced to the lowest it has been in the last 15 years. The Government is grateful to all those involved in our fuel reduction burning program and on behalf of the Government, our thanks to all the 5670 firefighters. You have our strongest support as we head into the summer season. We want to build confidence in you so that the community trusts you during the emergencies you face. Tasmanians can trust the Hodgman Liberal Government to keep them safe and to always be doing more to reduce the risk of bushfire to communities and to protect lives and property. Tasmanians can be reassured that we are ready for the bushfires.

Royal Hobart Hospital Emergency Department - Staffing

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.26 a.m.]

The crisis in the health system has been brewing for a long time.

Mr Hodgman - Yes, indeed. Way back to your time. It goes back a long way.

Madam SPEAKER - Order, Premier. That is a prop.

Ms WHITE - The Royal Hobart Hospital is imploding today, patients are being put at risk today, and all that you and your Government have done is cut the budget. Are you proud of that, Premier? The views of the experts, including the Australasian College of Emergency Medicine, is that reform needs to take place in the bureaucracy that oversees our hospitals.

Mr Hodgman - Then you complain when we do it.

Madam SPEAKER - Order, Premier.

Ms WHITE - Instead, you are targeting senior clinicians, not the bureaucracy, who are the front line of service delivery. How will the decision to remove senior, experienced and respected clinicians from their roles in any way lead to improvements for patients or address the systematic failures plaguing our health system?

ANSWER

Madam Speaker, I thank the member for her question. It is a bit disappointing in the tone of her questions around the fact that earlier in the week she was suggesting the Government was not doing anything. Now, when we have local leadership looking at proposals, she comes into this place and suggests all these other things. She cannot have it both ways. Either we want to empower local leadership to make decisions to help bed flow or we do not.

This is part of a bigger puzzle we are fixing. There is not one single silver bullet to fix the challenges we have in our emergency departments. The numbers of beds are part of that puzzle and that is why we have decided to have 44 new fully-funded beds at the Royal next year. That is an exciting development. Another part of the puzzle is that we have managed to reach agreement with the Hobart Private Hospital to have the co-located hospitals at that site. The relationship with their emergency department is another part of that puzzle, as well as our community response initiatives and the Access Solutions initiatives that continue to roll out.

There are a range of things that need to be done to solve complex problems such as bed flow in the hospital and the challenges we are seeing at the emergency department. Local leadership considers this is important to working to address bed block and ramping. The ED is the face of bed block but it is the patient flow through the hospital which is the key driver of the long-term challenges we face.

Ms O'Byrne - John Burgess says there was no warning and no consultation. Are you calling him a liar?

Madam SPEAKER - Order.

Ms COURTNEY - I have faith in local leadership to be able to make decisions that are right in their hospitals -

Ms O'Byrne - But there was no warning and no consultation.

Madam SPEAKER - How about some warnings? Excuse me, minister, I am going to warn Ms O'Byrne and Mr O'Byrne - warning one. You know that I have been trying to avoid warnings but I am asking you to be quiet.

Ms COURTNEY - As I have now said in response to the last two questions I have received - but I will say it once more - this is a change proposal and is currently out for consultation.

Royal Hobart Hospital Redevelopment - Commissioning Process

Ms WHITE question to MINISTER FOR HEALTH, Ms COURTNEY

[10.30 a.m.]

As the health system descends further into chaos under your incompetent management, the Royal Hobart Hospital redevelopment is going from bad to worse. Yesterday you could not tell the parliament when the new building would be completed. In amongst your typical wishy-washy answer you said, and I quote, 'this will be followed by commissioning of services into K Block, which is on track for a February commencement'. How long will the commissioning process take and when will beds actually be opened and available to patients?

ANSWER

Madam Speaker, I am very pleased to respond to the member's question on the Royal Hobart Hospital redevelopment, the redevelopment that this side of the Chamber commenced, and the redevelopment that this side of the Chamber will complete, unlike your side which did not lay a single brick. All those years in government and failed to deliver the extra capacity -

Members interjecting.

Madam SPEAKER - Order, order.

Ms COURTNEY - that southern Tasmanians needed. This is an exciting development. We are on the verge of seeing this development opened. The 44 new fully-funded beds that will be provided will assist with the patient flow. I have already spoken this morning about a range of initiatives that are needed to address the challenges we have within the emergency department and these 44 new permanently funded beds coming on line next year is part of that.

This is part of the commitment we have taken for Tasmanian people and we will continue to deliver. I am advised that completion of KBlock is imminent. It is of the utmost importance with a development such as this that we accept a fit for purpose building, constructed to meet the required standards and clinical areas -

Members interjecting.

Ms COURTNEY - Do they want to listen, Madam Speaker?

Madam SPEAKER - I do not think they do, minister, so we will have a moment of Zen while everyone recovers. I remind you this is a House where you are expected to have some parliamentary behaviour and be an example to those who follow. So far it is not going so well.

Ms COURTNEY - Thank you, Madam Speaker. As I was saying, it is of the utmost importance we accept a fit for purpose building, constructed to meet the required standards and clinical areas of defect-free at practical completion, given the operational and the infection control impacts of managing any post-completion defect repairs. The building will undergo rigorous inspection, testing and defect rectification to ensure that it meets all specified requirements and is safe and fit for purpose.

This will be followed by the commissioning of services into K Block which I am advised is on track for a February commencement. It is important that the managing contractor completes construction of the building as efficiently as possible without compromising quality and that there is a well-executed and supported commissioning process. We will continue to work with our expert project and clinical managers to undertake this complex and important work.

Ms WHITE - Point of order, Madam Speaker. It does go to standing order 45, relevance. The minister is giving the same answers she gave yesterday and still failing to answer the simple question: when will patients be in the 44 beds that have been promised? There has still been no answer to that question.

Madam SPEAKER - It is not a point of order but I ask the minister to be relevant.

Ms COURTNEY - Thank you, Madam Speaker. Through the points of order being made by the other side, it is disappointing that after all this time the other side still do not support this redevelopment and the 44 beds it is going to deliver for Tasmanians. I have outlined the process. I have outlined the commissioning of services into K Block, which is on track for February, and it is time that the other side welcomed this development.

Right to Work Legislation

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.34 a.m.]

Your Government's first crack at shutting down the right to peaceful protest was struck down by the High Court a couple of years ago. Now you are back with another darkly draconian attempt to stifle dissent in Tasmania with legislation to be tabled today that will lock up forest or climate protesters or unionists. For example, 18 months for the first offence and four years for the second. This is another direct attack on our democratic foundations at a time of climate emergency when people are peacefully protesting to demand action. Scott Morrison would be proud of you. Why are you so intent on marching us down the road of a police state?

ANSWER

Madam Speaker, I thank the member for the question. It is an important piece of legislation, a reform, as part of our agenda to ensure that we do all we can to support Tasmanian workers who are rightly entitled to go to work and earn a living without that being compromised by political protesters. That is where we stand on this matter and have done so in successive elections.

Yes, we took forward some legislation. We took on board the reflections of the High Court. We noted that their judgment, in fact, supported the notion of what we were endeavouring to do to protect people's right to work which is one of the most important rights that we will always uphold. This is not a direct attack on anyone because people are still able to peacefully protest. This is direct support for Tasmanian workers in all sectors who, sadly, are often the target of political attack by the Greens and their colleagues.

It is not just about forest workers, it goes through to farmers, those who work in fish farming, those who work in industry sectors that are now more confident than ever before and are now employing more people than ever before. We are seeing the strength in our economy now across almost all industry sectors bar one and that is the first time that has happened for many, many years.

This legislation that we introduce today will protect people who are simply seeking to go to work, do their jobs, get paid, support the business that they work in and be part of Tasmania's strong economy. That does not prevent anyone political protesters from doing their thing as well.

Why should they be allowed to go in and disrupt these workplaces?

Members interjecting.

Madam SPEAKER - Order, I remind the Greens that this a place for professional debating, not a slanging place where you mouth off. I am asking you to be respectful of the Premier and let him finish.

Mr HODGMAN - I do not know why political protesters, environmentalists, are entitled to go in to prevent people from earning a living.

Ms O'CONNOR - Point of order, Madam Speaker. The interjection just then was on behalf of the knitting nannas, for example, who could be captured by this law. That is why we interjected and we think that is a professional point.

Madam SPEAKER - That is not a point of order. This is reducing it from professional debate. It is just slanging. We can all rise above that, please.

Mr HODGMAN - Thank you, Madam Speaker. I know that the Greens will try to stir up concerns within the community about these laws which will be debated in this place and thoroughly scrutinised. It is an important provision, in our view, for our laws to also support people's right to go to work, earn a living, be part of a business that -

Dr Woodruff - For the 20 000 children and young people who went on strike and went on the streets peacefully protesting.

Madam SPEAKER - Dr Woodruff, warning one.

Mr HODGMAN - is part of a growing economy. That is where we stand.

I have to wonder where the Labor Party stands on this. So often they claim to be the party of the workers. Are they going to stand with us and support the workers who we want to protect through these laws to allow them to go about their jobs? Are you going to stand with us on this or are you going to join the Greens again? That is the question most people will be asking. You know where we stand.

Ms O'Byrne - Is that what the whole bill is about?

Mr HODGMAN - No, it is not. It is not about that at all but it is an important question to ask. It is a fact that we know you do not have a position on many things. In fact the member who interjected blamed us for them not having a position on pill testing. She said that this is not a matter that the Labor Party should have a position on, it is a matter for the Government. They will blame us for everything, including not having a position on that very issue of pill testing. I wonder whether we will see the same thing happen again.

This is a chance to see if the Leader of the Opposition is as clear as she says she is. She calls others in this place wishy-washy. The Leader of the Opposition has a fast-growing reputation for standing for very little, if anything. It will be important to understand whether the Labor Party will stand with us and support Tasmanian workers, which is what this legislation is about. We are not about the political games that you play. We are about supporting Tasmania's strong economy, supporting our workers, whether it be our state servants, whether it be people who work in forestry, on farms, in mines, in aquaculture - that is what this bill is about. Are you going to support it or not?

Right to Work Legislation

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

[10.40 a.m.]

Can you advise the House what action the Hodgman Liberal Government intends to take to protect the right to work and the right for Tasmanian businesses to operate free from trespass, threat or obstruction?

Ms O'Connor - Have a little goose step.

Madam SPEAKER - Ms O'Connor, that was most unparliamentary.

Mr BARNETT - Madam Speaker, the member can withdraw that offensive remark.

Madam SPEAKER - Yes, I think she should.

Ms O'CONNOR - I withdraw the inference that the minister was goose stepping to the despatch box.

Madam SPEAKER - Ms O'Connor, with a bit more grace, please, otherwise you will be out for coffee.

Ms O'Connor - I withdraw.

ANSWER

Thank you, Madam Speaker, and I thank the member for his question. The Hodgman Liberal Government makes no apology for protecting Tasmanians' right to work to safely earn a living and support their families. We make no apology for supporting Tasmanian businesses, one and all, wherever they are across this state, to operate efficiently and effectively without intrusion, obstruction or impediment. The Tasmanian people have twice voted for our Government to firmly support this policy position.

During the course of this past year, there has been an upsurge in coordinated actions affecting business and workers across the country, their right to work and their right to operate. In April, Fiona Simson, President of the National Farmers' Federation, warned of the impact of Australian farmers. She said -

We've seen groups as large as 100 people clad in black uniforms, storming onto farms while streaming live on social media platforms. Their tactics are simple: to bully, threaten and intimidate.

In April, Peter Skillern, CEO of the Tasmanian Farmers and Graziers Association, highlighted the concern on family farms, and he said that farmers, as a rule, acknowledge and support the right of individuals to have their own views and philosophy on the world. However, they do not support anyone's right to impose that view on others because it is not the Australian way.

Tasmanians do not need reminding that forestry businesses also have been subject to disruption over many years. Ross Hampton, CEO of the Australian Forest Products Association, said in May -

The activist attacks on farms across Australia last month were a major infringement on the rights of farmers and seriously compromised their ability to operate safely...sadly this sort of invasion activity is not new in forest industries.

Stacey Gardiner, Australian Forest Contractors Association, highlighted the impact on contractors -

This has had at times disastrous financial and emotional consequences for our businesses, many of whom are small rural businesses that are family run. They deserve the right to have their operations and livelihoods protected especially given that Australia has some of the most sustainable, highly regulated forestry practices in the world.

The increasingly disruptive behaviour directed at businesses has targeted family farms, small businesses, mines and mining companies, and businesses of all sorts across Australia. The Commonwealth has passed legislation with bipartisan support at the federal level and, with respect to our legislation, it will be supported and welcomed by the Australian Government, for which I am very grateful. There has been action in New South Wales: they passed legislation of a similar ilk just last night. The Queensland Labor Government has introduced similar legislation.

The Tasmanian Workplaces (Protection from Protestors) Act was some of the earliest legislation brought to the parliament in 2014. The House would be aware that the act was subject to a high court challenge in the Brown case. Today I am tabling amending legislation to address the issues raised in the Brown case and to give effect to a fundamental principle, and that is that our laws should protect people who are undertaking lawful business activities. The Government remains strongly committed to free speech, as the Premier said, the right to protest but not at the expense of the right of workers to earn a living or for businesses to operate safely, free from obstruction, impediment or intrusion in any way.

This morning, with the Premier, we were backed and supported by the TFGA, the farmers' organisation, the Forest Industries Association of Tasmania, the Tasmanian Chamber of Commerce and Industry, the Small Business Council and the Tasmanian Seafood Industry Council. The Tasmanian Minerals and Energy Council is also supporting the bill, as is the Australian Forests Products Association. The question is: will Labor? What is their policy, what is their position? Will they support the farmers, fishers, foresters, miners or the businesses all across Tasmania? Will they stand shoulder to shoulder with those who want to earn a living? Will they stand with those businesses that want to operate safely, free from protest and intrusion and impediment?

Look at them, absolutely silent. They remain mute on the other side of the Chamber. Come on, what is the position of the Labor Party? We do not know. We know that Paul Lennon says they are a city-based party. The Leader of the Opposition, what did she say? Oh, we have a newfound interest in regional Tasmania. Well, here is your chance. Come on, step up and support this legislation. This is the big test for Labor. Will they come on board and support Tasmanian workers and their families and businesses and their right to work?

Recognition of Visitors

Madam SPEAKER - Honourable members, I draw your attention to the presence in the gallery of the former federal member for Lyons and former Tasmanian House of Assembly member for Franklin, Dick Adams. Welcome back.

We also have the Mayor of Saint Helier, Jersey, Simon Crowcroft, and Mr Crowcroft's daughter, Florence Crowcroft. Welcome to the Tasmanian Parliament.

Members - Hear, hear.

Royal Hobart Hospital Redevelopment - Additional Bed Capacity

Ms WHITE question to PREMIER, Mr HODGMAN

[10.46 a.m.]

On your watch, our hospitals and health system are broken. Doctors have said that the health system needs a complete rebuild. Paramedics have threatened to walk off the job because you are putting their patients and their safety at risk. Nurses are desperately calling for you to give them the resources they need to enable them to address emergency departments that are at breaking point and, today, senior clinicians are being targeted for speaking out. Your only boast is that you are building the new Royal Hobart Hospital.

On 2 September you said, 'We are now looking at the hospital being fully open in early next year, February next year.'. You followed that by saying, 'There will be 44 beds open straight away when the hospital is up and running in February next year.'. It is obvious from the minister's statements that not all of those beds will be open in February. Do you stand by your statements made in September that all of those beds will be open in February or have you broken yet another promise?

ANSWER

Madam Speaker, I thank the member for the question. The minister has addressed what is happening at the hospital and our expectations are as to its safe commissioning, which is not a simple thing that can happen just like that. It takes time and it is important that patient and staff safety is paramount. Sadly, Tasmanians have had to wait a long time for the commissioning and the opening of this new hospital. A decade and around \$10 million was wasted by Labor in not even laying a single brick.

To have the Opposition demand of us that we somehow rush ahead without getting the proper work done to ensure that the hospital can be commissioned safely and opened as soon as possible shows that it is all about political play time for Labor in this place. They have no responsibility nor any care for the safety of those who work in this place nor those who will be treated there if they think that we should rush ahead and have the hospital open at a time of their choosing. It will be open sooner under this Government than it would ever have been under a Labor Party promise, which you could not even deliver on. As the minister has said, it is imminent.

Another important point that we need to make is that it is totally disingenuous and without foundation for the Labor Party to talk about crises in our health system and unprecedented circumstances placing strain on our health system as something new, as if it was not a problem under the Labor Party. I have reacquainted myself with what life was like under the Labor Party. These were the headlines -

Madam SPEAKER - Order, Premier, that is a prop.

Mr HODGMAN - Madam Speaker, I will refer to them as the horror queue that the Royal Hobart Hospital warned of waiting lists -

Madam SPEAKER - Are you tabling them?

Mr HODGMAN - No, I am looking at them, Madam Speaker, and reading from them - a besieged Royal Hobart Hospital in an emergency plea, the Tasmanian health system sick, a health cut fail mark for O'Byrne. I think that means Michelle O'Byrne. These are the circumstances that -

Members interjecting.

Madam SPEAKER - I have a point of order. Ten, nine, eight, seven, six, five, four, three, two, one. Do you have any idea what it is to be in this job, having to discipline adults for screeching, squawking and saying stupid comments? If you have no consideration for each other, at least consider me. I do not want to be here telling you all off, but this behaviour is totally, 100 per cent unacceptable and I am not putting up with any more of it. The next person who misbehaves is out for coffee. Please proceed, Premier.

Mr HODGMAN - Thank you, Madam Speaker. The point I am making is that for an opposition party that admits it has not done any work, admits it has no plans, admits that it still has no policy agenda on health, for instance, as to what it might do differently, to come in here day in, day out, and demand of us -

Ms WHITE - Point of order, Madam Speaker, under standing order 45, relevance. The question to the Premier was whether he stands by his statements in September, which is not very long ago, that all 44 of those beds at the Royal will be open in February. I ask you to draw his attention to the question, please.

Mr FERGUSON - Madam Speaker, on the point of order, once again the Leader of the Opposition is being disorderly because her question was quite long and had a range of assertions in it. The Premier is entirely relevant to answer the way he is.

Madam SPEAKER - Yes, we know how standing order 45 works. I am not going to allow it but I do ask the Premier to try to address that question.

Mr HODGMAN - Thank you, Madam Speaker. I make the points in response to the endless questions from the Opposition which serve no purpose other than political point-scoring when they have no foundation on which to stand when it comes to actual health policy or what they might do differently.

These things we are outlining are happening under our Government, funded by a budget that we have managed well enough to deliver these commitments that will lead to more staff in our hospitals, more beds being open at the Royal Hobart Hospital, more facilities right across the state, the Launceston General Hospital, the Mersey Hospital that we have kept open that you were going to shut, and the North West Regional. We have also opened new hospital facilities in regional Tasmania. That is where we are investing more. We will open these beds and facilities as quickly as possible. It needs to be safe and be directed by not only clinical advisers but those who are working to deliver a Royal Hobart Hospital that for a decade Labor spoke about, spent \$10 million on talking about, but delivered absolutely nothing on.

Community Safety - Long-Term Plan

Mrs RYLAH question to ATTORNEY-GENERAL, Ms ARCHER

[10.52 a.m.]

Can you please update the House on how the Hodgman Liberal Government is delivering our long-term plan to keep Tasmanians safe by cracking down on those who commit serious sex offences against children and also those who seriously assault frontline workers?

ANSWER

Madam Speaker, I thank the member for Braddon, Mrs Rylah, for her question. The Government has gone to the past two elections with a strong plan to keep the Tasmanian community safe and this plan has been endorsed by Tasmanians. Despite this, Labor has thwarted every opportunity to stymie the Government's agenda, including voting against our plans for guaranteed jail time for those who commit serious sexual offences against our children and those who seriously assault our frontline workers.

Sentencing laws must serve to denounce violence and provide protection for frontline workers who are routinely placed in danger of some potentially violent situations, as well as vulnerable children who are unable to protect themselves. Later today the Government will table a new bill which will seek to implement our plans and to help to protect our children and front-line workers, including correctional officers, ambulance officers, nurses, midwives, medical orderlies, hospital attendants and child safety officers.

Tasmanians want mandatory jail time for serious sex offenders. They have twice voted for the Government to implement our election policy, which clearly outlined that we would introduce laws to have guaranteed jail time for child sex offenders. The Hodgman majority Liberal Government has been pushing for tougher sentencing for child sex offenders for five years and it has been opposed and blocked by Labor at every stage. The outrage in the community after Labor blocked these reforms was overwhelming, making it clear that Tasmanians want this reform.

The bill to be introduced by the Government will provide for mandatory minimum terms of imprisonment in line with the Sentencing Advisory Council's recommendations in relation to adult offenders. Labor's opposition to our sensible reforms in the past has demonstrated a willingness by their leader, Ms White, to ignore the views of the community and refuse to listen to victims and survivors on this issue. In May, Beyond Abuse's Steve Fisher said:

Seventy-two per cent of Tasmanians support Mandatory sentencing in Tasmania, so we are quite shocked that Labor would attempt to delay a bill which is so important in the protection of our children. ... We have come to a time in Tasmania where politicians must start to realise we will never let survivors lose that voice again.

Guaranteed jail time for child sex offenders will ensure justice is served while sending a strong message that these types of crime will not be tolerated in Tasmania. We have a strong record of protecting victims and especially survivors of child sexual abuse as a result of our national-leading law reforms in our response so far to the Royal Commission into Institutional Child Sexual Abuse, with more to come.

The Hodgman majority Liberal Government is also committed to protecting our hardworking frontline workers. This reflects the community's view that offences resulting in serious bodily harm to frontline workers are entirely unacceptable. However, Labor in partnership with the Greens have constantly chosen self-interest above the safety of Tasmanians when they have shamefully voted against mandatory minimum sentences for serious assaults on emergency services and other frontline workers. It proves Labor ignores Tasmanians and only care about political point-scoring.

In conclusion, these reforms to protect Tasmanians which I will be tabling in parliament later today are entirely reasonable and clearly in line with community expectations. The Tasmanian

community quite rightly will be asking what the Labor Party will do with this important bill. What does Labor stand for? Will their identity crisis persist? Will they vote with the Greens yet again? Will Labor stand with the victims of these serious crimes and support guaranteed jail time, or will they once again abandon the calls of victims and survivors and block this legislation?

Bushfire Readiness - Incident Management Teams

Ms BUTLER question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr SHELTON

[10.57 a.m.]

We are aware that a logistics officer and a safety officer from the Parks and Wildlife Service were required to complete the incident management team for the Lachlan bushfire. The Lachlan fire was a local level fire that would commonly be staffed by a level 2 incident management team within the Tasmania Fire Service. The problem is that there has been a lack of training for incident management team roles over the past year, resulting in a critical shortage of capacity within the TFS. Would the TFS have logistics and safety officers available to staff an incident management team if a fire was to occur today?

ANSWER

Madam Speaker, I thank the member for her question. Let me be clear first of all about the operational issue that arises and that comes under the auspices of the Chief Fire Officer. Also, let me be clear that Labor's assertion of the incident management team yesterday was blatantly wrong. A fully-staffed incident management team was established at Cambridge to control numerous fires in the Central Highlands and the Derwent Valley. We also had regional operational centres in the north and south, in addition to the state operations centre, which was also stood up. There was no incident management team established at Scamander because the fires did not warrant one.

Despite recent fearmongering from Labor, I can assure the House that Tasmania is well-prepared for bushfires. As I have already stated, we have over 5600 firefighters, including 130 remote area firefighters, on standby, and a total of 160 remote area firefighters. There are 320 firefighters in the state, the most there has been in the last 10 years. Labor needs to stop this scaremongering and these mistruths and cease their undermining of the Tasmania Fire Service. These mistruths that are spread around, trying to -

Mr O'BYRNE - Point of order, Madam Speaker. On relevance, we are asking about those two specific roles in the IMT for the incident that occurred on logistics and safety. The question is, if there was a fire today could TFS staff those roles? Would you not have to rely on other agencies or other states to fill those roles?

Madam SPEAKER - Thank you very much, Mr O'Byrne. It is not a point of order. I ask the minister to continue.

Mr Ferguson - Can you count to 100?

Madam SPEAKER - Order, Mr Ferguson.

Mr SHELTON - As I have said, we are prepared for the fire season.

Ms O'Byrne - Can you support those roles internally?

Madam SPEAKER - Order, Ms O'Byrne.

Mr SHELTON - The Chief Fire Officer assures me that the operational issues that are there that he will be dealing with are the Chief Officer's responsibility. There are recognised staff within the Tasmania Fire Service to deal with these issues.

Bushfire Readiness - Resources

Ms BUTLER question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr SHELTON

[11.01 a.m.]

You have claimed that the Tasmania Fire Service is not under resourced but the evidence speaks for itself. In addition to being unable to fill key incident management team roles from within TFS, we understand that there were 159 overtime shifts in October alone. Firefighters are already complaining about being fatigued and summer has not even started. With interstate resources already stretched how are you going to ensure that the TFS is properly resourced and supported this bushfire season?

Mrs Rylah interjecting.

Ms O'Byrne - We would like him to do his job as a minister, Mrs Rylah, and understand what is happening in the TFS.

Madam SPEAKER - Ms O'Byrne, that is not helpful.

Ms O'Byrne - Mrs Rylah is being particularly unhelpful.

Madam SPEAKER - Tittle-tattle tits do not work in here, thank you.

Members interjecting.

Madam SPEAKER - Order, order. The minister is speaking.

ANSWER

Madam Speaker, I thank the member for her question. As I have already stated today, the Tasmania Fire Service, and we as a state, have never been more prepared for a fire season than we are right now. Fire service personnel have been trained; they have undertaken the preparedness to get ready for this fire season. The Hodgman majority Liberal Government has instigated actions to prepare for the 2019-20 fire season in conjunction with the Tasmania Fire Service, Parks and Wildlife Service and Sustainable Timber Tasmania.

I know that it does not suit the political purposes to listen to the actions that have been undertaken to reduce the bushfire risk. However, it is about time that the members opposite stopped deceiving the Tasmanian community with mistruths and outright deception. The actions we have taken include, a nation-leading fuel reduction program, fuel reduction, public education campaigns,

regional risk modelling, exercising emergency management plans and ensuring adequate resources are in place to respond to the fire season.

As part of the fuel reduction program -

Ms BUTLER - Point of order, Madam Speaker, to relevance. The question was, we understand that there were 159 overtime shifts in October alone, minister. Could you please answer the question and clarify whether there were 159 overtime shifts in October?

Madam SPEAKER - Thank you. I cannot rule that in as a point of order but I do ask the minister to be relevant.

Mr SHELTON - As I have said, the Opposition does not want to listen to what we have done. All they want to do is to cherrypick operational issues that are under the control of the Chief Fire Officer. From that point of view, I will seek advice on that number and get back to the member.

Defence and Maritime Sectors - Long-Term Plan

Mrs PETRUSMA question to PREMIER, Mr HODGMAN

[11.04 a.m.]

Can you please update the House on the Hodgman majority Liberal Government's strong support for Tasmania's defence, maritime and Antarctic industry?

ANSWER

Madam Speaker, I thank the member for the question. It goes to the heart of our Government's strong agenda to keep our economy as one of the best performing in the country, which it is. In recent years, our export growth has had the highest rate of growth of any state in the country as well. Our exporters are supported through our first ever Tasmanian strategy, trade strategy, delivered by this Government. Today, Tasmania's exports are 32 per cent higher than in 2014 when we first came to government.

The strategy, which was developed by the Department of State Growth with extensive consultation with exporters, industry and commerce bodies, prioritises building trade in key sectors, showcasing Tasmania in priority markets, supporting trade logistics and increasing market access and building the export capabilities of Tasmanian businesses through coordinated trade missions.

I can inform the House that next week I will lead a delegation on a short but highly-focused trade mission to Europe and the United Kingdom, concentrating on our world-class capabilities in the defence, maritime and Antarctic sectors and opportunities for further trade in them supporting local businesses and local jobs. The Tasmanian Defence Advocate will also be part of the delegation together with representatives from key Tasmanian peak bodies including the Tasmanian Polar Network, Tasmanian Maritime Network and the Tasmanian division of the Australian Defence Industry Network.

The five-day trade visit will include the Navantia Shipyards in Spain to build ties and advance opportunities for Tasmanian exports in the civil maritime advanced manufacturing and technology

sectors, supporting a great Tasmanian business, Taylor Brothers, in further providing supplies to major shipbuilding projects across the globe.

We will also visit Thales in France, an important partner with the Australian Maritime College and for Tasmania's new Maritime Defence Innovation and Design precinct, strongly supported by the Morrison Coalition Government, and the French Polar Institute to enhance our relations with the French Antarctic program under our Antarctic Gateway Strategy.

In London, we will participate in a renewable energy roundtable with the Australian UK Chamber of Commerce to promote Tasmania's enormous capabilities in renewable energy. We are meeting with the Royal Schiphol Group, which has recently acquired a 35 per cent stake in the Hobart Airport to establish their development of the airport, including its international capability.

This is all to support industry sectors that collectively employ around 18 500 Tasmanians. A growing area, we are growing sectors where Tasmania has distinct capabilities and enormous opportunity. We are firmly committed to developing not only the strategy but also implementing it. It is a lesson for other political parties who are only now discovering the importance, not only of the economy, but also what you should do to support it and it needs a strong plan and a strong strategy.

Ms O'Connor - It was we who suggested you diversify your trade strategy.

Mr HODGMAN - You are correct, member for Clark, it is more Labor that I speak about in this regard. After half a decade in opposition the new shadow treasurer has admitted that Labor has not done the hard work and have not developed a plan for our state's economy.

The Leader of the Opposition dedicated her keynote speech to the Labor Party this year to say that they have only just recognised that the economy is important. We know it is important. It requires a plan. Our trade strategy is an important part of it and we will deliver it as per the instructions that were given to us as a Government through its consultations. That is to support Tasmanian businesses in trade missions and delegations overseas, into those key markets. Importantly, it supports them in employing more Tasmanians and growing their businesses here.

That is what we stand for. You know what you get with us. I know when it comes to trade, the Labor movement's only public position, it would seem, was having trade unions in the north-west of the state, no less at Devonport, the home of our great Bass Strait ferries and also the SeaRoad ferries: it is a Labor movement that does not quite know where it stands. There were rallies and protests against trade by the Labor movement.

I do not know where on earth the state Labor team stands on any of this but as the editorial in *The Advocate* says, clearly a political movement that is split. They do not know where they stand on pill testing. They do not know where they stand on infrastructure because this week, just yesterday they voted with the Greens, again, in opposing our record \$3.6 billion infrastructure investment that will underpin 10 000 more jobs, but they voted for the state Budget earlier this year that will deliver it. When it comes to being wishy-washy, it is the Opposition. You do not know where they stand and you could not trust them with something as important as the economy because it is under this Government that our economy is the best performing in the country, with 15 000 jobs created and 1600 more businesses. It was under you that our state went into recession.

Time expired.

PETITION

Oatlands District - Access to Bus Services

Ms Butler presented a petition signed by approximately 179 citizens of Tasmania praying that the Government improve access and availability of bus services to Oatlands and surrounding townships.

Petition received.

JUSTICE LEGISLATION (MANDATORY SENTENCING) BILL 2019 (No. 57)

First Reading

Bill presented by **Ms Archer** and read the first time.

WORKPLACES (PROTECTION FROM PROTESTERS) AMENDMENT BILL 2019 (No. 54)

First Reading

Bill presented by **Mr Barnett**.

Question - That the bill be now read a first time - put.

The House divided -

AYES 22

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ferguson
Mr Gutwein
Ms Haddad
Mr Hodgman
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mrs Rylah (Teller)
Mr Shelton
Ms Standen

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

Mr Tucker
Ms White

Bill read the first time.

PERSONAL EXPLANATION

Member for Clark - Ms O'Connor

[11.19 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens)(by leave) - Madam Speaker, in an extraordinarily aggressive, offensive and desperate response to our question about the Lake Malbena proposal today and the corruption of good transparent process it represents, the Minister for Environment, Parks and Heritage sought to deflect by again accusing the Greens of victimising EOI opponents. It was a Trump-like attempt at deflection. The minister imputed that we are in some way responsible for any threats Mr Hackett may have received. It is highly regrettable that Mr Hackett says he has been threatened but that is no fault of the Greens.

Mr Jaensch then, by interjection, accused us of inciting violence. That is a revolting slur. I personally take great offence and on behalf of the Greens and I ask you to apologise. I did say at a recent event that expression of interest proponents should also be held to account for being part of this privatisation agenda -

Madam SPEAKER - I am sorry, Leader of the Greens, I have been told that this is not appropriate for this to be done here and now. You have to put a formal motion if you are going to do this.

Ms O'CONNOR - Can I not make a personal explanation, even though I have been accused of inciting death threats?

Mr Ferguson - You are allowed to say where you have been misrepresented, not to give a speech.

Ms O'CONNOR - I have been misrepresented. No, I am not giving a speech.

Madam SPEAKER - It is not a debating point. I have this on higher authority. I ask you to resume your seat.

Ms O'CONNOR - I will be back on the adjournment and I expect to receive an apology from Mr Jaensch, at the very least, in the meantime.

SITTING DATES

[11.21 p.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, I move -

That the House that the House at its rising adjourn till Tuesday, 26 November next, at 10 a.m.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

Pill Testing, Summer of 2019-20

[11.22 a.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, I move -

That the House take note of the following matter: pill testing this summer.

The findings of the New South Wales coronial inquest into the deaths of six young people were handed down last week. The Deputy Coroner, Harriet Grahame, has written a long and considered judgment that makes incredibly important findings and very specific recommendations about what needs to be done to prevent deaths, such as these young peoples', in future.

The inquest examined the deaths of six people and we need to know the names of these people and a little bit about their stories because these represent a cross-section of young people in the community. They are the real stories of preventable deaths and harm related to taking substances, which have led to deaths at music festivals without the proper interventions of pill testing and the other things that the coroner has recommended, and I will come to those other things shortly.

Six young people, Nathan Tran, Diana Nguyen, Joseph Pham, Callum Brosnan, Joshua Tam, and Alexandra Ross-King, died during music festivals in New South Wales during a 13-month period from December 2017 until January 2019, and five of them died within a five-month period, over the last summer in New South Wales. This was a terrible and preventable loss of life. They had toxic levels of MDMA in their blood and each death was completely unexpected and profoundly tragic.

All of those six people were gifted, vibrant, very well connected and very much loved by their families and friends. Their deaths at such a young age, the beginning of a whole life, was a terrible loss for the whole community. The Coroner makes the point that she has no doubt, from what she heard, that each would have gone on to make many contributions in their own clever, generous and productive ways. They came from different cultural and geographic backgrounds and communities and every family involved spoke very strongly and with a lot of courage throughout the inquest.

Why this inquest is so important is because it has drawn together in extensive detail a vast body of evidence about the life saving benefits of pill testing, formerly known as medically supervised drug analysis, at music festivals. The pill testing interventions have been trialled at festivals in Australia, in the ACT, twice at Groovin the Moo festival, and at many festivals overseas in Europe, the UK and North America. These trials demonstrate beyond a shadow of doubt that they save lives, reduce harm, increase young people's understanding about the dangers of illicit drug use and the way that they need to reduce harm and keep themselves safe.

We now have an important piece of work that the Deputy Coroner has provided in her judgment, which provides some incredibly strong statements about the evidence of reducing harm and what needs to happen. Her first recommendation was that the New South Wales Government needs to run front-of-house medically supervised pill testing or drug checking at music festivals in New South Wales starting this summer. That is the important point.

That is why we are talking about this summer today, because there is no excuse not to act now. There is no excuse to talk about a trial any longer. The Coroner is clear that there is no need for a

trial. There can be a pilot to investigate the best mechanisms for making medically supervised pill testing available. Trials have been done. Trials have produced the evidence. It is incontrovertible that they save lives and they will keep young people like Alex, Nathan, Joshua, Diana, Callum and Alex alive and they will make music festivals the enjoyable and joyous space that festival organisers and all participants want them to be and, speaking as a parent, that parents want them to be.

What is so extraordinary about where we are in Tasmania and Australia is the support from the community for pill testing; amazing support. In Tasmania, as well as the Tasmanian branches of each of these bodies: the Royal Australasian College of Physicians, the Royal Australasian College of General Practitioners, the Australian College of Emergency Medicine, Rural Doctors Association, Australian Medical Association, ANMF, the National - I hope the Deputy Premier will be able to explain to Tasmanians how he will be introducing pill testing this summer.

Time expired.

[11.29 a.m.]

Mr ROCKLIFF (Braddon - Minister for Mental Health and Wellbeing) - Madam Deputy Speaker, I thank the member, Dr Woodruff, for raising the matter of public importance today. There can be no denying that the testing of drugs at music festivals is a very complex issue about which there are many competing views, and many competing views among those in the medical profession and experts within this field. Of course you want to reduce the harm from drugs and prevent loss of life but there is no one simple solution, which is also something that came through in New South Wales Deputy Coroner Harriet Grahame's inquest. As a government we have put a strong focus on harm minimisation and keeping Tasmanians safe. As we have repeatedly said and it remains the same today, there is no safe use of any illicit drug, which is why we do not support pill testing or drug checking. We are doing what we can to minimise the use of drugs through the right mix of justice and preventative initiatives so we can reduce harm right across our community. The state's Department of Health, Tasmanian Health Service and Alcohol and Drug Service do a remarkable job with a group of very dedicated, hardworking individuals across a wide variety of areas.

On Monday this week I opened the Australasian Professional Society on Alcohol and Other Drugs conference. This was attended by almost 600 health and associated professionals from around the country and overseas. In my discussions with some of them I learnt that while the medical scientific evidence does not support drug checking, clearly an ongoing discussion is also needed. Instead, drug and alcohol counselling is an essential component of any such drug-checking service and the emphasis should shift to well-supported counselling services and appropriately resourced medical tents. There were a number of presentations around the conference area, and if my memory serves me correctly, research from the University of South Australia suggested that the evidence was not yet in when it comes to drug checking and the benefits of it.

Testing services indicating an illegal drug is free of certain contaminants can send a very confusing and risky message to young people, which is why this a complex issue. We have always said as a government that we are prepared to listen to people's views, for and against, and consider any evidence put forward. That is why the Premier, myself, the Minister for Health and the minister for Police met with Pill Testing Australia, along with the Alcohol, Tobacco and Other Drugs Council of Tasmania in September. We were also joined at that meeting by the Tasmanian Police Commissioner, Darren Hine. While this is an issue which relates to health and wellbeing, there is also a law and order element as well. Members of our community could justifiably ask how can you on one hand check a drug and then hand it back knowing it is an illegal substance and could do that person harm?

The New South Wales Deputy Coroner's report released last Friday is informative but it is also sad. It is deeply sad reading of the last moments of the lives of the six individuals. Nathan Tran, 18 years of age, had aspirations to join the police force; Diana Nguyen, 21, was engaged to be married; Joseph Pham, 23, was studying to be a teacher; Callum Brosnan, 19, deferred a place at the Sydney Conservatorium of Music to work with children with disabilities; Joshua Tam, 22, worked in his grandfather's body corporate management business; and Alex Ross-King, 19 years of age, worked in the family's butcher shop. They were young people who were at a music festival and chose to take an illegal substance.

Dr Woodruff - But minister, that's why they need to be educated. They need support.

Madam DEPUTY SPEAKER - Order.

Mr ROCKLIFF - To their families, I extend my deepest condolences - introducing a very human element to a very complex debate.

Dr Woodruff - I know, but the point is we can act now.

Madam DEPUTY SPEAKER - Order, the member has made her contribution. I ask her to let the minister make his.

Mr ROCKLIFF - The Government notes the New South Wales Deputy Coroner's report into the music festival deaths, which was very detailed.

Ms O'Connor - Dr Woodruff is passionate about saving young lives.

Mr ROCKLIFF - We are all passionate about saving lives.

Dr Woodruff - Well, you know what to do. You are responsible if something happens this summer in Tasmania.

Madam DEPUTY SPEAKER - Dr Woodruff, I ask you to keep it quieter, please.

Mr ROCKLIFF - We will take the time to read the report in line with our commitment to listen and consider any evidence put forward. We note that there is other important information that should also be considered: in particular, the independent review by the Australian National University which is yet to be released.

As highlighted in the New South Wales Deputy Coroner's report, education also plays an important role and we need to carefully consider what alcohol and drug education is offered to young people and their families. We have said before that it is important that all state and territory governments have the time to carefully review all the findings. It is not as simple as pill testing or drug checking. There are many more complex areas that we can investigate and act on in a policy sense.

I respect medical scientific evidence and the evidence, in the Government's view, is not there. We recognise that this is not only a medical scientific issue. It is a health, social and very important educational issue as well. We do not support drug checking. The Government has a very firm position on this. We are also listening to evidence and other views that may well be presented down the track, such as the work being completed by the ANU. As a parent of three soon-to-be teenage

daughters, I recognise that we need to create a very safe environment. We want our young kids to have a great time and we want them to be safe while having a very good time and enjoying life, as a young person should.

Time expired.

[11.36 a.m.]

Ms HADDAD (Clark) - Madam Deputy Speaker, I also add my sincere condolences to the family, friends and loved ones of the six young people around whom the New South Wales Coroner's findings considered. Their deaths are a tragedy. The system has failed those families and those young people. Any drug death is a tragedy and indeed any drug death in Australia is an avoidable death. It is important in the context of a motion like this today to acknowledge that and also to acknowledge that much more can be done by government to avoid drug deaths and to reduce the stigma and the discrimination faced by people who use drugs.

It is a much wider issue than just pill testing. The stigma and discrimination faced by people who use drugs, particularly those who find themselves in very complex life situations, is intense. The Chamber has heard me make these comments before, but I am someone who has worked in the alcohol and drug sector and worked on harm-minimisation policy and issues around stigma and discrimination faced by people who use drugs and access drug treatment services. There is always more that can be done.

Specifically with regard to this motion, Labor understands and supports harm-minimisation policy and evidence-based policy. We will always stand up for an evidenced-based policy position. We always research and consult and understand evidence-based policy. That is what Labor does to engage on this issue. We have met with Harm Reduction Australia, Pill Testing Australia, alcohol and drug peak bodies, alcohol and drug service providers, service organisations and festival organisers. That is what the party does when we are looking for an evidence base.

Members interjecting.

Madam DEPUTY SPEAKER - Order.

Ms HADDAD - This is the work of government and it cannot happen without government support. Indeed Pill Testing Australia has said that this cannot and will not happen here in this state without the support of the government of the day.

Ms O'Connor interjecting.

Madam DEPUTY SPEAKER - Order. I ask all members to give the member courtesy of listening to what she has to say, please.

Ms O'Connor - We did not expect the gambling bill to be brought on two days after it was tabled.

Madam DEPUTY SPEAKER - Ms O'Connor, you can make your contribution soon.

Ms HADDAD - I have met with Gino Vumbaca, the CEO of Harm Reduction Australia and Pill Testing Australia -

Members interjecting.

Madam DEPUTY SPEAKER - Order. The member is making a contribution. I ask the other members to show courtesy, please.

Ms HADDAD - It would be good to show courtesy because a lot of people in this place make assumptions about Labor's position on things -

Dr Woodruff - We know that you've got no backbone.

Ms HADDAD - and when it comes to something like this, you have listened to nothing I have said. I have heard you interjecting the whole time.

Dr Woodruff - Ms Haddad, all you need to do is to stand up and say you support pill testing this summer. That is all you need to do.

Madam DEPUTY SPEAKER - Order, Dr Woodruff.

Ms HADDAD - There will be a press release saying -

Dr Woodruff - Nothing, which is what Labor usually says on this.

Ms HADDAD - Rosalie, this is really disappointing. I have been putting Labor's position on the record but you have not been listening.

Dr Woodruff - But it's hopeless.

Ms O'Connor - Okay, what is Labor's position?

Madam DEPUTY SPEAKER - Order, Dr Woodruff, you have already made your contribution. The Greens will have another opportunity. The member has a little over three minutes, so I ask that everyone gives her the courtesy of listening to what she has to say, thank you.

Ms HADDAD - Thank you, Madam Deputy Speaker. It is hard for me to listen to those in the Chamber make politics out of this issue. I do not usually share personal stories on issues like this but I have lost loved ones to drug overdoses in my life. I have lost close family members to drug overdose in my life and I do have firm views on these things and I advocate for those firm views, but this is -

Dr Woodruff - And you don't win.

Ms HADDAD - That is so offensive. You go on the attack at every opportunity but I know that my -

Ms OGILVIE - Point of order, Madam Deputy Speaker. It is very difficult to hear what is going on with the number of interjections.

Ms HADDAD - Thank you to the member for Clark. The Greens can read my comments on *Hansard* because I will run out of time otherwise. I have read the coroner's report and my sympathies go to those families. I understand this policy area very well. What is very clear from

our meetings with Pill Testing Australia and Harm Reduction Australia is that they cannot and will not come to this state with their equipment without the support of the government of the day. That has been said publicly by Gino Vumbaca, who is the CEO of both those organisations. It has also been said publicly by Alison Lai, the CEO of the Alcohol, Tobacco and other Drugs Council of Tasmania. She said that a trial could happen without legislative change but that government support was essential to create the necessary environment and procedures to operate the pill testing station as a health service without concern for consequences from law enforcement.

Labor can do all that we can in developing this policy, listening to the evidence, researching the evidence and speaking to those affected, which includes ourselves, but it needs the support of this Government for anything to happen. This is the work of government. A motion passed in this place will not result in the implementation of pill testing this summer. It is disingenuous for anybody to say otherwise. That is our position: this is the work of government and the Labor Party's position on it is clear.

Ms O'Connor - It is the work of the parliament.

Ms HADDAD - It is not the work of parliament. This Government ignores motions passed in this House and has done since we have been in this place since the last election. They routinely ignored motions passed in this place. It is disingenuous and it is quite horrifying to the public who are engaged in this issue to be given false hope that a motion passed in this place, gaining Labor support or otherwise, would implement pill testing this summer in Australia. It would not and I have made that position perfectly clear.

Dr Woodruff - That is quite a long seven minutes, Madam Deputy Speaker.

Ms HADDAD - It has been made clear by Gino Vumbaca that he cannot and he will not bring his equipment to Tasmania. There is simply too much risk for him. It is very expensive equipment and he will not bring it to this state and risk seizure by police or other law enforcement officials without the support of the government of the day. This is the work of government.

Time expired.

Madam DEPUTY SPEAKER - Just for the matter of *Hansard*, because I listened to what Dr Woodruff had to say. It is timed for seven minutes exactly. You had seven minutes, the member had seven minutes. Everyone will be allowed seven minutes. I take offence at the insinuation that the member was given extra time. I call Mr Tucker.

[11.43 a.m.]

Mr TUCKER (Lyons) - Madam Deputy Speaker, the safety of our young people is paramount to the Hodgman Government. We have a simple message: there is no such thing as a safe tablet or illicit drug. This is why the Government opposes pill testing. It gives people a false sense of security, because how one person reacts to a drug is very different from another person. Unfortunately, we have seen people lose their lives by taking what is a pure substance, a pure drug. We need festival organisers to step up and help us stem the supply of drugs at the gate. Anyone who runs a business on public land has a duty of care to ensure that patrons will be safe. Pill testing is a very complex health and law enforcement issue. If there are other ways of raising awareness and educating young people, or any other evidence about pill testing, then the Government is open to listening. We are prepared to listen to people's views, both for and against pill testing. However, I want to be clear. This Government does not support the illegal drug industry that destroys families

and young lives. We will not run a quality assurance regime using taxpayers' dollars to prop up drug dealers' businesses.

Taking drugs is playing Russian roulette with our young lives. Young people make mistakes and they do not deserve to lose their lives after taking one of these drugs. The very proponents of pill testing, including clinicians and toxicologists who are the real experts in this field, have themselves admitted the following flaws and potential dangers of pill testing:

- the system relies on the voluntary cooperation of users;
- people only submit a small sample for testing. They may have other drugs in their possession of varying make, meaning the results are haphazard at best;
- substances can have wildly different effects on people based on their physiology and whether they have consumed other drugs or alcohol at the same time; and
- there is absolutely no obligation to discard the pill, regardless of the results.

Education and rehabilitation is the path that the Hodgman Government will be taking, in conjunction with the law enforcement effect, to protect our young people and our communities. In relation to the report by the New South Wales Coroner, I know the Minister for Mental Health and Wellbeing has personally read the report. The Government respects all coronial inquiries and reports. We respect the Coroner's position but we do not agree. As the report notes, there is a need to closely examine decriminalising the personal use of drugs to reduce harm, as the report states.

Nor do we agree that pill testing is the panacea to drug deaths and we are yet to see the independent report by the Australian National University into findings from the ACT pill testing trial in April.

The Government's focus is on keeping Tasmanians safe which is why we are doing what we can to minimise the use of drugs through the right mix of justice and preventative initiatives so we can reduce harm right across the community. We provide resourcing for a range of programs and organisations in this space, organisations who work to improve community understanding of the dangers of illicit drugs and support Tasmanians living with drug dependency issues. These include, for example, the Drug and Alcohol Foundation, the Drug Education Network, the Salvation Army, City Mission and a range of other service providers.

We will continue to work across government on reducing the impact and harms associated with drug use but not decriminalise it as the Greens and Labor want us to do. What we have heard from Labor on this issue is nothing. No position. You are all over the place. Let me quote from the newspaper article this year, *The Australian*, 27 August 2019:

I am still yet to be convinced that there is sufficient evidence that this, as a harm minimisation approach, is going to be effective.

Rebecca White said on radio in March:

We want to make sure it can be done in a way that is safe (and) that doesn't lead to adverse outcomes ... and doesn't create an environment for something such as the pushing of illegal drugs on young people.

The Deputy Opposition Leader, Ms O'Byrne, had a novel approach to fence-sitting yesterday when asked about pill testing. She said in *The Examiner*:

This can't be about Labor's position.

It has to be about what the Government intends to do.

We have not changed. We do not support it. Back in March, Ms White said on radio that she was still yet to be convinced about pill testing but Labor's platform supports it. Labor is nowhere. You are absolutely all over the place.

Finally, I will quote Winstock, Wolff and Ramsey from the Internal Medicine Journal, November 2016:

Pill testing of any description does not guarantee safety, or protect the consumer against individual responses to pills. At best it gives an artificial 'shine of safety' to a group of drugs ...

Time expired.

[11.51 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, apart from Dr Woodruff's contribution today and some aspects of what Ms Haddad said, there has been a dangerous level of ignorance, of complacency and hand wringing on the issue of drug checking or pill testing in here today.

What I say to members like Mr Tucker who has resumed his seat, like Mr Rockliff who knows this is good policy, like Ms Haddad who has had to endure - and knowing it is good policy - with a leader who will not stand by the Labor Party's own policy, if you will not listen to us, listen to your young adult children. Listen to the experts. The story is very similar. Young people will tell you that it does not matter how much checking there is at festivals, they will find all sorts of creative ways to get alcohol and other illicit substances into festivals. I have spoken to a young person who was going to a festival with MDMA tablets in their shoe, saw a police sniffer dog and swallowed all the tablets, putting their life at risk. This is what young people are capable of doing.

Apart from the old fuddy-duddies in here, some of whom are not much more than 40, all of us have made mistakes in our lives. All of us have experimented in one way or another when we were young, when we thought we were bulletproof.

Listen to young people. It does not matter. They do not listen to us when we say, 'just say no, do not take illicit drugs, do not have sex before marriage' and rubbish like that: the sex before marriage bit. They do not listen to us, because they are young people and they are making up their own minds and they are experimenting with life. 'Just say no' is bad policy, it is dangerous policy, it is lethal policy. It means you do not have good harm minimisation measures like pill testing in place.

Even if you are deaf to young people and the truths they will tell you, I will follow up on the list of expert organisations who back-in drug checking or pill testing at festivals: the Royal Australasian College of Physicians, the Royal Australian College of General Practitioners, the Australasian College for Emergency Medicine, the Rural Doctors Association of Australia, the

Australian Medical Association, the Australian Nursing and Midwifery Federation, the National Australian Pharmacy Students Association, the Pharmaceutical Society of Australia, the Ambulance Union State Council, the Public Health Association of Australia, Family Drug Support Australia and the Australian Drug Law Reform Foundation.

At the local level, it is backed by Tasmanian community organisations including the Youth Network of Tasmania, the Tasmanian Aboriginal Centre and Community Legal Centres of Tasmania.

That list of people is not a list of radicals who want to push drugs on young people. They are hard-nosed experts who have put the health and wellbeing of young people over a blinkered ideology, an ideology that is threatening young people's lives.

Six young people died in New South Wales as a result of taking unsafe pills. I am certain that a number of their parents would have told them, 'don't take drugs' but those kids are dead. We still do not have in this country a proper regime for making sure we are treating this as a health issue, putting ideology aside and instituting a pill-testing regime that puts the protection of young lives first. It is shameful.

We expect this kind of ignorance from the Liberal Party, but the moral equivocation we get from Labor on this issue is revolting. It is Labor Party policy to support pill testing. We brought in legislation last year that would have enacted a safe trial for pill testing. Labor voted against it. Labor uses the excuse that if the Government does not support it, why should they? We had the Leader of the Opposition go on radio after that effort and say she was not convinced, she was worried about it. Totally deaf to the evidence. If health is your number-one priority you put the health of young people first and you back in a safe pill-testing regime. You protect their lives. You do not play politics with their lives on this issue. You are doing that. You are disgraceful.

Ruth Forrest brought in a motion upstairs, a straightforward motion. We are talking about a nurse and a midwife: Ruth Forrest, sensible, no radical. You could not even back that in. If you had stood by your principle and your policy on this issue we would have a pill-testing trial in Tasmania. You could have backed in our legislation last year and the House could have passed it. You could have brought in legislation. We would have backed you in, the Speaker probably would have backed you in, and it would have gone upstairs. If your people had stood by their policy up there we would have legislation that instituted a pill-testing trial in Tasmania.

Dr Woodruff and I get extremely passionate about this issue because we believe in looking at the evidence and standing by your principles. You should hang your heads in shame. You are playing politics with kids' lives. Parliament makes the rules, not government. When are you going to get that through your heads? We have a finely balanced parliament in here that can make a real difference in the lives of young people. You have abrogated your responsibility to those young people. You could draft legislation and bring it in here and we would back you in and protect those kids, but we will go into this festival season with no protections in place for our kids. It is a shameful abrogation of the responsibility of every member of this place to put the protection of young people first.

Time expired.

Matter noted.

GAMING CONTROL AMENDMENT (WAGERING) BILL 2019 (No. 51)

Second Reading

[11.58 p.m.]

Mr GUTWEIN (Bass - Treasurer - 2R) - Madam Deputy Speaker, I move -

That the bill be now read the second time.

The 2019-20 state Budget announced the Government's intention to introduce a point of consumption tax up to 15 per cent from 1 January 2020 on betting operators offering wagering services to Tasmanian customers. The central part of this bill amends the Gaming Control Act 1993 to give effect to this commitment.

The bill also introduces two amendments to meet the Government's commitment to implementing the National Consumer Protection Framework for online wagering in Australia and a number of miscellaneous amendments to enhance totalisator operations, improve administrative efficiency, remove redundant or unnecessary provisions and correct oversights.

Increasingly, wagering transactions are moving from the traditional land-based wagering establishments to the digital world via telephone and the internet, and this has led to a rapid growth in online wagering. The effect has been to create a disconnect between where the online betting operators are licensed and taxed and the jurisdictions where the bets were placed and the impact of gambling occurs. For Tasmania, the single licence holder of totalisator services, UBET Tas, is subject to a wagering levy covering licensing and tax arrangements, while online bookmakers pay no tax to Tasmania for bets made by Tasmanians. Nationally, this has been recognised as a matter requiring rebalancing.

The Government's objective in introducing a point of consumption tax on wagering in Tasmania is to align Tasmania with the national approach already taken by all Australian jurisdictions, except the Northern Territory, to overcome the disconnect and to raise additional revenue from betting operators not currently taxed for the benefit of the Tasmanian community and racing industry.

The design of Tasmania's point of consumption tax framework was informed by consultation with key stakeholders including the Tasmanian racing industry, major corporate bookmakers and peak industry bodies. Consultation with other jurisdictions was also undertaken to ensure Tasmania's reporting and compliance processes align, where possible, to minimise the impacts on betting operators operating nationally.

The bill is largely based on legislation passed by Queensland, New South Wales and Victoria. Tasmania's framework provides for a tax rate of 15 per cent on net wagering revenue in excess of a tax-free threshold of \$150 000 on wagering revenue, payable by betting operators that provide services to Tasmanian residents regardless of where the licence is issued. The calculation of net wagering revenue will exclude the value of free bets from payments and winnings. As the bill commences on 1 January 2020, the interim tax-free threshold will be \$75 000 for the 2019-20 reporting period. The 15 per cent tax rate is consistent with South Australia, Western Australia, the Australian Capital Territory and Queensland. The tax-free threshold aligns with the three smaller wagering jurisdictions and will ensure that the state's small on course bookmakers are not captured.

A tax base similar to Queensland, which has excluded the value of free bets from net wagering revenue, was informed by careful research and analysis. The inclusion of free bets in the net wagering definition has the effect of increasing the tax rate. This is because the face value of free or bonus bets that have no monetary value are being counted as wagering revenue, rather than as marketing and promotions cost of business. For these reasons, the fairest approach was to not tax bets that are not real income, and conversely ensure free bets cannot be counted in the dividend payout to reduce the taxable wagering revenue.

Whilst five jurisdictions, including Tasmania, will now have a consistent rate applied at 15 per cent, Victoria and New South Wales have rates of 8 per cent and 10 per cent respectively. Noting that harmonisation across the country was the original aim, Treasury will continue to monitor and review developments in other jurisdictions.

The point of consumption tax is expected to raise additional revenue in the order of \$5 million in its first full year of operation from betting operators that will now be captured in Tasmania. The Government has undertaken to share the net benefits appropriately with the local racing industry.

Under this bill the point of consumption tax, including the reporting and collecting of tax, will be administered by the Commissioner of State Revenue in accordance with the Taxation Administration Act 1997. This approach aligns with other jurisdictions and streamlines requirements for betting operators offering services to multiple jurisdictions. In practice, betting operators that meet Tasmania's tax-free threshold will need to register and lodge online self-assessments of their tax liability monthly in arrears, with any tax payment made within 21 days of the end of the monthly period.

Madam Speaker, Tasmania's historical licensing arrangement with UBET Tas for the provision of totalisator retail services, sports betting and race wagering has been considered in the framing of this tax reform. Currently, UBET Tas is required to pay an annual indexed wagering levy covering a licence fee, retail exclusivity and multiple endorsement fees. The Government and UBET Tas have negotiated a restructured arrangement to accommodate the historical licensing agreement and the point of consumption tax. The arrangement ensures UBET Tas is not double-taxed while ensuring that it pays 15 per cent tax on net wagering revenue and an appropriate payment for exclusivity rights out to 2027, as agreed by the former government in 2012.

As the holder of the existing totalisator endorsement, the current wagering levy will be removed by the bill and UBET Tas will provide an annual payment of approximately \$1.5 million indexed annually in addition to the point of consumption tax on its wagering services. The new annual payment reflects the regulatory costs of the totalisator operations, the value of the totalisator exclusivity arrangement and retail presence in Tasmania, and endorsements. The Government will have the power to amend the annual payment by regulation should the wagering environment change significantly.

Given the new tax will commence from 1 January 2020, the bill provides a 50 per cent refund of the annual wagering levy, which was paid in advance in July 2019. It also provides for UBET Tas to pay the first annual payment of 50 per cent in January 2020 for six months of 2019-20. Both of these measures will avoid double-taxing of UBET Tas.

While this bill introduces a new taxation model on betting operators, it also gives effect to some of the protection measures of the National Consumer Protection Framework developed to reduce the harm of online wagering for Australians. The Tasmanian Government, along with other

jurisdictions, endorsed the framework in November 2018 and directed the independent gambling regulator, the Tasmanian Liquor and Gaming Commission, to implement the measures to ensure they complement Tasmania's existing harm minimisation framework.

Tasmania's harm minimisation framework is well established through a combination of legislation, a mandatory gaming industry code of conduct and various rules and technical standards administered by the commission. Tasmania's framework is already widely recognised as national best practice and is broadly more stringent than the national framework. That notwithstanding, two minor amendments to the act are required to ensure national consistency.

The first amendment introduces requirements for wagering operators to offer deposit limits to customers. This is in addition to the existing legislative provision that allows dollar amount net loss limits to be set by customers. These measures provide customers with tools to help them monitor and manage their gambling by precommitting deposit and net loss limits.

The second amendment removes provisions for trading accounts to be consistent with recent amendments to the Commonwealth's Interactive Gambling Act 2001, which prohibits the offering or provision of credit by a betting operator for wagering purposes, with the exception of on-course bookmakers that have been exempt. This measure aims to mitigate risks of customers gambling beyond their capacity to pay.

The Government recognises the increasing prevalence of online gambling and restates its commitment to strengthening wagering regulation through the amendments being introduced under this bill. This commitment aligns with our proposed amendments under the Future Gaming Market policy reforms to increase funding to support harm minimisation and the development of a new suite of educational material designed to inform online gamblers.

The bill also contains a number of miscellaneous amendments that aim to enhance totalisator operations. From time to time legislation requires amendment to contemporise and to address emerging issues. The provision of minimum pool guarantees is one such issue. UBET Tas has sought amendment of the act to allow the totalisator operator the ability to contribute its own funds to the pool to enable it to guarantee that a minimum amount will be available for the payment of dividends to customers. This amendment will allow the totalisator operator to conduct its business in a manner that is consistent with its operations in other jurisdictions.

The totalisator operator has also requested an amendment that allows it the discretion to pay a minimum dividend of \$1.04 to customers where the calculated dividend payout is \$1. Currently the rounding down of dividends to the nearest 5 cents means that a winning bet at very short odds may result in a \$1 dividend being paid, which is essentially a refund of the customer's original stake. This amendment will allow the operator to use its discretion not to round down and instead pay a minimum dividend to the customer of \$1.04. This amendment will align with practices in other jurisdictions and will provide a benefit to customers.

The bill allows for the means for calculating the minimum amount payable as a dividend to be prescribed in regulation. It also moves the current totalisator rounding provisions of dividends within the act to regulations. Prescribing these dividend provisions in regulation will enable the totalisator operator to be more responsive to any changes in the wagering market and to align with standard practice nationally.

The act currently does not allow for the regulation of new technological arrangements between licence holders and third-party cloud storage providers where, for example, regulated gaming equipment and records might be stored on remote third-party servers and accessed from the internet. UBET Tas has sought to replicate approval by the Victorian regulator of these types of arrangements.

The bill provides the commission with the capacity to authorise licence holders to use persons not currently licensed as, for example, a technician or listed on the roll of recognised manufacturers, suppliers and testers of gaming equipment, to operate equipment used in connection with gaming or a gaming activity. The commission will have the ability to impose conditions on its approval of any relevant contracts with third-party providers to mitigate potential risks. The amendments future-proof the act to provide for emerging technological advancements of gaming systems and for the commission to impose conditions on any approval.

The bill also contains a number of minor amendments aimed at correcting oversights and enhancing administrative efficiency. This includes ensuring that the current ability for compliance inspectors to investigate gambling-related complaints also includes investigating complaints relating to wagering activities.

The suite of amendments in the bill, together with the new point of consumption taxation model, represent ongoing efforts to ensure Tasmania remains a leader in the regulation of gambling and is able to adapt to the evolving environment.

I commend the bill to the House.

[12.09 p.m.]

Mr O'BYRNE (Franklin) - Madam Deputy Speaker, it is ironic we are talking about a new tax. It was only recently when Treasury released their long-term fiscal sustainability report where the issue of tax the 'T' word, Treasurer - not 'Treasurer' but 'tax' - was raised. We thought it was a report that was important, that we should listen to. Treasury obviously had done a lot of work on it and in their document they mentioned the tax word. Then we saw a Government minister, you, come out, Government minister after Government minister come out, and accuse Labor of proposing new taxes, which we had not done.

We acknowledged the report and its importance to the debate of revenue and expenditure in Tasmania and here we are just days later talking about a new tax implemented by this state Government. I am not sure who the last Treasurer was to introduce a new tax but for someone who runs away from the tax debate it is ironic that we are here, Treasurer, talking about a new tax.

You backflipped on the farm tax but maybe you might have a little bit of success with this one, notwithstanding the Labor Party has talked about this idea for a while. Other jurisdictions have but the irony is not lost on us that the Treasurer would attack the Labor Opposition for acknowledging a significant and important document in terms of the fiscal and budgeting future of Tasmania and then accuse us of having a secret tax agenda and ruled out taxes, but obviously not this one.

We have a number of questions on this bill and I will say at the outset that depending on the Treasurer's response, two things will occur. We will allow either a time to consult with industry because we acknowledge that whilst there have been discussions, and I thank the Treasurer for facilitating a briefing yesterday on this bill, we should acknowledge that the bill was introduced on Tuesday of this week. It was the first time it had been seen in the public domain and I received a

briefing yesterday. We are now debating this bill today so we will qualify our broad and general support for the bill on the basis of some answers to questions we have but notwithstanding that and to allow further time.

I know a number of members of the racing industry, both locally and nationally, have made the point that it is disappointing that they were not able to see an exposure draft or a draft of the bill, notwithstanding the fact that they have been notified. Some of them have been notified in writing and there have been some consultations but it is disappointing that on such an issue of importance to the industry that more time was not given to allow further and greater consultation on this bill.

There are a number of questions and I acknowledge the absence in the House of the Racing minister. In a briefing yesterday, we asked a number of questions about where the revenue would go, how that would be applied. The answer we were given was that it would be a matter for the Racing minister in consultation with the Treasurer to decide. Hopefully, the fact that she is not in the House is not a reflection on her interest in this bill. The fact that there is such a quick period of time within announcing and the tabling of the bill for the industry to be able to have a look at it appropriately and to provide full and meaningful consultation, apart from high level views on the application of the tax, the potential revenue and where it will go, has been drawn to the attention of the industry.

I qualify those things at the outset of our contribution on this bill.

We know that the racing industry in Tasmania is a big industry. It contributes millions of dollars to the Tasmanian economy. It directly employs hundreds of Tasmanians, and indirectly thousands of Tasmanians.

For some people in the community horse racing and racing, the 'dish lickers' and the trotters, are not their thing but for many Tasmanians it is, particularly in rural and regional Tasmania where a number of the trainers are located and a number of participants in the racing industry live, this is of crucial importance.

The industry has not been travelling well. The industry has had some shocks over recent years and the discussion is about - and there are many players - all different interests and different views on a change in the regulatory and the financial arrangements of the industry, where the money is raised and spent. People are passionate about racing in Tasmania and it should be acknowledged that, whilst there are some people that do not support it, there are many people in Tasmania who do support it and derive their livelihood from it. Any decisions made by government, particularly around a tax framework and its potential impact, is of acute importance to those people directly, but it also has a potential impact on the Tasmanian economy and the Tasmanian way of life, which should be acknowledged as well.

All other states and territories, bar the Northern Territory, have introduced a point of consumption tax. In Victoria it is 8 per cent and in New South Wales it is 10 per cent. In South Australia, Western Australia, Queensland and the ACT it is a 15 per cent point of consumption tax. All players in the Tasmanian industry have been expecting that it was coming, being the last jurisdiction to introduce a point of consumption tax. I suppose the issue is the rate, what you do with the money raised, and the implications for the existing arrangements, particularly with Tascorp and UBET in terms of their current licence in Tasmania, the change in the fee that they will have to pay and the revenue driven by the tax as it is implemented from 1 January next year.

Given that there are so many players in the industry, opinion is divided about the implementation of a tax. The corporate bookmakers and those individual gamblers who move large volumes through various state-based betting organisations, wherever they live or wherever they establish their businesses, have a very different view around the point of consumption tax. We need to be aware of any unintended consequences to a tax change. We saw in South Australia that it was the first state to bring the point of consumption tax but when they brought in the 15 per cent consumption tax there was a significant reduction in racing activity and revenue for the racing industry in South Australia. That could have been driven by a number of things but many people point to the consumption tax on those bookmakers encouraging them to move to other jurisdictions or other areas where there was a lower tax rate on their betting activity. In the implementation of this tax in South Australia, on the face of it, there was a significant decrease in revenue for the industry.

On the other side, arrangements and support for the industry in Queensland led to a trainers' strike. Trainers were of the view that the industry was not sustainable; the support they were getting and the revenue share of the entire industry led to a trainers' strike. You could not rule that out in Tasmania if the current situation continues, and if the industry feels that we are not grasping the opportunity that is presented in extra revenue from taxing the industry and keeping that money raised inside the industry to support greater stakes and greater support for trainers. You have a number of perspectives on this and that does need to be taken into account.

Apart from consulting with other jurisdictions, has Treasury done any financial modelling on, for example, apart from UBET, what that will mean for the other corporate bookmakers and large-volume gamblers who are currently residing in this state? Will that then create a move from Tasmania to other jurisdictions taxing at a lower rate? You would need to model that because you know that the market will respond when you make a decision about a tax regime. Has Treasury done any modelling about what they expect the volumes to be? Volumes are connected to a race fields' income, which is an important income stream for the industry in Tasmania that goes directly to the trainers and the major participants who are the lifeblood of this industry.

It currently sits at around \$14 million. Will a new point of consumption tax at the rate you have claimed mean that there will be a reduction in volume for Tasmanian-based betting and will that impact on race fields? That needs to be a consideration because it is not a zero sum game. It is not about implementing a tax regardless of the rate and not assuming that there will not be a reaction from the market to that new tax rate. That is something that needs to be clarified and I welcome a contribution from the Treasurer on that.

The bill is essentially dealing with two parts, and I acknowledge that we are in full support of the matters referred to in the National Consumer Protection Framework for Online Wagering in Australia. We have no issue with that section of the bill. That is aligning with those national standards and the national framework, consistent with those national reforms. We support the implementation of those and work on the basis that there are no issues with the drafting of the bill that will create any unintended consequences. We support that section of the bill. It is crucially important that consumers are protected in this environment. There is a lot of marketing and corporate activity that drives behaviour and there are people who sometimes get on the wrong side of that marketing and are sucked into a bad place, so having consumer protection is crucially important.

I have asked about economic modelling. The impact was significant in South Australia and I put the volumes on the agenda for you, minister, if you are able to respond.

In terms of the industry and revenue raised and the changes to the arrangements with UBET, they currently pay the \$7 million licensing fee. Under the new arrangements they will pay \$1.5 million and, based on current revenue, we are informed that they will pay approximately \$5 million. They go from paying about \$7 million to about \$6.5 million. How was that \$1.5 million arrived at? You have a bookmaker who does have a licensing agreement. We know the other corporate bookmakers do not have any licensing agreements similar to UBET in any standard or any licence fee, they effectively pay into race fields volumes.

You say it is about maintaining the terrestrial network of the shopfronts and the retail. You have a corporate bookmaker currently paying \$7 million for access and it drops to \$6.5 million under the new arrangement. That is an interesting approach to that element of this bill and how you manage that revenue from that particular company, so it would be great if you could make us aware of the rationale behind that.

The industry understands that there will be a total of between \$11 million and \$12 million revenue from this tax. In the briefing yesterday, and I am not sure if I heard wrong, but I was informed that it was \$10 million, so I would like the minister to clarify what the revenue take will be based on the 2017-18 and 2018-19 financial years for this tax.

One of the key questions has been from the industry. They know that stakes are a key component for the industry, particularly the trainers in thoroughbreds, trots and greyhounds. Regarding the revenue that is raised by this, a number of people are asking how much of that will go back into supporting industry. We know stakes on the mainland are going up and return on investment for the industry on the mainland is improving, particularly in the New South Wales and Victorian equivalents, not even country, but Bendigo, Swan Hill and those race meets around rural Victoria and New South Wales.

A number of the horse owners and trainers are saying the stakes in Tasmania are no longer comparable to the mainland, that there is a real issue for Tasmania and there is potentially a massive opportunity lost to encourage the industry to build sustainability. Could the minister could give an indication of where that cut-up will be? We understand that the \$7 million in terms of licensing goes into consolidated revenue and you should not be worse off under the current arrangements in terms of money back to your pocket, Treasurer. However, the industry sees a new tax that, whether you like it or not, will have some impact on the race fees and the revenue for the industry, particularly for the stakes. They would see this as an opportunity to inject more money into that element of the industry so they can maintain their economic viability. That is a question for you. This is your new tax, minister, and you put 15 per cent -

Ms O'Connor - Greg Farrell will tell you what will happen.

Mr O'BYRNE - Minister, I touched on the arrangements with Tabcorp and UBET but if you could not only look at the \$1.5 million but explain the rationale for the change in taxation payments, if you could outline them clearly about where you think it will be, that would be appreciated.

Ms O'Connor - Do you have any questions about what tax Federal Group will pay after next March?

Madam DEPUTY SPEAKER - Order, Ms O'Connor, you will have your chance to make a contribution shortly. Please let the member continue in peace.

Mr O'BYRNE - Because of long-term sustainability, you have a number of trainers who have existing infrastructure and maintenance costs. Whilst 2027 may seem a long time away for a lot of infrastructure investments for the larger trainers, and even some of the smaller trainers, they want to know what is going to happen after 2027. I am not asking you to bind a future government but it would be good to hear your position on what the view would be of what would happen at that point with that arrangement.

The key questions are around the additional funds; that is what everyone is talking about, minister. You are fully aware of that.

We understand - and correct me if I am wrong - that the unclaimed winnings will be retained by the wagering operator and not paid either back to the racing industry or the government. Could you explain that? You are excluding the bonus bets and the side-wagering deals that occur that a number of the large corporate betting agencies run now.

Mr Gutwein - The free bets.

Mr O'BYRNE - Yes, the free bets, the bonus bets or whatever they call them. Could you outline your thinking around that and why you have excluded those and what impact it will have?

In Queensland there is a new racing product called Trackside -

Ms O'Connor - How many horses die for that product?

Mr O'BYRNE - It is online gaming. There are no physical horses.

Ms O'Connor - So no actual horses run?

Mr O'BYRNE - No.

Ms O'Connor - Well, that may be the way we should do racing, instead of killing horses for the industry.

Mr O'BYRNE - In terms of Trackside, we know a lot of other jurisdictions are looking at that.

Mr Gutwein - I think it is in four at the moment.

Mr O'BYRNE - Four at the moment, but nowhere in your second reading speech or in the bill do you refer to a product or that product or a product like it. Could you outline the taxation arrangements for a Trackside game or product and what your view of that would be if that were to be implemented and what would be the taxation arrangements? Would you seek to be bringing in an amendment to expand that? It seems to me that it is a missed opportunity if we know it is on the way to not identify it in the second reading speech and clarify what the taxation arrangements will be or actually introduce a new taxation arrangement for that.

A number of industry participants talked about the geo-wagering, identifying by a digital product having a geolocation so when people bet in Tasmania on their phone, if they are from other states or other countries, we are able to capture that. I know there is an issue around double taxation but it seems to me that at some stage the jurisdictions will come together on a way of ensuring that the location benefits from bets being placed in that location even though the people do not live in

that area. Being a tourism state that would be an opportunity for us. We know that all jurisdictions should move at once in terms of the geographically placed bets.

Mr Gutwein - That would mean everybody would need to move.

Mr O'BYRNE - Yes, I agree with that, but given that most of the corporate bookies do that anyway - they know exactly where their bets are laid and by who and they have pretty sophisticated technology to do that - it would seem that it is an opportunity for Tasmania and we should lead on that and potentially be the state that can promote that kind of technology for geotracking. That would be on the plus side for revenue for the Government so you would probably like that, Treasurer. It is more money for you to spend.

With that, we are broadly supportive of a point of consumption tax. We want to hear from the Treasurer because we are concerned about the potential implications that it is at 15 per cent. We know a number of people are suggesting that we line up with New South Wales or Victoria in terms of a lower rate. Apart from just consulting with other jurisdictions we really want to hear that there has been a bit more robust assessment of what the tax at that rate would be on Tasmania, because we do not have that tax at the moment and there would be a number of large volume gamblers who would be located in Tasmania which drive our revenue, particularly for the race fields income. We have seen in South Australia when they introduced that tax they really took a massive hit and it brought the future of the industry under question.

Mr Gutwein - I think there is a bit more going on than just that.

Mr O'BYRNE - Maybe; that is for you to put on the record, Treasurer. There is no doubt if you look at the raw numbers there was an impact, and whether that is because the corporate bookmakers made a decision about where they put their business, that is the market. That is what will happen and with any new tax it is naive to think there will not be a reaction from industry when you change the regulatory and taxation arrangements.

Ms O'Connor - And you two take your marching orders from industry.

Mr O'BYRNE - It is important. We had a debate in this House before - and let us be very clear, we do support the racing industry but it is not unqualified. There has been by interjection -

Ms O'Connor - I haven't even heard you talk about animal welfare until now.

Mr O'BYRNE - I am talking about it now if you do not talk over the top of me. We know that there are some practices -

Ms O'Connor - You've been crapping on for 20 minutes.

Mr O'BYRNE - Because I am talking about the bill. It is a taxation bill. In terms of the issue with the industry we support the industry but it is not a blank cheque. We do not blindly sign up and support the industry. The industry knows it needs to ensure that it has appropriate structures and measures in place.

Dr Woodruff - It knows it needs to frighten you with an election campaign, so that you backflip on your policy.

Mr O'BYRNE - Just keep yelling. You have been ranting and raving.

Madam DEPUTY SPEAKER - Order, the member can make a contribution soon. The Leader of Opposition Business has the opportunity to make his contribution in peace, please.

Dr Woodruff - He is very uncomfortable, it is unlike him.

Madam DEPUTY SPEAKER - Order, Dr Woodruff.

Mr O'BYRNE - The issue of animal welfare is crucial for every industry. We saw the footage from *Four Corners*, the revolting footage and the appalling treatment of animals in that story. Nobody in the industry whom I have spoken to supports that kind of end for a horse that they have been involved with and they know that it is unacceptable. The industry acknowledges that behaviour is unacceptable and they need to do better. We saw from the Victorian Racing code, an immediate response in conjunction with the minister, Mr Pakula, of a \$25 million investment in managing our animal welfare. It is not a particular issue here because of the nature and the state of the industry, but the overbreeding in Victoria, and in the mainland states, is of great concern.

The treatment of horses during their racing career and the care taken post-career for those horses and the management of those horses to ensure that they are treated humanely and have a decent post-racing career life -

Ms O'Connor - You know Tasmanian horses were identified at that abattoir?

Mr O'BYRNE - We do not know that for a fact.

Ms O'Connor - We do know that because the ABC confirmed it.

Madam DEPUTY SPEAKER - Ms O'Connor, I again repeat, you can make your contribution soon.

Mr O'BYRNE - The ABC made those assertions. We would like to see the evidence. If it is true it is an absolute disgrace and we want to know how they got there. The actions need to be taken by Queensland and the mainland states in terms of the conduct of their knackeries and abattoirs. In my discussions with the Tasmanian industry, they acknowledge that is completely unacceptable and they have an obligation and a responsibility and animal welfare needs to be their highest priority.

People have a philosophical opinion on racing. I do not agree with that but I respect your view.

Dr Woodruff - Don't agree that it is inhumane?

Mr O'BYRNE - Again, we qualify our support for the racing industry by saying that they need to have a high standard of animal welfare and we continue to support that.

There are many questions about the bill that need to be answered. What will be the impact on betting volumes in Tasmania? What impact will that have on race field revenue for the trainers? Where will the extra revenue go? Will it go back into your pocket to be spent in consolidated revenue and miss the opportunity to support an industry which has been struggling?

You talk to people in the trotting industry, in particular, and they are really struggling. What drives trainers across all the three codes are the race field revenue and stakes. They need to know that for the work and investment that they put in that there is an equal and a fair return on investment so they can continue to employ the hundreds and thousands of Tasmanians, directly and indirectly, who work within industry.

This is a new tax from the Government; you have to acknowledge that. This is a new tax. We acknowledge the Treasurer has finally mentioned the 'T' word and he has come back into the tax debate. When he was in opposition, the Treasurer was full of energy about wanting to have a debate about tax with the then treasurer, also the Greens and Ruth Forrest, the member for Murchison. You were keen for a debate then but as soon as the election was over you killed it pretty quickly.

We provide qualified support -

Mr Gutwein - Now you are rewriting it. As treasurer, Lara Giddings killed that in 2013.

Mr O'BYRNE - No, not at all, mate. You ran away from it. We all know what happened.

Welcome, Treasurer, to the tax debate and bringing in a new tax that you said you would rule out, no new taxes, only weeks ago. It is a remarkable backflip, almost as special as your work on TasWater.

Having said that, we provide qualified support for this bill. The Labor Party has been open and clear about our position that this is a tax. I acknowledge my predecessor, Mr Bacon, for his work on this. This is not something we are going to walk away from. This is a tax that the industry, in all its forms, has expected. The issue will be what impact it will have, and where the money will go.

We sincerely hope that the Treasurer, when he gets to his feet, will be able to say unequivocally that more support will be going to the industry, and the revenue that you have outlined will assist in the industry getting back onto its feet and getting onto a sustainable position. If he does not, then we know that there will be significant implications for jobs and the economy across Tasmania. That is something that is very serious. With that, I will conclude.

[12.41 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, the Greens are used to being treated with contempt in this place. We are used to the Government treating this parliament as a rubber stamp. We cop it, usually, when legislation is tabled on a Tuesday and brought on for a debate on Thursday. We do our very best to understand what that legislation contains, what its implications might be. If we have time, we will try to find a way to potentially improve it, but we are sick of it.

This bill was tabled on Tuesday. This is the Gaming Control Amendment (Wagering) Bill 2019. It was tabled 48 hours ago. It is a bill 46 pages in length, contains complex clauses, including mathematical equations. I do not know enough about this bill because members in this place have not been given time to understand this legislation. Now, I could stand up in here and pretend that I understand the clauses in this bill, but I am not going to do it this time. We are sick of it. It is the first order of business on the blue today, after being tabled 48 hours ago.

When I complained this morning to the Leader of Government Business about how insulting that is to the parliament, he came over a short time ago and offered us a lunchtime briefing on this legislation.

Mr O'Byrne - Seriously?

Ms O'CONNOR - Yes. I am the chair of the House of Assembly committee examining the House of Assembly Restoration Bill of 2019. We are having hearings in just under half an hour, where we hear from former Liberal premier, Robin Gray, who, I hope also agrees that the decision to cut the numbers in this place from 35 to 25 has had a corrosive and toxic effect on our democracy, and has undermined representation and the quality of the debate in this place. That is a slightly long way of saying, I do not have time in the lunch break for a briefing on this legislation, and I am not going to delegate it. I am not going to delegate it because I have carriage of this legislation.

The Treasurer is going to get up shortly in response to my second reading, and probably Dr Woodruff's, and have a crack at us for not asking for a briefing yesterday. Unlike a number of members in this place, because there are two of us, we speak on every bit of legislation, we contribute towards every debate. We take our jobs in here extremely seriously. We have not had time to look at this bill. We have not had time to seek or have a briefing. Yesterday was private members' day. Again, Dr Woodruff and I, in this place all day, contributing. I did not have time for a briefing yesterday.

I could have taken the legislation home and read it into the night, but I genuinely did not think that the Government would bring it on as the first order of business today. Silly me.

So, because we have not been provided with a briefing, because the bill is being debated 48 hours after it was tabled, we are going to have to ask the Treasurer to take us through every single clause in this legislation, and explain it. You will give us our briefing on the Floor of the House. In the meantime, I am going to talk to the House about gambling policy generally.

I listened to that shallow contribution from Mr O'Byrne - all you could talk about was the money. You got up and started talking about tax -

Ms O'Byrne - Well, it is a tax bill.

Ms O'CONNOR - You asked questions about tax rates and you did not ask a single question about the tax rate that the Federal Group will pay once the deed is rewritten and the harm caused by poker machines in our community is extended out to 2043.

Ms O'Byrne - When that bill is introduced, we will debate it then.

Ms O'CONNOR - Do not treat us like idiots. This is an amendment bill to the Gaming Control Act. It is the ideal opportunity to exercise our responsibility in this place and ask some questions about the tax rate that will be applied to the Federal Group, and to every other poker machine licensed operator, once the deed is dissolved and a new arrangement that will embed harm in the community until 2043 is enacted through this place.

I can see what is going to happen here next year, again. It will be Dr Woodruff and me - maybe, hopefully, Ms Ogilvie, given her strong statements on the harm caused by poker machines. It will be a small group of women anyway in this place who will be the voice of Tasmanians who have

lost family members to gambling addiction, who have lost their houses, their jobs, their sanity. It will be us in here when the big 'bomb' bill comes into this place, the bill that the Federal Group bought at the last election.

Dr Woodruff - They got paid back mostly, didn't they?

Ms O'CONNOR - Interesting observation, Dr Woodruff, and thank you for leading me there. Mr O'Byrne used the words 'return on investment'. Talked about that return on investment. Gosh, there has been some returns on the investment from the gambling industry out of this Government. Not only did they secure a Liberal win, and a large payback donation to the Tasmanian Hospitality Association, or the millions of dollars in dark money that it facilitated into a Liberal win, they also got a return on the investment through Labor's capitulation and abandonment of marginalised people. It was a massive return on investment. Wow. You had millions of dollars pouring in from the gambling industry here and interstate, with one goal in mind: making sure that a Liberal government was elected last March. They got what they paid for and as a consequence the people of Tasmania will pay out of their noses and out of their pockets until 2043.

It was an excellent return on investment. It bought a government, it bought a massive extension to the harm caused by poker machines, and then bought a weak opposition. The shadow treasurer, who has just sat down, is at the heart of Labor's capitulation to the industry. You know that Mr O'Byrne. You know that in moving away from that policy, you mortally wounded your leader. It is a mortal wound to her. I cannot help but feel that is the way you designed it. You should be ashamed. Your party had a chance to make a real difference, socially and economically. Every dollar that goes into a poker machine and into the Federal Group is a dollar that is not going to small business, for example. Labor had a real opportunity to make a difference and to repair some of the damage caused by it, the Labor Party, ever since the casino was first built at Sandy Bay. This whole tragic, dark story began with Australia's first casino down there at Sandy Bay.

That family, the Farrells, has sucked the living daylight out of this island for decades and has bought a government. It has bought a government and it has bought a lucrative deal that will see its fat, obscene profits protected for at least another 25 years. The Federal Group, the Farrell family, take much, much more from this island than they give. They take money out of the pockets of some of our poorest people. They take food off children's tables. They take money out of some of our most disadvantaged communities. Millions of dollars out of Glenorchy. It is obscene. When you step back from this issue and you think about it, it is so bloody obscene.

You have a company that has been sucking the living daylight out of this island for decades, cheered on by the Liberal and Labor parties, which owns every single poker machine in Tasmania, every single one of the nearly 3500 poker machines in Tasmania, that deliberately placed those machines in areas of socio-economic disadvantage, and that oiled the wheels of its obscene business model by donating to the Liberal and Labor parties year after year, contributing back, for example, in 2006.

I remember, I was number two on the Denison ticket. 'Tasmanians for a better future'. We never ever had any transparency on who they were, but there was Federal money in there, and what was their job? To deliver a majority Labor government at that time, to make sure that the Greens did not have the balance of power and it is was looking like on the polling that there would be a strong Greens vote at the 2006 state election. The Federal Group, the Sydney-based Farrell family, has been buying governments here for decades. They bought one last March and they bought back the Opposition. You only have to look at the Australian Electoral Commission returns -

Mr GUTWEIN - Point of order, Madam Deputy Speaker. I am wondering how relevant this is to the bill in front of us. I note the member has indicated that she has not bothered to do the work to get across the bill but that is a matter for her, not for the parliament. I draw your attention to relevance to the bill before us.

Madam DEPUTY SPEAKER - Yes, we do ask for relevancy on the bill. We are speaking on the Gaming Control Amendment (Wagering) Bill. I am looking at the fact sheet now and I ask the member to ensure her comments are relevant to the bill.

Ms O'CONNOR - Thank you, Madam Deputy Speaker, I am being entirely relevant to the bill. Should you personally have any concerns about relevance, I encourage you to look at some of the second reading speeches from your own Liberal colleagues on bills that have come before the House this week. As you know, when members are contributing to a bill they are given significant latitude in the points that they raise. I will continue to talk about the Federal Group and the Farrell family, who are the beneficiaries of the Gaming Control Act and who will be beneficiaries of amendments to the Gaming Control Act that will come into parliament next March or April, whenever they do.

Dr Woodruff and I regard it as our responsibility to raise these significant issues that are being ignored by both the major parties. It is our responsibility to speak for the community sector, which has been completely ignored by Government and Labor on this issue. We get lip service about harm minimisation. I know what Labor's going to do when the Gaming Control amendments come in next year. They are going to start talking about harm minimisation and make some quisling amendments to the legislation so that they can, out of one side of their mouth, tell Tasmanians that they are looking after their wellbeing and, out of the other side of their mouths, let Greg Farrell know they did exactly what he wanted them to do.

Before the Treasurer spoke, in an attempt to distract and derail me from my exposure of their complicity in the harm caused to Tasmanians by poker machines and the Federal Group, I was going to detail to the House some of the Australian Electoral Commission returns relating to donations made by the Federal Group to the Liberal and Labor parties. In 2002, Tasmanian Labor received \$20 000. In September 2009, Tasmanian Labor received \$15 000 and this is just the stuff that is declared, because the AEC returns that came in after the last state election revealed that about \$4 million went into Liberal Party coffers before the last state election, the source of which only \$1 million was declared, so Tasmanians have no idea where three quarters of the money from corporate and vested interests paid to the Liberal Party came from.

About five months after that donation to Labor in February 2010, the Farrells gifted Labor another \$15 000. On the same day, they made a personal donation to Mr Bacon of \$1000 and, about three weeks later, a personal contribution of \$1200 to Ms O'Byrne for her campaign. In November 2013, Labor got \$20 000 and, in February 2014, Labor got \$5000 because the Farrells had seen the writing on the wall and they wanted a real return for their investment. It was silly, if you are looking for a good return on your investment, to put too much money into a Labor party that was on the nose.

Now we look to the Liberals, so that total of declared money that we know about is \$77 200. In the same period for the Liberals - and this does not include the millions that came in at the last state election - in July 2002, the Tasmanian Liberals were donated \$20 000. That must have been that point at which Will Hodgman said that we need to have a look at the deed because there was also a \$250 donation, or maybe it was not that date. In August 2002, the Liberals received \$1420.

In 2009, the Tasmanian Liberals received \$15 000, in 2010 they received \$15 000. It is nice to see, Mrs Petrusma, a personal donation from the Federal Group in May 2010 of \$275 and, in October 2013, a contribution to the Tasmanian Liberals of \$20 000.

I have no doubt at all that the Federal Group donated zero dollars to the Tasmanian Labor Party at the last state election. I have no doubt about that.

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

GAMING CONTROL AMENDMENT (WAGERING) BILL 2019 (No. 51)

Second Reading

Resumed from above.

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, before the break I was talking about some of the many, many millions of dollars that have flowed from the industry which is covered by the Gaming Control Act to both the major parties, and that money explains the evolution of gambling policy in Tasmania, which puts the big end of town, the big industry players, ahead of struggling Tasmanians who are dealing with the proliferation of poker machines in pubs and clubs in Tasmania.

While the shadow treasurer, Mr O'Byrne, could not bring himself to ask any questions about the tax arrangements that will be in place following the extinguishment of the deed and the move to an individual licence model, we will ask those questions. On behalf of every Tasmanian who recognises that the proliferation of poker machines in pubs and clubs has been a social cancer on this island, we would like an update to be given to the House on negotiations with Malawa Holdings or Federal Group or the Farrell family in relation to the tax arrangements that will be in place following the extinguishment of the deed and instituting of the new arrangements under the Liberals.

The last update was from 8 March 2019 in a letter, released under what I believe was our RTI request, from the Treasurer to Mr Farrell, where there is discussion about the cessation of the deed agreement and the Treasurer says:

I am writing in relation to the process for cessation of the exclusive arrangements under the Deed of Agreement between the State of Tasmania and Federal Group (the Deed) for the operation of some gaming activities in the state.

As you are aware, the Government announced its policy on the Future of Gaming in Tasmania in January 2018, which confirmed that the exclusivity arrangements under the Deed for Federal Group to conduct casino operations, operate electronic gaming machines and conduct games of keno in Tasmania will end on 30 June 2023.

For the current arrangements to end under the provisions of the Deed on 30 June 2023, the Government would be required to provide notice of non-renewal to the Federal Group by 30 June 2019 (due to the Deed's 'rolling term').

I seek from the Treasurer an update on the notice of non-renewal. Is he able to table a copy of notice of non-renewal to the Federal Group, which was, under law and the provisions of the deeds rolling term, to be provided to the Federal Group at the end of this year's financial year?

The Treasurer in his letter makes it clear that the new arrangements will be in place from 1 July 2023 and that the Government intends to introduce legislation to amend the Gaming Control Act 1993 to bring the deed to an end on 30 June 2023 as part of the Government's proposed legislation to introduce its future gaming market policy. He writes:

Due to the complexity of the legislative amendments required to implement the future gaming market policy and the need to appropriately consult on these amendments, the Government intends to introduce legislation no earlier than March 2020.

I take a pause at this moment to ask who is being consulted? Are there consultations that extend beyond the Farrell family, the Kailis Group, or any other owner of a venue with an interest in poker machines in Tasmania? Who is being consulted under the provisions of the Gaming Control Act 1993 and the changes that will come into place as a result of amendments to that act early next year? Is the community sector being consulted? Is TasCOSS at the table, or Anglicare, or Hobart City Mission, or Shelter, Salvation Army, Red Cross; all those organisations that pick up the broken human beings who are left behind as a result of poker machine addiction and the predatory business model of this industry?

I go back to the letter. The letter, says the Treasurer:

... provides formal advice foreshadowing that it is the Government's intention to cease Federal Group's exclusivity through legislation rather than by a determination under the Deed not to renew the rolling term.

The Government has considered a range of options and has concluded that this approach provides the greatest level of certainty to Federal Group and the broader gaming industry and reduces risk for stakeholders.

At every step of the way on gambling policy in Tasmania it has been about certainty to the Federal Group. We have had governments being blackmailed by the Federal Group, making public statements, threatening to not build the hotel at Port Arthur, bleating that they could not find the money to refurbish that daggy old casino down there and that they needed an extension of the monopoly deed. It has all been about certainty to the Federal Group every step of the way. That is the key stakeholder here and the stakeholder to which both parties give the greatest hearing on the issue of gambling policy.

The broader gaming industry; who are those players? Obviously some of them will be Liberal Party donors, we know that. The letter says this reduces risk for all stakeholders. Again, it is a narrow and nasty analysis of what risk is and who stakeholders are. The risk of extending poker machines in pubs and clubs through an individual licence model to the year 2043 is that we will see more people die by suicide, more people lose their homes, more children neglected and abused, more people presenting to drug and alcohol counselling services and support services. We will see more people put out of work and more families break down. That is where the risk is with this policy.

The most important stakeholder we serve every day is the Tasmanian people. We swear when we are elected to speak for the Tasmanian people and to work every day in their best interests. I believe there is only one small group of people in this place who apply that every single day. Unlike the Labor and Liberal parties, we will not be bought. We will not stay silent because we have been paid to do so. We will not cave in like Labor under Rebecca White did on this policy. We will scrutinise this bill that we have here today, clause by clause.

We will start with querying, for example, why it is even called the Gaming Control Act. It is not a game, it is gambling. When euphemisms that hide the true nature of something find their way into statutes, you have a problem. It is a bit like talking about what is happening to the climate as only 'climate change' because the word 'change' does not have the same terrifying connotations as global heating.

This should be the Gambling Control Act 1993 and we will certainly be having that discussion on the way through, with the horses.

While I have not had the opportunity to go through the legislation clause by clause on my own or have a briefing, I note that in the second reading speech, the Treasurer talks about a potential return to the racing industry from the point of consumption tax that is in this amendment bill. This is the racing industry that already benefits from \$30 million each year in an annual subsidy to prop up the three codes.

I will continue my contribution in Committee.

Time expired.

[2.42 p.m.]

Mr TUCKER (Lyons) - Madam Speaker, I rise this afternoon to make a very short contribution on this bill. One of the greatest global challenges to the way we make consumer choices in the twenty-first century has been the introduction of the smartphone. The smartphone has transformed the way in which we keep up-to-date with local, national and world news. It has changed the way we receive and access information and has opened up a whole new world of online retail.

It is remarkable, when reflecting that before Steve Jobs launched the iPhone in January 2007, we would have to physically visit a retail store to make a purchase or, for example, enter a bank to make deposits or withdrawals. Similarly, only 12 years ago, if you wanted to have a bet on a thoroughbred, trotter or greyhound or speculate on the outcome of the AFL grand final or the state election, you would have to go to a race track, visit a TAB as it was called in those days, or visit a pub or club to invest in your interest.

The introduction of the smartphone, supported by the development app technology, has led to the emergence of a significant number of online wagering services. It has become increasingly popular for consumers to purchase a wide range of wagering products and experiences. The market demand for online wagering services is significant. Aside from the popularity of racing products in Australia, there is a solid demand for betting options on worldwide sporting events, and even betting on the outcome of elections.

There is no denying that the desire for people to have a punt is part of the Australian DNA and to ignore this and not have the proper legislative framework and checks and balances in place, would be irresponsible governance.

The Tasmanian racing industry is a vitally important part of the state as it contributes over \$103 million to the Tasmanian economy annually. The importance of this industry cannot be overstated. More than 5500 people are employed, or are direct participants, in racing in Tasmania and the majority of these are directly employed in the sector work in rural and regional areas.

With the introduction of a point of consumption tax, Tasmania becomes the last state in Australia to introduce a wagering consumption tax that is largely based upon legislation passed by other eastern seaboard states. Importantly, the point of consumption tax will net additional revenue for government services as well as the Tasmanian racing industry, a sector industry that is very important to this state and, as stated previously, is especially important in regional and rural areas.

It is interesting to note that there is in excess of 20 corporate bookmakers licensed in the Northern Territory providing consumer wagering services in what is a very competitive market.

The Government recognises the increasing popularity of online gambling and reaffirms its commitment to strengthening wagering regulations through the amendments being introduced under this bill. This commitment aligns with our proposed amendments under the future gaming market policy reforms to increase funding to support harm minimisation and the development of a new suite of educational material designed to inform online gamblers.

Tasmania's harm minimisation framework is well established through a combination of legislation, a mandatory gaming industry code of conduct and various rules and technical standards administered by the commission. Tasmania's framework is already widely recognised as national best practice and is broadly more stringent than the national framework.

The current act does not allow for the regulation of new technological arrangements between licence holders and third-party cloud storage providers, where regulated gaming equipment and records might be stored on remote third party servers and accessed from the internet. From time to time, legislation requires amendment to take place and be modernised to address emerging issues. The amendments futureproof the act to provide for emerging technological advancements of gaming systems and for the commission to impose conditions on any approvals.

Madam Speaker, this bill achieves this at all levels.

[2.47 p.m.]

Ms OGILVIE (Clark) - Madam Speaker, digital technology is changing every industry in every way, shape and form, and the disruption from digital technology is something that smart industries will respond to and address and build upon as they move towards the future. The racing industry is no different.

I had the great benefit of having time, because they were so flexible, to be able to sit down with members of the racing industry, and in particular, the Tasmanian Racing Club members. I was very interested to see how up to speed they were with changes to the industry, not just here, but across the nation, and internationally as well.

We know that the racing industry is in a state of change and it is an industry that needs to be further strengthened and built upon. We have such a proud tradition of our agricultural industries. Racing is no different to that, except for the fact that it is also entertainment, it also cuts across gaming, and we have a very Australian love of going to the races. We have seen that recently with the Melbourne Cup.

Tasmania could do more. Given that we are going to raise some more revenue through the new taxation arrangements that come into place, it seems to me that there is an opportunity here to be able to build upon what we already do quite well. Examples of this that we have discussed today include our ability to create more of a central, regional area for best of breed - no pun intended - management, and maintaining of both stud horses and also race horses. These things will help us build, not just within this industry, but across our university and our technology sector and research and development as we are able to bring together industry players to work on doing these things in concert.

Like any other industry, the Tasmanian racing industry is starting to think about what its future should look like and this is a very positive step.

My understanding is that this new measure that we are bringing in today has their support and that they have really championed the changes that we are seeing today. There is a great desire to see some of that revenue not just end up in consolidated revenue, but come through the Tasmanian racing board into industry by way of increased stakes. I believe that is the anticipated trajectory of some of the revenue that is raised, but I would be interested to hear more about how the cash flows in that regard.

Every industry benefits from expertise and the digital technology sector does have a lot of expertise it can bring to bear on all businesses and industries in particular.

Analogous to racing is football. I have been involved with football and the management in running competitions. If you look at the way the game, betting and wagering has changed, television rights and the big business that is now the AFL in particular, there are some analogies to what we can or should be doing in Tasmania. I understand when we are benchmarking our industry nationally, we do look more toward country Victoria and those big centres of Geelong and Ballarat to benchmark how we are doing as an industry. It is also my understanding that we could do with a little more amping up in the local industry. Tasracing should be no different from elsewhere in our nation in being able to run these sorts of things well.

There is a question, one for the minister perhaps, as to whether the Tasracing leadership team may be strengthened by some more expertise, particularly from the horseracing sector. We have to run good businesses and the board does do that, but I wonder if there is some depth of knowledge that could come forward. There are important collaborations that go on across racing within the state.

Reflecting on Mr O'Byrne's contribution, there are about 5000 people directly or indirectly involved in the racing industry. Those jobs are very important because they cut across a variety of skill sets, from strappers through to jockeys and the digital technology of gaming, media management and those sorts of things. It is a sector that has a vertically integrated pathway and we are looking for those in Tasmania, things we can do well and these niche markets. I cannot underscore enough the necessity, and this is a prime example of it, of getting all of our industries into shape for the era of digital technology and, in particular, online gaming, which can happen from any location. How we respond to and address that will be the measure of how we can manage important industries such as this.

I have a couple of questions for the Treasurer, and perhaps the minister, depending on who wishes to answer them. I note there is a desire for a strong strategic plan for the future. Perhaps we could hear some thoughts on how that might occur, to come up from the grassroots level of

industry. We would be interested to know also if the Treasurer is intending to commit to delivering funding from the point of consumption tax to assist with that sort of planning. Perhaps that is something that could be considered. Strategic goal setting across industries is essential. We would like to see stable industries and that issue of stability is step one, with a strong foundation as we have seen in football land, and we can build further upon that to create whole-of-industry improvements.

I was taken with the thinking the industry was doing with veterinary studies and hospitals and the capacity to do some interesting things with breeding programs. I believe this is an area in which our university could become engaged. They do not run a veterinary course at the university but I see no real reason why we could not. There are some economics in that but that it is something that would be an amazing thing to have on the island.

We are particularly interested in how the revenue flows that are derived from this tax will be distributed, whether they will hit consolidated revenues or whether they are all going to be directed more towards industry and how that will occur. We have about 5500 direct and indirect jobs across the state. I would like to hear more about that and there may be opportunities to grow that number. I would be interested to know more if that is the case. In terms of the funding breakdowns, if they have not been finalised, it would be a cry from industry and from those who support racing, and we love our animals, to make sure that as much as possible goes back into the industry to support that effective and sustainable growth, to take care of the integrity of the industry, care of animals, training, research and development and those sorts of things.

By way of disclosure, I did sit on the integrity board for the racing industry for a number of years and it was a very interesting, eye-opening experience. We did not have a lot of cases come before us, so that is very much a positive, and those we did were some older, more traditions types of behaviours that had or ought to have been phased out. The integrity of our racing industry is fairly high and it is important to ensure that we maintain that.

When we are looking at industry, we have to look at the regulatory aspects as well to make sure that we do all that we can to give that guarantee that when somebody is engaged, working, involved in the industry, enjoying a day out watching the races or being engaged in one of those events, that it is done with the highest levels of integrity and particularly so when it comes to gaming and wagering. These things rely a lot on confidence that what they call the product is safe, secure and well run, and that the betting systems algorithms and digital technology that sit behind those systems are also well maintained and are state of the art. I would like to see a little bit more thinking and resources go into setting up the industry for the next 30 years in the best possible way.

Racing Clubs Tasmania seems to me to be a very good organisation. I know it is fairly new. It includes: the Tasmanian Racing Club, which is the Hobart thoroughbred racing group; Tasmanian Turf Club, which is a Launceston thoroughbred racing group; Devonport Racing Club, which is the north-west thoroughbred racing group; Tasmanian Trotting Club; the Launceston Pacing Club; Hobart Greyhound Racing Club; and Launceston Greyhound Racing Club. I reflect on the analogy of community football land where, if you are able to bring people under the banner of a single voice, it does help to set an agenda for the future of an industry.

Mr Gutwein - Hear, hear.

Ms OGILVIE - Indeed, we have had that experience ourselves, and to create a stable platform for going forward. The next thing here is to support what this group is doing and see if we can build upon that to enliven and elevate the industry for the next 30 to 40 years.

I understand that all of the clubs that I have mentioned have representation at the RCT Board table and there are several consultants involved. By all accounts, they have been doing a good job. The RCT, as it is currently known, was established to lobby for a sustainable Tasmanian racing industry, and they are certainly doing that job, and to ensure that there is sufficient funding to support and grow the industry. I understand it has been in existence for about three years. Andrew Scanlon is the Chairman, with Chester Bullock of the Launceston Pacing Club as Deputy Chair. Currently, they do not have a website but with a modicum of funding that could be remedied.

Some issues might be on people's minds regarding what is certainly all about love, care and desire to protect animals, beautiful racehorses in particular. I am assured that the Tasmanian Racing Club, like all of us, was appalled at the distressing footage of the interstate issues with thoroughbred horses. They take a very strong position in relation to this, that there is no excuse for that type of behaviour and it would be a negative thing for the industry and their own businesses to enable or sit by while that sort of behaviour occurs. I am very pleased to see that they have taken a very strong stand in relation to that, so much so that they have published their position in relation to it.

Racing Clubs Tasmania supports the introduction of the point of consumption tax at 15 per cent. They see it as a potentially important new component to help Tasmania's racing industry to be sustainable and to grow. That will depend somewhat on where the monies flow. Perhaps the Treasurer will give us an overview of where those funds are anticipated to land and in what percentages. The present funding of the industry relies on a funding deed which is currently set at \$31 million and it has about 10 years to run, so it is currently underway. That funding came from when the TOTE was originally sold.

Race field fees is another source of revenue for the industry. Whilst it is very good to have multiple sources of income, as we would all appreciate, there is a need to accept that the racing industry could go to a new place, a new future, that builds upon what we have but takes us into a higher level of not only how we manage the racing industry itself and wagering but also how we care for and how we look after our horses, our animals and our agriculture sector. Tasmania has always been associated with horses and horseracing. I have an Irish husband and I think the Irish do it particularly well and we can take some learnings from there with race tracks - particularly the fashions, of course, which I happen to like.

The present settings are around the point of consumption tax. We have settled on 15 per cent as it is in Queensland, the ACT, South Australia and Western Australia, and it is 10 per cent in New South Wales and 8 per cent in Victoria. I understand the arrangements in those other states with Tabcorp differ so there is probably some reasoning around that. I would be interested to hear why we have settled on the 15 per cent, although I appreciate it has support. My understanding is it is likely that the income from this tax is going to be between \$11 million and \$12 million per annum, with potential for growth. I am interested to hear a little more about what will actually land.

I am particularly interested in understanding - and this may be more of a digital technology question - how we are going to measure and capture this point of consumption tax part when it comes to working on phones and mobile devices. That will require some technical expertise but I am interested to know where that will head. I have been watching with great horror and concern the increase in offshore online gaming and shadow betting where people are able to bet on lotteries,

not by taking a ticket but by betting on the outcome of particular draws in the lotteries and that kind of stuff. Also for the integrity of the industry and the safety of our kids as well, who are now all online, I am concerned about that because that is a new frontier in gaming and wagering.

I was listening previously and heard some discussion around pokies. Of course that is a major issue but we have this tsunami coming which is the offshore online gaming as well, where kids now can effectively bet or purchase whilst they are playing PS4 games. That is certainly something we struggle with in my house where they are quite often asking to borrow my debit card to buy an upgrade. That is getting them used to doing things that I do not particularly want them to do.

I understand the state Government wants to continue to keep the equivalent of \$7 million but that may well be going into a racing industry body. What is the split that would go back into industry for stakes in particular, and will Government now continue to support its own racing industry body? I want to be sure we are not enabling one group effectively to cannibalise the income stream that might now be available to grow and improve our racing sector.

The questions specifically that would be helpful to know the answers to are: what additional funds might be available for racing industry participants under the new arrangements? Could we get some assurances that we will not see other funds diverted away from current racing industry bodies and current arrangements will remain in place so that additional funds can flow into the sector? Why don't we also look at whether corporate bookmakers, perhaps other than Tabcorp but the big boys nationally, pay a wagering licence to operate in Tasmania? That is perhaps a fruitful bit of thinking we could do in the future: whether the Tom Waterhouses of this world ought to be paying us a fee, and if you go down that path, Treasurer, I will hold you to it to put it directly into stakes for the industry.

Mr Gutwein - Not health or education?

Ms OGILVIE - Wagering operator licences outside of Tasmania generate quite a lot of revenue and rather than having government supporting everything, it would be better if the industry itself could seek to fund some of that.

Ms O'Connor - You just argued against your own point.

Ms OGILVIE - No, adding to it - at the heart of what we think could happen.

I will leave it at that. I understand that this point of consumption tax has a high degree of support, and I believe it makes sense. I am not a gambler myself. I just do not do it. It is not in my DNA. I do like industry development and this is an industry we could improve upon in a positive way and I would particularly like to see where the money flows will land and whether we are in agreement that some good strategic planning from here on in might be a good idea.

Greens members interjecting.

Madam SPEAKER - Order, Ms Ogilvie is on her feet.

Ms OGILVIE - Thank you, Madam Speaker. There were quite a few questions in there for the Treasurer and the minister, and I am interested to hear the answers.

[3.07 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, my comment by interjection was in reference to the fact that Ms Ogilvie used to be in the Labor Party and that once upon a time -

Ms OGILVIE - Point of order, Madam Speaker.

Ms O'Connor - Hang on, you haven't heard what she is saying.

Madam SPEAKER - This could be in your favour, Ms Ogilvie, so hear her out.

Dr WOODRUFF - Once upon a time the Labor Party used to have principles on this issue, a very short time ago for a very short period of time. In the history of the Labor Party, once upon a time they had principles and that was for about four months last year, until they realised the error of their ways and they will never, ever make that mistake again.

I rise to speak to this bill and draw the attention of the House to what the real motivation of this bill is.

Ms Ogilvie - This is not a pokies bill, is it?

Madam SPEAKER - Come on, please.

Dr WOODRUFF - This is all about the money the Government makes from gambling and satisfying corporate interests. Fundamentally this bill has nothing to do with the lives of the poorest and most disadvantaged people who will be and already are being affected by online gambling, the world of digital technology which is bringing the addictive nature of gambling into people's bedrooms and onto people's trains.

Although Ms Ogilvie and other speakers might like to claim that this bill will do something about that, that is just a straw horse, Madam Speaker. What is really at play here is continuing the Liberal and Labor parties' support for their big donors, the major corporations of Australia that they make their money from and that has given them their reason for being, because this has nothing to do with reducing harm from gambling in Tasmania. It will do nothing except put money into the state coffers.

The Greens have no problem with raising taxes, none at all. If this was being applied consistently, if this Government was being consistent about the raising of taxes and the pushing down on harmful forms of activities, we would be right there barracking for them, but this demonstrates the utter hypocrisy of the Liberals on everything to do with gambling. On the one hand they would like to pretend to Tasmanians that somehow this bill will have an effect on online gambling. I do not see anything in this bill that is going to make any difference to whether my teenager or any other person in Tasmania can sit in their bedroom and gamble on their phone. We might like to pontificate about how worried we are about that but this is not going to have any effect on people's ability to do that. All it will mean is that the Liberals in government will make money from it. There is nothing in this bill about where that money is going to go, about hypothecating that 15 per cent tax into reducing harm. Nothing. We will definitely talk about that amongst many other things in the bill as we go forward for the rest of the day and however long it takes to ask the questions about this incredibly important issue.

This is fundamentally at the rotten heart of the Liberal and Labor parties in Tasmania. It was the Labor Party in 2003 that recommitted to this single, exclusive pokies licence that has given Federal Group the ability to continue to go on gouging money from, what we now know through the select inquiry and through the endless reports from TasCOSS and all the other organisations in

Tasmania who have to pick up the pieces on a daily basis, people who are heavily addicted to gambling.

It was the Labor Party that re-signed that exclusive deal so that Federal gets the money out of Glenorchy and all the poorer suburbs in Tasmania and they re-signed the deal that was brought in by the Liberal Party in 1993. A special deal. No-one other than the Liberal Party and a few close mates with the Federal Group wanted that to go ahead. Tasmanians were really clear they did not want to have pokies in the suburbs. They knew what it would do. They knew it and here we are, decades later, and we are seeing it every day, every single day.

The Liberal Party was never going to change its mind before the last election but the Labor Party took a principled position to the 2018 election, a principled position or so they would have people think. But they did what the Labor Party does when they are pushed by their corporate donors - they rolled over. They got the minimum number of seats they could to get back in and then they rolled over.

Mr O'Byrne - It must be so hard being so pure. Just looking at other people. So pure. You are unbelievable.

Dr WOODRUFF - Yes, Mr O'Byrne, we do listen to the community. We listen to the signs. We listen to the community; we listen to the people who are trying to do the right thing in Australia. We do not back Adani. We do not take money from dirty coal, gas and gambling industries. We do not take it from the tobacco industry, unlike the Liberals who do, or who did, take money from the tobacco industry only a few short years ago.

Mr Gutwein - You have taken money from gambling.

Dr WOODRUFF - We do not support this criminal level of corporate influence over politics in Australia. The decisions that governments make ought to be in people's best interests.

When I looked at this bill the question I asked was, why? Why introduce a point of consumption tax? It is written here in the bill, it is because UBET Tas is having to pay a tax but digital online places are getting away with not paying money to the government. The government would like some of the money. The Productivity Commission would insist that there is a so-called fair playing field for corporations in Australia. What that means is it is a fair playing field for corporations to gouge anything they want out of the community and there is no external costs assessed in that fair playing field. There is no social impact assessed, there is no health affect assessed, there is no environmental affects assessed. The fair playing field does not cost the externalities of all those things because if it did we would not have an Adani mine being approved. We would not have an exclusive monopoly deal for pokies for Federal Hotels in Tasmania which this Government and this Labor Party in opposition back-in until 2043. Disgusting.

This bill is about hypocrisy, to pretend that it gives a damn. For this Treasurer to pretend that he cares at all about the impacts for people, the poorest Tasmanians, who are at risk of being addicted to yet another form of gambling, it is a disgrace. It is totally true.

Ms Archer interjecting.

Ms O'Connor -You get up there and debate with Dr Woodruff on the substance.

Madam SPEAKER - Excuse me.

Dr WOODRUFF - If they did care about the impacts of people from online gambling then they would do two things.

Ms Archer - People in glasshouses.

Dr WOODRUFF - Madam Speaker, the minister, by interjection, would like to say 'glasshouses' as though the Greens do not take these issues front on and consider how we would do things if we were in government. We costed an alternative budget this year that does not rely on the stinking money that Federal Hotels gouges out of the poorest people in Tasmania. We have done the work. The Labor Party did not even do an alternative budget. They never do. They never show their colours. They never declare what they are going to do and if they do they change their mind anyway. Basically, it would be a waste of paper because every single policy they have had in the last term of government they seem to have walked away from.

Members interjecting.

Madam SPEAKER - Order, order.

Dr WOODRUFF - We costed taking that out of the budget and the Treasurer could do the same. The Liberals could do the same. We do not have to rely on getting the money for Tasmania to go ahead into the future from the poorest people in Glenorchy. That is not where we should get it from. Millions and millions of dollars have left this island to go to a family in Sydney when they should be here. It is totally criminal. It is a total hypocrisy because the first thing, if the minister was interested in that, if the Treasurer was interested in caring about people's health, then we would be getting rid of that exclusive pokies licence. He would make sure it was gone because there is nothing different about the level of addiction from electronic gaming machines than there is about a mobile phone device.

It is ludicrous to claim that there is something special and addictive about online device gambling because exactly the same technology is being used in electronic gaming machines. People are just as capable of being addicted, losing everything, losing their house, losing their ability to look after their children, neglecting them, leaving them without food, school clothes. It is utterly possible to do the same thing on an electronic gaming machine which this government enables in every pub and club that wants it in Tasmania.

Electronic gaming machines - every aspect of them is designed to enhance addiction. The payout schedule is designed, based on incredibly expert Pavlovian operant conditioning techniques. All the visuals and sounds are designed to create a hypnotic effect. The examination of electronic gaming machine patents shows an industry that is not just shamelessly aware of the misconceptions of gamblers but it actively tries to capitalise on those misconceptions. Political parties seek to capitalise on those poor people by profiting from the taxes that are taken from Federal Hotel's exclusive monopoly licence in Tasmania.

We know that the same companies that are peddling those awful pokies machines are also the companies that are producing that form of gambling on mobile devices. They are one and the same. There is no point pretending to differentiate them. What we are doing here today is the Government is taking its little bit of fair share of this dirty money that is being made by corporations, most of which are overseas, but Australia plays its part in developing that technology, I am ashamed to say.

Some of it also comes from Australia. Let us be clear: the taxes we are raising through this bill come from the gambling that is undertaken by people who are heavily addicted. It is really disgraceful. We are complicit in continuing to allow that addiction. I am not surprised that the Labor Party would be comfortable supporting this because their attitude seems to be, 'Well, if we can't change it we'd better just go along with it because what else can we do, it's going to happen anyway'. The end of the world is coming so let us all go along with that. There is no resistance and also no shame.

Huge advances in digital technology are driving these incredible advances in what is called Turbo Boost functionality. There are multimedia displays that mean people can gamble and multitask by watching movies or using other gambling streams at the same time, such as horseracing. It has advances in music control configuration, changes that allow pokies users or digital technology users to change the appearance of the machine or the format of their phone or other device to their taste, so people can personalise it and make it whatever colour or decoration they like. This is all about sucking people in and keeping people involved.

I do not know if members have seen the movie *WALL-E* but it has an image I always come back to in times like this. It is a cartoon about a future world where the world has been obliterated and there is just a bunch of machines going about clearing up rubbish. Meanwhile all the humans have left on a spaceship and they are being intoxicated by floating around in these soft little pads and sitting on the equivalent of airbeds like they are beside a pool, but they never get out of their bubble. They just have their machine in front of their faces. The hero of the story is a cute little mechanical object that is looking to find the seed that has the plant that is the way to break the spell of this essentially dysfunctional civilisation.

We are trying to break the spell of people who do not understand the link between nature and life, the link between removing ourselves from that addictive abyss into a space which is dark and takes us away from other human beings. It takes us away from communities, it removes us from the natural world and disconnects us from the relationship that we have and our fundamental subservience to natural systems. This continuation with business as usual that the Liberal and Labor parties are themselves addicted to is leading us closer to an abyss where we are less and less capable of finding our humanity and doing the things we do which are life-affirming. One of the life-affirming things we can do is to reject addictive gambling, to say no to predatory corporations which are only about their own self-interests and find other ways of getting money so that we are not reliant on the most vulnerable people in the community, the poorest people, and the damage it does not just to them but to the lives of the children, their friends, their families and the rest of the community who have people who are not able to cope, who act out and are incredibly unhappy and depressed because of gambling.

This bill will not do anything about that. This bill will just make sure that the Treasurer has a little bit more money, by the sounds of it not even for him to put back into harm reduction but to put into Tasracing, another cruel, totally unnecessary industry that produces nothing of value that could not be found through another mechanism. People love horses. I love horses and I own two. Why would you want to breed them up just so thousands and thousands of them can be sent to the abattoir each year because they are not making enough money. We cultivate an industry which breeds baby horses, most of which in Australia end up in the abattoir. They do not make it long enough to live their lives out in pastures, let us not kid ourselves. We are in a breeding program to make money for trainers and owners and for people to have fun betting on.

We do not want to live in a society where we make fun from cruelty to other animals or other people. The Greens stand for reminding us all that we do not have to do it this way. It is not benefitting us as individuals and as a community to make money in this way. If the only reason we are doing this is to somehow right some balance that the Productivity Commission demands of us so that there is not a disconnect between online betting operators who are not currently licensed and taxed and those such as UBET Tas who are subject to a levy for licensing and tax arrangements. Let us change the whole equation.

Speaking of equations, which we are coming to later in this bill, let us change the equation where we talk about what we really want to get here. We want to have practices that are not exploiting other people and animals through cruel exploitation to make money for a corporation or for a bit of fun for other people. We can do it another way.

If there was a serious intention to do something about the prevalence of online gambling, I would expect to see a discussion from the Treasurer about how this tax is going to be hypothecated and what it is going to be used for. If we have a 15 per cent tax worth \$7 million, how is that money going to be used to better Tasmanians who are already being affected by a much higher amount of online gambling? We know that the harms include suicide, depression, relationship breakdown, lowered work productivity, job loss, bankruptcy and crime.

Let us talk about that from a money point of view for the moment. Loathe as I am to put it into that metric, it may be something that the Treasurer understands. The costs to Tasmania and us as a community from each person who is depressed, whose relationship breaks down, who attends work less, who loses their job, who becomes bankrupt, who breaks the law, or who ultimately takes their own life, are massive and growing. That is something we could use, were we to go with the tax, in a way which could attempt to minimise those harms in a meaningful way, not just in the lip service way this bill uses.

This may be the first and last time where the Government talks about harm reduction in the context of this tax. Ultimately, as far as I understand, it is just a ploy that is being used to put some framing around the tax and make it sound as though it is coming from a socially useful place.

The bottom line is, the money needs to go directly to harm reduction programs, support for families who are in relationship crisis and relationship breakdown, support for family violence programs, support for women's shelters, support for TasCOSS and the outreach work they do in the community, support for the Salvation Army and the work that they do with the poorest people, support the Neighbourhood Centres who are there picking up the pieces of people and children who come to them because - as I spoke to someone at Maranoa Heights, who have children who are as young as 10 and 12 coming to get food from the garden because Mum and Dad are not there - there is no food and they are not getting fed.

This happens. It happens from gambling in Tasmania now. The Liberals knew this. It was all talked about before the election. The Labor Party knew this. They pretended they cared and then they changed their mind. Those are the people who should be getting the support from this tax, not going to some generalised coffer of the Treasurer's to stash it aside for the next election so that he can make sure that he does his best to get re-elected. What is the point in being the Treasurer if you are not going to use the power that you have for the good of the community? We would like to see how that tax is going to be spent in detail.

The Gaming Control Act 1993 established an exclusive right to conduct casino operations and operate gaming machines in Tasmania and it did give the Federal Group the exclusive right to operate gambling machines, pokies, in Tasmania and it provided a guaranteed revenue to the Crown in schedule 1(A)(2) guaranteed revenue to the Crown, in respect of casino gaming machines, tax of \$21 400 000 in respect of the financial years 1996-97 to 1999-2000. That was in 1993 but we can see that was an agreement between the Liberal Party at the time and Federal Group, an agreement to make money and an agreement about where the money was going to be split. Federal Hotels was going to get an exclusive licence, they could take money from the community; that is the place it comes from. It does not come out of the sky. It does not come from the mainland, it comes from the community. Meanwhile, the Crown, the Liberal Party at the time, was assuring itself it would get a good cut.

The Labor Party went on and renewed that in 2003, 10 years later, just to make sure that they kept the good cut coming. This is a bill that is getting a cut from gambling revenue. It is getting a cut and that cut should go to trying to stop the gambling in the first place, because it is only when we do so that the people who are most at risk are going to benefit. They are the people we have a responsibility to put first every time. Isn't that why we are here, to look after people who need it and to do what we can to make their lives a bit more bearable rather than adding to their misery?

We will continue to ask questions about this and I look forward to the Treasurer's detailed explanations as to where that tax will go in the state budget.

[3.35 p.m.]

Mr GUTWEIN (Bass - Treasurer) - Madam Speaker, I will do my best to cover the matters that have been raised but note that we will be going into Committee.

Mr O'Byrne - Could you cover the movie as well?

Mr GUTWEIN - I might stay well clear of that. I thank all members for their contributions. The Government's position is clear. We have said no new taxes on Tasmanians, and even the shadow treasurer will accept that this is taxing corporate bookmakers, not Tasmanians. It surprises me that he missed that. I thank Labor for their support. In terms of the rate of 15 per cent, I note it has been Labor's long-held position, albeit through a different shadow treasury spokesperson.

I will deal with some of the matters raised in as much detail as I can. First, did Treasury do any financial modelling? Yes, they did. They modelled different options for the POC tax frameworks implemented by other jurisdictions. They also reviewed a range of information from the Tasmanian racing industry and corporate bookmakers. In particular, they analysed the experience in South Australia, the first to introduce POC tax.

Mr O'Byrne - Will you release that? Can we see the content?

Mr GUTWEIN - No, I am not prepared to release Treasury modelling. We do not do that. In terms of the South Australian racing industry, you made the point and it was well understood at the time; they were the first cab off the rank. They were targeted with punitive action by corporate bookmakers to some degree, which included less promotion of events or not at all in the South Australian circumstance.

There have been a number of reports, two in particular regarding South Australia's experience. I refer the member to them. 'Towards a level playing field', which was a state budget submission

from the South Australian Thoroughbred Racing submission, claimed that the POC tax rate would generate wagering growth and deliver the South Australian government equal or better revenue. The second was 'Betting Operations Tax Revenue Options', which was commissioned by the South Australian government and prepared by the South Australian Centre for Economic Studies. They also raised some matters. Elasticity of demand with respect to price was significantly overstated by the racing industry and that lowering South Australia's tax rate would not have the impact of increasing tax revenue and little impact on restoring the level of race field fees.

During consultation with all stakeholders, Treasury specifically sought advice and evidence of any impact of the POC tax on race field revenue. The peak racing industry's advice was the vast majority of people betting on Tasmanian races are not necessarily price sensitive, and somewhat less than 15 per cent are considered sophisticated betters who would pursue better odds. This is the point to make: POC taxes are well-embedded nationally and Tasracing advise that approximately 90 per cent of people betting on Tasmanian races are outside of Tasmania, which means they are already operating in a POC tax environment.

As we are not taxing free bets, in terms of the tax rates in Victoria and New South Wales respectively, the inclusion of those free bets in those jurisdictions has the effect of taking the tax rate up significantly, or the effective tax rate to around 12 per cent and 14 per cent respectively. Even in those larger jurisdictions, they are not considered to be that out of step with the rest of the country at those rates. My understanding is that the reason those rates were negotiated was because of the corporate arrangements in place in those states. In an earlier discussion on this and one of the reasons we have taken our time, is that harmonisation of tax across the country was seen as the most appropriate way forward. The expectation was that those large jurisdictions would land at 15 per cent as well but because of existing arrangements, they have landed at lower rates.

In terms of the arrangements with UBET Tas, Tabcorp and the expected revenue on this was a point that was raised by a number of members. The expected return from the POC tax is \$10 million plus the \$1.5 million that is paid for exclusivity which is levied.

I make the point, and it surprised me when I first became aware of this, that the arrangements with Tabcorp that were struck in 2012 had both an exclusivity arrangement, which was for 15 years through to 2027, and a licence that runs through to 2062 with an option to extend for another 49 years to 2111, which is a long-term deal in anybody's language. Without wanting to pick a fight that is not there, that was signed up to under a Labor-Greens government. I make that point.

Tabcorp argued during their submission on this that one of the principles entered into in 2012 in terms of their position, post the sale of TOTE, was that they would be in a no worse-off situation. Therefore, that principle was carried forward in the negotiations here and although they were paying, broadly speaking, around \$7 million a year at the moment the \$6.5 million figure in total was landed on, noting that there will be growth in the tax base of 15 per cent because that will grow with the growth in the industry. It is not linked to CPI as the previous agreement was, so there will be growth.

Mr O'Byrne - You are assuming growth?

Mr GUTWEIN - There has been significant growth in online gaming, as you would well be aware.

Mr O'Byrne - True.

Mr GUTWEIN - In fact, double digit growth at times, in online gaming. The decision was made and they would argue that they should pay no more than the 15 per cent tax but then they have an exclusive right to their terrestrial operations here. A figure of \$1.5 million was landed on as being a reasonable figure that actually pushes their total payment well above the 15 per cent that other corporate bookmakers would pay.

There is some validity to the argument that was made that the online gaming behaviours that occur today are vastly different from those that were occurring in 2012. In the terrestrial betting shops, if I can call them that, you can be betting with Waterhouse or you are sitting there in a Tabcorp exclusive venue and you can be betting on everybody else's product bar theirs.

Mr O'Byrne - The \$1.5 million was basically a negotiation?

Mr GUTWEIN - It was a negotiation landed a value for exclusivity arrangements through to 2027. In terms of the longer-term licence, there would need to be a negotiation by a future government of the value of that exclusivity arrangement in 2027 and on, if there is still a value to it, noting how the industry has developed over the last period, or certainly in this last decade.

Mr O'Byrne - Did they submit to you their total cost in running that terrestrial network?

Mr GUTWEIN - What we did, from our side, was to consider the total costs in regulating it and, importantly, what we thought what was a reasonable value for the exclusivity arrangements.

Mr O'Byrne - You did not think of trying to line it up to seven with their current -?

Madam SPEAKER - Do you mind doing it through the Chair, please.

Mr GUTWEIN - Obviously you start at the highest number you can and you negotiate.

Mr O'Byrne - So you rolled over, did you?

Mr GUTWEIN - Their starting position was that they should pay no more than any other corporate bookmaker, which is 15 per cent or five, and we have landed at six and a half with a revenue stream that is now growing at a faster rate than it was before. I think it is a reasonable outcome.

Everybody has a view on how this money should be spent, apparently. What I said in the budget speech was that we would share the proceeds appropriately between the racing industry and the government. At the moment we are consulting with the racing industry as to what that share should be. Again, we will be discussing this with all of the three codes and through the minister with Tasracing and looking to come up with an appropriate share.

Mr O'Byrne - Is it your view we should go to Tasracing, or is it -?

Madam SPEAKER - Order. Does anyone know I am in the room?

Mr O'Byrne - Through the Chair.

Madam SPEAKER - Thank you. I would like manners remembered, thank you.

Mr GUTWEIN - Madam Speaker, through you, we are currently negotiating that at the moment. Based on our forecast, it will deliver up to around \$5 million in additional revenue and I am certain that everybody in this state understands that from the state's point of view, we have a range of government services - health, education, affordable housing - that we need to take into account and, from the point of view of the racing industry, they want to ensure that they receive -

Ms O'Connor - They are going to continue to suck off the public teat.

Madam SPEAKER - Excuse me, they are going into Committee. There is plenty of time for chat later.

Mr GUTWEIN - They want to ensure that they receive what they consider to be an appropriate share as well, so we are working through that at the moment. We will publicly announce those arrangements once they are finalised but we are still in the process at the moment.

The shadow treasurer, specifically, and the Leader of the Greens talked about the Trackside product. This bill enables Trackside, which is effectively automated computerised gaming, computerised wagering on horse races or dogs, but on the screen in one of the terrestrial locations. My understanding is that it is currently available in New South Wales, Victoria and the ACT. Licences are being negotiated in the Northern Territory and in South Australia, and discussions are underway in Queensland. At the moment, the current gaming deed precludes other operators from offering that product.

Certainly, in my thinking, post 2023 there would be the opportunity for an application to be made through the commission to offer this product.

Ms O'Connor - Offer this product? You mean, find another way to suck money out of people?

Mr GUTWEIN - Look, you made the point that you would rather people be betting on an automated game than betting on real horse races.

Ms O'Connor - But you are calling it a product.

Mr GUTWEIN - You can have it both ways but there is real interest in Trackside.

Mr O'Byrne - Through the Chair, are you saying that Trackside will not be in this state before 2023?

Mr GUTWEIN - As it currently stands under the current arrangement with the deed, it cannot be. It certainly cannot be offered by Tabcorp under the current arrangements. The bill provides through this, the Trackside product can become an endorsement on their licences. They have multiple endorsements so they can have that endorsement, but it is a matter of them being able to apply for the product, which currently they cannot.

I will just make certain I have explained that properly. I am not getting any massive shakes of the head. Good.

A number of questions were raised in terms of the bill and I am not going to stray again to other matters. This is an important bill to get through. This is one I thought the Greens must have supported because it taxes corporate bookmakers and brings revenue -

Ms O'Connor - We did not say we were going to vote against the bill.

Mr GUTWEIN - into the state, which is why I thought you had not requested a briefing.

Ms O'Connor - You tabled it 48 hours before you brought it on for a debate.

Mr GUTWEIN - The member for Clark made the point, and I wrote this down, that 'we are used to bills being tabled on Tuesday and being debated on Thursday', and it is one that, noting -

Ms O'Connor - We are sick of it.

Dr Woodruff - Yes. In a bad way. Not in a good way. It is your rubbish approach to parliament.

Mr GUTWEIN - No, but again, noting the sitting times that we have and the expectation that we would like this legislation to be in place so that we can begin in the new year, thought that it was perfectly obvious to anybody that we need to pass this legislation today so it can be considered by the upper House after it has appropriately matured in the sittings that are available to the Legislative Council. I was surprised but I took the view that no briefing was required because we were taxing corporate bookmakers and that the Greens would be happy with that.

A range of matters were raised by Ms Ogilvie and, in a large part, she had a very strong interest in how the additional revenue that is raised would flow. We believe it should be appropriately shared with the industry and we are in those discussions and negotiations at the moment.

There was a matter raised, and I am not the Racing minister, as to the leadership team of Tasracing. My understanding is that the board has representatives from the racing industry that represent the three codes as well as individuals with other skills.

The point was made by a number of speakers, the shadow treasurer and Ms Ogilvie, that the racing industry provides support for many families who work in it, especially in the north-east. There are many families and people who derive an income from the racing industry and it is an important industry for the state. The industry structure has changed over time and the sale of TOTE, which generated, and I have not asked Treasury, about \$104 million or \$105 million. At the time, my understanding was that the then government thought they would get a much better price for it but that was the price received. Since then, we have placed the industry on a growing income stream to the tune of around \$32 million this year in arrangements with the industry.

That broadly covers most of the issues raised. I will discuss matters further as we move into the committee stage.

Bill read the second time.

GAMING CONTROL AMENDMENT (WAGERING) BILL 2019 (No. 51)

In Committee

Clauses 1 and 2 agreed to.

Clause 3 -
Principal Act

Ms O'CONNOR - Madam Chair, the principal act describes itself thus, and I just remind the House that the Gaming Control Act 1993 was brought to the House and made law under Ray Groom's Liberal government, and then the deed was extended under the Labor Bacon government. The Gaming Control Act 1993 in its title describes itself as:

An Act to make provision generally in respect of gaming and wagering, to provide for the supervision and control of casinos, gaming machines, keno, lotteries, lucky envelopes, gaming by telephone and other electronic means and other gaming and to provide for related matters

Treasurer, you did not answer any of the questions that Dr Woodruff and I asked. You glibly dismissed them because they did not go to the specific causes in the amendment bill, but we are debating amendments to the Gaming Control Act 1993 which covers casinos, gaming machines, keno, lotteries, lucky envelopes, gaming by telephone and other electronic machines. It is contemptuous of this place not to at least go somewhere near some of the issues we raised, which are valid issues. My question to you on the principal act is; can you explain to the House what the difference is between gaming and gambling and do you agree that playing a poker machine is not a game, it is gambling with your money, and accessing online gambling sites is not playing games, it is gambling with your money? Games are Monopoly, Cluedo, Quiddler, Crib. If you are a sportsperson a game is tennis or basketball or football. What is the difference between gaming and gambling, Treasurer?

Mr GUTWEIN - For the reasons why the act was named the Gaming Control Act back in 1993 you would need to refer back to *Hansard* then.

Ms O'CONNOR - Again, contemptuous of issues that are raised in this place. It is a valid point to make that this legislation, the amendment bill, euphemises the reality of this industry which is set up to suck money out of people's pockets. You cannot explain what the difference is between gaming and gambling but you might acknowledge that gaming is a euphemism designed to make losing your money to a corporation sound like fun. Do you agree it is a euphemism that is in the statutes? He doesn't care. Let the *Hansard* show that is what happens; it has happened to us before in this place where if the Treasurer does not want to answer something he does not answer it.

Madam CHAIR - Ms O'Connor, you have already spoken twice. Please sit down.

Ms O'CONNOR - I was taking a point of order.

Madam CHAIR - You have already spoken twice.

Ms O'CONNOR - With respect, Madam Chair, I understand that and I asked a question the second time but the Treasurer just sat there and ignored it so I got up to take a point of order to ask why he is not answering the question.

Madam CHAIR - The minister is not obliged to answer.

Ms O'Connor - Yes, that is an unfortunate truth, isn't it? That's the way he lives his professional life.

Dr WOODRUFF - It is a fair question and it should be answered by the Treasurer because it goes to the heart of what is rotten in our continuing approach to gambling in Tasmania where we talk about these things as though there is the possibility that we can disconnect highly addictive forms of technology and the impact it has on people's lives. We know the evidence is overwhelming that the impacts on communities and on the individuals who become addicted to gambling technology are pernicious. They are extreme and ultimately involve forms of mental health harm, violence and damage to people's lives and to the broader community.

It is a euphemism that is sprinkled throughout the second reading speech for this bill. We strongly believe that we should stop referring to gambling and the harm that gambling causes with words like 'gaming' and 'wagering'. They are both euphemisms purposely designed to hide the reality of the impacts of gambling. What we should have is a gambling control bill; that is really what we should be debating. The gambling control bill - how to control gambling. Surely that should be the intention. Ostensibly, it is how a reasonable person would read this bill. It should be the gambling control amendment bill and its purpose should be to control gambling in Tasmania for the good of Tasmanians - individuals, communities, safety, wellbeing, health. This is what we could be doing. Instead we have an attempt to hide what is going on.

Could the minister please explain why he has chosen to use words like 'gaming' and 'wagering' not only in the title of the bill but throughout the second reading speech, clause notes and all the changes he has made, and why, after the long select inquiry into gambling in Tasmania, he has not listened to the evidence that was presented by social service groups such as TasCOSS, Salvation Army, Anglicare and all the other organisations at the front line of experiencing the impacts of gambling addiction on individuals?

Madam CHAIR - The question is that the clause as read stand part of the bill.

Dr WOODRUFF - Madam Deputy Chair, I am still on my feet - I did not sit down - but I assume the Treasurer is going to stand and speak about this.

Mr Gutwein - I already have.

Dr WOODRUFF - What is the answer? The answer is that it is not your intention to move past treating this as an issue which is just about money instead of understanding it is an issue about people and the lives of people.

Clause 3 agreed to.

Clause 4 -
Section 3 amended (Interpretation)

Ms O'CONNOR - This replaces a reasonable-sized chunk of the principal act. In case the Treasurer is going to have another crack at us again for not understanding the detail of this bill within 48 hours of it being tabled following private members' day during which Dr Woodruff and I were both in here and on our feet pretty much all day, the Gaming Control Act as a piece of legislation is probably one-and-a-half centimetres thick and the amendments in this bill actually flow through the entire act, something we have been able to ascertain since the bill was brought on for debate this morning.

While the Treasurer does not want to answer any of the questions that relate to the Gaming Control Act in relation to taxation revenue that the state can receive from licence holders in the gambling industry, it is entirely relevant. In this section, the interpretation section, there is a new definition after the definition of commissioner -

Commissioner of State Revenue means the Commissioner of State Revenue appointed as such under the *Taxation Administration Act 1997*;

Treasurer, can you confirm - because, in the short amount of time that we have had this legislation because of your disrespect for this place and proper scrutiny, I have not been able to go back into the Taxation Administration Act 1997 - is the Commissioner of State Revenue the Secretary of Treasury and Finance? Who currently holds the position of the Commissioner of State Revenue?

Mr Gutwein - Mr Jonathon Root.

Ms O'CONNOR - Does Mr Jonathon Root hold any other positions within government, Deputy Secretary of Treasury?

Mr Gutwein - It is on the public record. He is a Deputy Secretary of Treasury and Commissioner for Licensing.

Ms O'CONNOR - Thank you very much. Mr Jonathon Root, the Commissioner of State Revenue, will be integrally involved in negotiations with the Federal Group and individual licence holders, venue operators, as you move into the next phase, in which the monopoly deed is extinguished and significant amendments are made to the Gaming Control Act to bring in your individual licensing model.

Mr Gutwein - I have put his positions on the record.

Ms O'CONNOR - That is a pretty evasive answer.

Mr Gutwein - It has no relevance with this bill.

Ms O'CONNOR - It absolutely has relevance to this bill. It does, because this bill sets up some of the machinery that will deliver the extinguishment of the deed and the establishment of the individual licence model, which will gift about \$250 million in value to venue operators overnight. It is absolutely relevant to this clause because the position now defined in the principal act will be central to the new regime. You are looking a bit sulky, Treasurer.

Mr Gutwein - I am just not going to play your game.

Ms O'CONNOR - It is not a game.

Mr Gutwein - It is. You have been lazy, you have not bothered to get a briefing, and now you are trying to frustrate this House and our opportunity to tax corporate bookmakers and bring more revenue to Tasmania.

Ms O'CONNOR - Mr Gutwein, we will stay here all night and we will get through this legislation. We just need to understand it properly. You can accuse me of being lazy but you know

that is a lie. You know that Dr Woodruff and I work very hard in this place. I do not care what you think of our work ethic but it is a fact that this Commissioner of State Revenue will be overseeing the new tax regime for the Federal Group and the new arrangements. As we know, there has been a long and sorry history in relation to what tax rate the Federal Group might allow you to charge it following the extinguishment of the deed and it will be a tax rate that the Federal Group agrees with. There is no question of that at all. We know what the history is. Initially, in March 2016, the Treasurer said that they would put out the pokies licences through, 'market-based mechanisms, such as a tender, to operate EGMs in hotels and clubs', and that future taxation and licensing arrangements would be informed by those in other jurisdictions.

There was a commitment to a market-based mechanism and it was reiterated in person by the Premier in his presentation to the joint select committee into the gambling industry. Separate conflicting submissions were made by the big hotel pokies chains under the auspices of the THA and the Federal Group to the committee. The THA wanted a greater share of the spoils through, yes, direct licensing of venues that would end the Federal Group's monopoly ownership and, of course, the Federal Group wanted to continue the monopoly and they had always been able to extend it before.

Then, what happens? This is where the role of the Commissioner of State Revenue becomes relevant and important. On the last day of the committee, in August 2017, a new joint submission by the previously warring sides was made to the committee and reflected a deal brokered by, would you believe, yes, of course we would, former Labor premier, Paul Lennon. In that, this was the demand in the joint submission, 'all EGM venues on 30 June 2023 would transition to a direct licence with the Tasmanian Government for the relevant number of EGMs.'

This direct licence model put forward allowed all existing venues to increase their profits out to 2043. There would be an increase in the hotel poker machine tax rate from the current tax rate of approximately 28 per cent to 39 per cent, figures including CSL and inclusive of GST and, to ensure that the Federal Group lost no money, a cut in the state tax rate on casino poker machines to 10 per cent from the current 25 per cent. The justification given for the reduction in the casino poker machine tax rate was the need to be competitive with other regional casinos, the examples being those in the Northern Territory, Townsville and Cairns.

The interstate tax comparison table given in the submission was misleading. An accurate one on which debate should be relied on was provided as an appendix in the subsequent SASE study released in January 2017. The Liberals, the Treasurer and the Premier have consistently refused to rule out a tax cut for the Federal Group. It is pretty clear to us that a nod was given to the industry prior to the election that casino taxes would be reduced, even though this was not taken to the people at the last state election.

It just came through my mind that you might call us lazy, Treasurer, because you have nothing else to say for yourself, but if this legislation does not get through both Houses by the end of the year, that is your fault. You are in charge of directing the department to take drafting instructions to the Office of Parliamentary Counsel. You have obviously been too lazy to make sure that happens in a timely way. Here we are on the eve of the end of the session and you are trying to put it on us because we want to properly understand this bill and scrutinise its clauses. This is your cock-up, it is not ours.

This is your laziness, it has nothing to do with us. Stop deflecting, like you tried to do this morning, by pulling out Daniel Hackett as a victim. Stop deflecting. It is where you go in

parliament when you have nowhere else to go. It is your fault we are here on the Thursday of the second-last sitting week dealing with the quite complicated amendment bill that you now tell us needs to be passed by the end of the year. There was no discussion with the Greens about this legislation. There was no contact from your office or your department after it was tabled, offering a briefing, or to say it would be debated on Thursday. Other offices do that. We have legislation tabled in the previous sitting week on the Tuesday, the department got in touch, we got a briefing, it was debated on Thursday and we supported it.

You have treated us with contempt, you treat parliament with contempt, you deflect because your laziness is why we are now trying to work through this complex bill tabled two short days ago. I would appreciate the minister answering the question about the tax rate that has been negotiated with the Federal Group.

Time expired.

[4.14 p.m.]

Dr WOODRUFF - Madam Chair, I would appreciate the minister providing an answer to that question. We do not need to be here all night but if the minister is going to continue not to answer questions, which are totally reasonable given the short amount of time for the substantial bill we have before us, then it is going to take a long time to get through it. People in Tasmania have a right to know what is in an amendment bill about gambling control in Tasmania. Gambling control is an issue of interest and concern to anyone who has been caught up in addiction. I remember going back to the period before the election in 2018 in October/November around the show period and talking to people about a petition that the Greens had running to remove pokies from pubs and clubs. It was extraordinary, the people who came up to our Greens stall at the showground, people who certainly would not have considered themselves comfortable with the Greens position on many issues, but they actively walked up to our sign about getting pokies out of pubs and clubs. Some people had had incredibly traumatic experiences and a whole range of people who shared their experiences with gambling addiction unburdened themselves about very personal issues to do with having lost houses, family, children and siblings from gambling addiction.

It struck me so clearly and I am not a person who works in social services every day, a person who works in neighbourhood centres, a person who goes into communities and works with people who are suffering from gambling addiction, but that experience of having such a broad range of people coming up saying, 'Of course we'll sign that petition, that's the last thing we want', spoke volumes to me about the things people in Tasmania really care about it. They really care about the consequences of gambling. It is important that if you are bringing a gambling bill into the parliament that you take it seriously, instead of doing what you appear to be, which is trying to sweep it under the carpet.

These are issues to do with taxation, extracting money and repurposing it. We need to know exactly how that is being done and what the checks and balances are. We have every right to be sceptical of the way you conduct business as the Liberals in government. You have, at every step, hidden information from Tasmanians. You consistently deflect and obfuscate and do your best to make sure that RTI requests are denied, held up, prevaricated and extended as long as possible. The number of times that our office has had the one-week or two-week response time and always on the last day, somebody from the department will ring up or contact us and say they need us to adjust the scope of the RTI request, or 'It's too voluminous', or 'We can't provide that'. They always leave it until the last day. Then we have to have another go, try to reframe the scope of the question -

everything we can do to try to get a standard piece of information that really should be on the website.

The health card is a perfect example of the information the Health department hides from Tasmanians about the real state of the health system, the real length of the elective surgery waiting lists, the real impact of ramping at the hospital and the length of stay of patients in the emergency department. All of that material is obscure and completely hidden. Other states do this. It is possible to be transparent in government and have a sincere relationship with the community.

These questions are reasonable and they should be answered. You are being petulant by not answering them and it does you poorly as a Treasurer to not treat this as a serious bill that should be responded to with seriousness.

What are the negotiations around the tax rate with Federal Group and how are you going to construct the negotiation process for this particular bill in front of us as well?

Ms O'CONNOR - I have not had the time to fully understand this clause. I have not been given the time and nor has anyone else in this place really. If Labor was serious about scrutinising the bill they would recognise that they have not had the time.

Could the Treasurer then please, if he refuses to go into any detail, provide any transparency to this House and therefore the people of Tasmania about the tax deal that has been negotiated with the Federal Group, explain those sections that follow the definition of the Commissioner of State Revenue and what they mean? You take out 'lottery, pools or prescribed event' and you substitute 'lottery or pools'. Does that mean nothing is 'prescribed' anymore? Why was that decision made? It omits 'pools, prescribed event' from paragraph (a) of the principal act and substitutes 'pools'. Again, what is a 'prescribed event' in connection to the principal act and why has it been removed?

I am sure there is no conspiracy here. I just want to understand why because there was insufficient time given to the House to understand this bill before it was brought on for debate.

Further, the change made to the principal act which omits the definition of 'totalizator' to substitute a definition that says 'totalizator, see section 4D' and by inserting a following definition after the definition of 'totalizator operator' 'totalizator pool'. Why were those changes made? We need to understand. What has happened to prescribed events? What sort of an event are we talking about that is a prescribed event and why do prescribed events, should this legislation pass, no longer exist in statute?

Mr GUTWEIN - I will answer that question about prescribed events because that went to the bill. In fact that was an error in the original act. A prescribed event would be something that was described in regulations, so this bill now omits the term 'prescribed event' within the definitions of gaming activity and players as it is no longer relevant.

Ms O'Connor - What was a prescribed event? That is completely scant again.

Madam DEPUTY CHAIR - Ms O'Connor, you have already had two turns.

Ms O'Connor - Dr Woodruff, could you please ask the question that I need asked? It was a completely inadequate response. What were prescribed events and what was the mistake?

Mr GUTWEIN - I am waiting for the question to be asked.

Dr WOODRUFF - It has already been asked. What is the meaning of 'prescribed event' and why has it been removed? What is the effect of removing 'prescribed event' from the definition of 'lottery, pools or prescribed event'?

Mr GUTWEIN - In terms of a prescribed event, the act prescribes racing sports simulated gaming activity, like Trackside, like we have discussed, and a prescribed event would be something outside of those prescribed out of those definitions, of which I will get the right terminology. Originally it was an error and it is removing that because there is no need to prescribe an event because they are defined in the act.

Clause 4 agreed to.

Clause 5 -

Section 4D inserted

Meaning of totalizator

Ms O'CONNOR - Perhaps, Treasurer, because you did not get your act together early enough and did not table the bill in a timely manner and allow opposition parties enough time to properly understand the bill you could step us very slowly through this clause so we are really clear about what it means.

What is the meaning of a totalizator? I have never heard the word 'parimutuel'. It would be good for the House to understand what that means and while I recognise it is also in the principal act, to have a clear understanding of what that means would be most helpful.

Because this bill is drafted in language that is somewhat heavy in its nature and not necessarily plain English, I argue it would be good to have some real clarity about what the pool top-up amount is and where the pool top-up amount is held. Is that in the accounts that are described later in the bill? Of course, this is the section of the amendment bill which introduces a mathematical equation. I have never in parliament had to deal with a mathematical equation in legislation before so we need a very clear explanation of what that mathematical equation $MPA = A - R$ and that sum - C, I gather. If the Treasurer could talk us very slowly through that sum that would be most helpful.

Mr GUTWEIN - I will start with 'parimutuel'. There is a range of definitions but effectively it is a pool form of betting. To provide the full definition, parimutuel betting - from the French *Pari Mutuel* (mutual betting) - is a betting system in which all bets of a particular type are placed together in a pool; taxes and the 'house-take' or 'vigourish' is deducted, and payoff odds are calculated by sharing the pool among all winning bets.

The questions you asked regarding the formula - they are clearly outlined in the act where $MPA = (A - R) - C$ where MPA means the minimum pool amount, A means the amount that the operator for the totalizator advertises the minimum amount that will be available for the payment of dividends out of the totalizator for an event or contingency; R means an amount paid out of the totalizator as a refund of a wager; and C means the amount that would be deducted as commission if the amount waged in the totalizator equalled A minus R.

Ms O'CONNOR - It did not provide a huge amount of clarity. I go to subclause (b) of the definition of 'totalizator'. It says:

the totalizator pool to be divided amongst the successful wagerers;

Is the Treasurer able to explain to the House - and to those of us who do not take part in betting on the misery of beautiful horses and greyhounds - how that totalizator pool is divided amongst the winners of blood sport pursuits? That would be most helpful.

Mr GUTWEIN - Like you, I am not a person who punts or bets but my understanding is that all of the bets are placed into a pool. Those winning bets then divide up the value of the pool after commissions have been taken out and any refunds are taken out and the pool is then paid as winnings.

Ms O'Connor - By bookies? Who pays out the pool?

Mr GUTWEIN - These are corporate bookmakers. In Tasmania it would be UBET but then we have a range of corporate bookmakers, many of which are based in the Northern Territory and run pools either across the country or in different market sectors.

Dr WOODRUFF - If we had been given the opportunity to have a briefing on this - and I maintain we did not have that opportunity because it is manifestly unreasonable to dump such a massive amendment bill and have 48-hours' notice. Although it might be technically possible, it is very poor parliamentary practice and it is designed with one of only two purposes. First, to rush through an amendment bill or a bill that the Government wants to have as little light of day in terms of attention from stakeholders and attention from the media. That is one reason that this Government uses. The second reason is to deflect media attention from other issues of the day that might make it uncomfortable for them.

I have yet to understand why the Government, with the amount of time it has had to get this bill together, has the gall to mount an argument that the reason it needs to be rushed through is because there would not be time to get it done otherwise. That demonstrates how poorly the minister is able to manage the time lines in his portfolio and it does you no service to make that argument.

For my benefit, for our benefit and for the benefit of other people, I would like to understand why in neither the principal act nor in this amendment bill, we have a definition of 'parimutuel'. You googling it on your phone and coming up with the first thing that Google gives, is not really the most appropriate way of writing legislation.

It is relevant when we are talking about changing technology platforms, the availability of digital platforms for betting that have never been there before to really comprehensively understand what the term 'parimutuel' means, what is in and what is out. Although I understand in a general sense that it is clear, the purpose of the gambling control act is to be precise and that is what we would like to understand.

Although the minister ran through the definition of the pool top-up amount as it was written in the formula in the bill, I still would like him to reclarify clause 5 in proposed new section 4D(2). In $MPA = (A - R) - C$, what does C means in this context? MPA means the minimum pool amount; A means an amount that the totalizator operator for the totalizator advertises as the minimum amount that will be available for the payment of dividends out of the totalizator for an event or contingency; R in that equation means an amount paid out of the totalizator as a refundable wager; and C means the amount that would be deducted as commission if the amount wagered in the

totalizator equalled A - R. Could you please run us through C because I do not quite understand what C means in that equation?

Mr GUTWEIN - First, 'parimutuel' and 'totalizator' are interchangeable and the definition of 'totalizator' is in the act.

Ms O'Connor - Are you saying they mean the same thing?

Mr GUTWEIN - They do. They are interchangeable and we use 'totalizator' and that is defined in the act.

Regarding the equation, as I understand how it works if you had a pool of \$500 000 but after you had deducted the commissions and any refund bets you might have a pool of \$450 000 and that would effectively change the odds or change the payout ratio because it is not \$500 000, it is \$450 000.

Dr WOODRUFF - I would like some clarification. It is because of the way it is written in here that I asked the question in the first place. I thought I understood in general terms what 'parimutuel' means. I went to the principal act but there is no definition of 'parimutuel' there. Although it might seem from your explanation that it is quite clear that totalizator means parimutuel and it does use the term 'means' in the amendment bill, it says 'totalizator means a system of parimutuel betting, whether or not conducted by means of an instrument or contrivance known as a totalizator that enables' (a) and (b). I would have thought if they were one in the same the words it should say 'totalizator means the system of parimutuel betting'. The fact it says 'a system' suggests that there is more than one subset of the word 'parimutuel'. 'Totalizator' is one part of the system and there are other parts of the system. Can you be clear about whether it is the case that they are identical and if they are, why does the bill say it is 'a system' instead of 'the system'?

Mr GUTWEIN - The advice is that we are not aware of another system of parimutuel betting but it is written this way because there could be.

Clause 5 agreed to.

Clause 6 -
Section 67 amended

Ms O'CONNOR - This is a section of the amendment bill that I really hope you will step us through. In the principle act, section 67 says:

A venue operator, gaming operator or licensed provider must not -

- (a) employ or use the services of a person to perform any function of a technician in relation to gaming equipment; or
- (b) allocate or permit to be allocated to a person the exercise of any function of a technician in relation to gaming equipment -

Then we go to the amendment which amends section 67 and makes that part I just read out subsection (1) and then says that we insert after the newly described subsection (1) a subsection (2) which says:

Subsection (1) does not apply if the person referred to in paragraph (a) or (b) is authorized to exercise the function concerned under a contract that -

- (a) is with a licensed operator or a licensed provider; and
- (b) is a relevant contract within the meaning of paragraph (d) of the definition of *relevant contract* in section 77V(1); and
- (c) has been approved by the Commission under section 77V(2).

Not having had the time to ask the department about this bill in detail, what I take away from this amendment is that it relates directly to poker machines. It is a direct amendment to the electronic gaming machine framework in Tasmania in that it provides an exemption to the requirement that a venue operator not allow someone to service gaming equipment who is not licensed to do so if the licensed operator referred to above is authorised to exercise the function concerned under a contract that is with - authorised by whom? Is that authorised by the Gaming Commissioner or authorised by the venue operator?

Treasurer, you can try to pretend that this bill is only about a point of consumption tax but it is not just about that. We need to understand what this amendment means. Is it saying now that there is a whole new cohort of technicians who will be authorised to adjust the machinery, that is the electronic gaming machines in a venue, even though they are not licensed to do so? I would have thought that, as weak and enabling of social and economic harm as the Gaming Control Act 1993 is, there is a reason that this clause has been put in in such plain English language. It is intended to prevent fiddling with machines, fixing EGMs to the benefit of the venue operator and to the perpetual detriment of the gambler.

It seems to me, Treasurer, that this is weakening the provisions regarding who can work on electronic gaming machines in venues. Once we move past the toxic and lethal era of the monopoly deed into an individual licence model, is this amended clause going to allow something of a free-for-all in persons who are able to work on machines inside individual venues?

Mr GUTWEIN - Absolutely not, and that is not the intent of this. There are technological advances that the industry and all industries are moving with. For example, it may be that there are data storages for, for example, UBET. They may want to use Amazon, for example. If the commission was satisfied that the contract was sufficient to protect the data and arrangements, the commission could authorise that contract after seeing the contract. This is not about weakening the rules relating to a technician working on an EGM.

Ms O'CONNOR - I do not know how you can say that, Treasurer, because the clause in the principal act is very clear, '67. Only licensed technicians to repair, &c., gaming equipment'. It is a very targeted clause, and it says, 'A venue operator, gaming operator or licensed provider must not -', that is, there is a prohibition on allowing someone to work on a gambling machine, an EGM, unless they have a technician's licence.

I do not understand, Treasurer, how you can say this does not weaken the framework for technicians who can work on gaming equipment because it does not even say in the amendment that this person has to be licensed if they work on gaming equipment. It does not say they have to be a licensed technician. All it says is that section, which prohibits someone who is unlicensed

from working on an EGM or any gaming equipment, they do not have to be licensed, they have an exemption to being licensed -

... is authorized to exercise the function concerned under a contract that -

- (a) is with a licensed operator or a licensed provider; and
- (b) is a relevant contract within the meaning of paragraph (d) of the definition of *relevant contract*...

I do not understand because you have not been clear about why it is not a weakening of a measure of protection for people who play on gambling machines in whatever form they are. I gather it is not just EGMs. It might apply to other machines that hook money out of people with the ferocious intensity of poker machines. Maybe there are Keno machines, for example, that are in venues that, at times, will need a technician to work on them, but this new amendment says that a technician will not have to have a licence if they are authorised to exercise that function under a contract with a licensed operator.

A licensed operator could arguably hire someone who is good with computers, who they think is going to be able to work on the machines but is not a licensed technician. We are weakening the provisions that required a person who worked on a money-grabbing machine to be a licensed technician. Could the Treasurer please explain why that is not a weakening? If he cannot do that, what sort of people will be working on machines if they are contracted under a licensed operator? Can he acknowledge that there is a reasonable likelihood that you will have cowboys working with gambling venue license holders, who will not be licensed technicians but they have got the job because their boss says they are pretty dab hands with IT. We are now saying it is okay for that person to fiddle with a machine.

Mr GUTWEIN - I will provide as much clarity as I can. It is a matter for you as to whether you are prepared to accept this. The act does not provide for technological advancements that have moved beyond a physical presence. Arrangements between licence holders and third parties, such as cloud storage providers, are therefore not covered unless personal and third parties become licensed. That could be people working in an Amazon data centre in Sydney. The personnel of these providers will not be accessing physical sites. There is zero intention here, in the scenario you are portraying of people being able to work who are not licensed on EGM machines -

Ms O'Connor - Or any other machine in a venue, or any other machine on a platform -

Mr GUTWEIN - That is the point that I have made. They have moved beyond the physical presence. There is a process for the commission to look at those contracts and for the commission to make the decision. This is not about working on machines located here in Tasmania.

Ms O'Connor - It might be about people who are working on IT platforms remotely, but don't you agree they should also be licensed?

Dr WOODRUFF - It is the fact that this removes the requirement, as we understand it, to have technical licensing in the manner that it does under the Gaming Control Act now. That is a diminishing of oversight and the checks and balances needed to make sure there is not the possibility of some nefarious remodelling or reprogramming in the context of digital platforms to benefit the developer or the gambling organisation to the detriment of the person who is addicted. How is it

not possible? You admitted that the intention of this amendment is not to do that but the unintended consequence, by the look of it, is that it will remove that requirement to have a technical licence qualification.

Mr GUTWEIN - I will make one final point on this. The licensing of technicians is a matter for the commission. The consideration of contracts in the context we are talking about will be a matter for the commission as well. There is no conspiracy. In terms of the technicians you are talking about, there will be no change to the licensing arrangements for those working on machines here in the state.

Ms O'Connor - That is not clear enough to me and I am not comfortable supporting this clause.

The House divided.

AYES 21

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ferguson
Mr Gutwein
Ms Haddad
Mr Hodgman
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Rockliff
Mrs Rylah (Teller)
Mr Shelton
Ms Standen
Mr Tucker
Ms White

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

Clause 6 agreed to.

Clause 7 agreed to.

Clause 8 -

Section 76ZL inserted

Ms O'CONNOR - This amendment fills an empty gap in the principal act where you have clause 76ZK Self-limit on wages by player and then a blank space, which is interesting.

Anyway, today parliament fills in that blank space and this is self-limit on deposits by players so this is the section that allows a gambler to set a deposit limit. It defines deposit limit in relation

to a person's wager account meaning a limit to the amount that can be deposited into the account by the player.

It defines wagering account which is an account held by a player with a licensed provider into which wagering funds are or can be deposited and used by the player for wagering purposes. Can the Treasurer confirm that this clause applies to people who take part in betting on the racing codes as well as people who are in gambling venues? This clause seems to be agnostic about what form of gambling is being undertaken but it allows players to self-limit and also to put money into an account with the gambling venue for wagering purposes and then it connects to section 76ZU, Keeping a register of players, which states that:

A licensed provider must keep an accurate and up-to-date register of players entitled to wager in a gaming activity by means of a telecommunications device.

We would like to understand, Treasurer, who this clause applies to. Is this for online gambling only, or does it also apply to people who take part in gambling on poker machines? The first part - 76ZL, self-limit on deposits - is not specific about it being an electronic form of gambling. Could the Treasurer please explain who specifically, in terms of what kind of gambler we are talking about, this clause applies to? There are some reasonably strict provisions further on in the principal act that require a licenced provider to keep an accurate and up-to-date register of players entitled to wager in a gambling activity by means of a telecommunications device. Treasurer, how does that work in practical terms? Does the commission have any information in relation to compliance with this provision in the principal act? Are those registers held by the commission or are they held by the venue? If the Treasurer could answer some of those questions that would be refreshing.

Mr GUTWEIN - In terms of your question as to who it impacts on, it only impacts on those who have a Tasmanian gaming licence in terms of online wagering. It is obviously part of the broader national harm minimisation framework.

Ms O'Connor - Through you, Chair, and by interjection, what sort of operators are we talking about here? UBET?

Mr GUTWEIN - This would apply to UBET.

Ms O'Connor - It applies only to UBET because that is the only Tasmanian online wagering business. I had asked some more questions. Are you happy for me to get up because you did not hear them because you were consulting with advisers?

Mr GUTWEIN - Yes.

Ms O'CONNOR - Who holds the register that is provided for in 76ZU, the register of players? It says a licensed provider must ensure the commission is able to inspect the register of players electronically at any time. Does the commission have any information to share with the House on compliance by the operator, which in this instance is UBET, with that provision in the principal act which already stands and therefore is already a legal requirement?

Mr GUTWEIN - My advice is that that information is held by the provider but is provided to the commission on a regular basis, but it is not available to be provided to the House or made public because it is personal information.

Ms O'Connor - Obviously I don't want that; I wouldn't ask for that sort of personal information to be provided.

Dr WOODRUFF - I have a question about the register and the checking of compliance. What sort of auditing is done around compliance and the information that is provided to make sure it is done satisfactorily and that there is no opportunity for things to be missed accidentally or on purpose in terms of that register?

Mr GUTWEIN - There is a software that is utilised for that purpose and the commission audits that software regularly to ensure it meets the requirements of the act.

Dr WOODRUFF - This proposed new 76ZL establishes deposit limits for wagering accounts, but it does not seem to establish a process for varying deposit limits. I have a number of questions around that. Is a wagering account necessary for wagering? Do you have statistics on the proportion of wagering that is conducted through wagering accounts? Can those deposit limits be varied and, if so, how can they be varied?

What we are trying to ascertain is the checks and balances about how often that can be done and how somebody else could put a restraint onto a digital platform. Are there any time restraints to do with increasing the limit? Is there a period of time in between, a sort of a cooling-off period, if you like, where it must be hours, days, weeks, months, before that time limit can be increased? Obviously, the time period to increase is very important. It could be, if it is only a short time period of hours, that it is not going to help a person who is trying in good faith to prevent themselves from betting more than they have established as their set limit. It seems as though from this section that a player can still get as much as they want by depositing and betting, depositing and betting, and it would have seemed better if you had established a daily or weekly or monthly deposit limit that could have helped people to manage what is obviously opening up to be an ever more increasingly addictive form of gambling.

Mr GUTWEIN - The Treasury officials are currently attempting to understand what the time frames are, according to the national code. We believe there is a cooling off period of seven days but we will get what information we can as to those deposit limits. It is the national code, not the act. The act introduces that mechanism that the national harm minimisation framework has introduced.

Ms O'Connor - Through you, Madam Chair, there are the other questions we have put. Is a wagering account necessary for wagering? Can deposits be varied? How can they be varied? Are there any time restraints on increasing the limits, which is the cooling-off period you are talking about?

Mr GUTWEIN - We will need to get the advice on the national code. The first question Dr Woodruff asked is, do you need an account to lay a bet? If you are going to bet online, yes, you do, but you can use cash in one of the terrestrial betting shops if you want to bet through UBET without an account.

Ms O'Connor - Can deposit limits be varied?

Mr GUTWEIN - That is in the national code.

Ms O'CONNOR - Can I seek your guidance on this, Madam Chair? As our speaking rights have been restricted, these are questions that are relevant to clause. We are asking in a genuine way; how do we get this information?

Mr GUTWEIN - I am advised that deposit limits can be changed. If you decrease them it is immediate. If you increase them it is a seven-day wait period.

Clause 8 agreed to.

Clause 9

Section 76ZZAA repealed

Ms O'CONNOR - This is the amendment that repeals 76ZZAA, Totalisator operator approved outlets. Being deleted through this amendment is a clause -

A totalizator operator may establish any premises occupied by the totalizator operator as an outlet at and through which players may engage in gaming and wagering with or through the totalizator operator under its Tasmanian gaming licence.

I did not hear reference to this in the second reading speech. It may have been in there but I cannot find the reason for this clause to be deleted. Why are we no longer placing restrictions on totalisator operators in where they establish premises in Tasmania?

Mr GUTWEIN - The advice I have is that you may be looking at the wrong clause. The right clause is repeal section 76ZZAA Trading accounts. My advice is that by removing the section, measure one of the National Consumer Protection Framework for Online Wagering in Australia prohibiting lines of credit being offered by wagering providers can be implemented.

Ms O'Connor - I apologise for getting that wrong but this is because there has been too little time to adequately prepare for the substantive amendment bill.

Ms O'CONNOR - Again, now that I have found the correct 76ZZAA Trading accounts, this repeals all of it. We are repealing a section that defines what a trading account is, which notes that, 'A licensed provider may apply to the Commission for an authority to operate trading accounts.'. There is no conspiracy in this clause. I am trying to understand how repealing all of that prohibits totalisator operators from offering a line of credit. Is this the other trading accounts? Were they the vehicle for credit arrangements that were provided by operators to gamblers?

Mr GUTWEIN - The trading account was the vehicle. Those accounts were utilised by Betfair when they were domiciled here. Removing that clause then removes the opportunity to use that vehicle to offer lines of credit.

Ms O'Connor - Does this now prohibit a totalisator operator from operating a trading account?

Mr GUTWEIN - Yes.

Clause 9 agreed to.

Clause 10 -

Section 75ZZG amended (Approval of gaming equipment)

Ms O'CONNOR - Clause 10 according to the clause notes, amends section 76ZZG of the act, approval of gaming equipment, to remove the requirement for the commission to give notice of the setting of general gaming equipment standards in the gazette and includes provision for the commission to give notice of the setting of these standards to relevant licensed providers directly and by publishing on a website maintained by or on behalf of the commission.

Treasurer, under your Government we have seen a move away from openness about information and a default position which is to conceal information, not provide it. Here we have an amendment that no longer publishes in the Government *Gazette* information which is in the public interest. I will go to the principal act here now - yes long day and next time you might think about it before you dump a big piece of legislation on the House 48 hours before -

Mr Gutwein - No, what you are doing is just proving over and over again that you are being vindictive because you were too lazy to ask for a briefing.

Ms O'CONNOR - Says the lazy Treasurer who brought in an apparently important piece of legislation in the second last sitting week.

Madam CHAIR - Order.

Ms O'CONNOR - So 76ZZG, Approval of gaming equipment is amended by omitting from subsection (11)(a) that the Commission is to give notice of the setting of the standards in the *Gazette*.

My question would be, why would you not put it in the *Gazette* as well as on the Tasmanian Gaming Commission website? Why is it that we are amending the act so that it is the venue operators, the licence holders, who get notice of the setting of gaming equipment standards before they are published in the Government *Gazette*? Why is there a move away from what has been standard operating procedure of government probably since the parliament was established and that is to give notice of government decisions, policy, acquisition of land, movements of public servants in the Government *Gazette*?

I will have a chat to Dr Woodruff about this but I cannot see why there is any benefit in removing the *Gazette* as one vehicle through which Tasmanians who have an interest in gambling policy - and many of them a very strong one - and who are impacted by gambling policy should be able to see in the Government *Gazette*. Again, I point out to you that approval of gaming equipment is not all about digital providers, is it? This also relates to EGMs, doesn't it? Does it also relate to EGMs?

If we had been offered a briefing sometime after the bill was tabled on Tuesday we might know that. Why would the Government not then publish that information about the standards in the *Gazette* and why would it give it to relevant licensed providers directly? Why wouldn't you put that in the *Gazette*?

Mr GUTWEIN - I think you answered your own question. You said that the *Gazette* has been used since this parliament was established. Times change, technology changes. With a click of a

mouse people will be able to get the information of any changes that the Commission introduces directly off the website.

Dr WOODRUFF - Are you totally doing away with the *Gazette* now? Are you basically saying there is no function for the *Gazette* any more? Why not be upfront about what is going on? You cannot henpeck your way through what goes into the *Gazette* and choose it conveniently with different pieces of legislation.

We have been in this place and supported amendments to legislation which have changed the requirement to advertise in a daily newspaper. There have been times when that is appropriate, depending on the requirement in different acts which is very old often and, yes, we accept on certain conditions that times have changed but this is not a daily circulating newspaper. This is not saying every single newspaper in Tasmania must advertise this. This is simply in the *Gazette*: the last bulwark of the requirement for government to advertise things to the community and provide people with an opportunity to engage, to scrutinise, to check and to consider the impact of things that are changing.

Why would you not put it in the *Gazette*? There is no reason to not put it in the *Gazette* other than to hide information. There is absolutely no reason. We are taking it out. It is not that this is an amendment bill arguing about whether something should be put in or not. We are not asking that the amendment bill be amended to add in the requirement to have it in the *Gazette*. What this is doing is taking out of the principal act the requirement to advertise in the *Gazette*.

It is just a big reduction of information to people about what is happening with gambling in Tasmania.

No answer?

Mr Gutwein - I have explained it.

Dr WOODRUFF - You have not explained it.

Ms O'CONNOR - No. You have not explained why it is necessary to remove that one relatively straightforward element of transparency that is in the act. I require clarification. When I asked earlier if this related to standards in relation to EGMs, this clause just says approval of gaming equipment, subsection (1):

In this section 11, gaming equipment means gaming equipment that is used, likely to be used, or proposed to be used by a licensed provider.

That does not distinguish between gambling that is done on a telephonic device or gambling that is done via an electronic gaming machine. It talks about evaluation of particular gaming equipment, or gaming equipment of a class.

We have seen this happen before in legislation where the Government has removed the provision that required something to be notified in the *Gazette*. It is no effort on the part of a government agency to put a notice in the *Gazette*. It is one of the most important and straightforward transparency vehicles that government has and that the people of Tasmania have to know what is going on with government. What law has been changed? What land has been acquired compulsorily? We will not be supporting this removal of that one little element of

transparency from the principal act. There has been no justification for it, except it sounds like the Treasurer and his department could not be bothered.

Mr GUTWEIN - To be clear, in terms of a licensed provider, this only relates to a Tasmanian gaming licence operator. That is not a casino, that is not a hotel. It only relates to someone who is licensed and in this case that would be UBET.

Ms O'Connor - Only UBET?

Mr GUTWEIN - Only UBET. Your argument is transparency. What the act does is prescribe that it has to be placed on a website that is available to everyone with a click of a mouse.

Ms O'Connor - Why would you take out the *Gazette*?

Dr WOODRUFF - The point of the *Gazette* is that it is a single portal, so for people who are concerned about the government's activities and concerned to understand what is happening in their state of Tasmania, they look at one portal. They do not have to open the webpage of every single department, every single commission and every single statutory body. There are scores of them. This still requires that the notice of the standards must be published on a website. The work still has to be done. The department staff have to do the work, the commission has to do the work, but you are removing the requirement for that to be publicised to the whole of Tasmania who choose to follow one single point of communication, as opposed to having to second-guess where things could be listed and what changes have been made across a huge number of departments, commissions, the whole activity of government. You are forcing them to spread their attention across all of those instead of looking at one place.

The Committee divided -

AYES 22

NOES 2

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ferguson
Mr Gutwein
Ms Haddad
Mr Hodgman
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma (Teller)
Mr Rockliff
Mr Shelton
Ms Standen
Mr Tucker

Ms O'Connor
Dr Woodruff (Teller)

Ms White

Clause 10 agreed to.

Clause 11 -

Section 76ZZI amended (Approval of control system)

Ms O'CONNOR - I will not speak for very long because the Treasurer might be able to get this bill through by the end of the day. We will not be supporting this clause because it unnecessarily removes notification for general control system standards in the *Government Gazette*. The effect of clause 11 is to remove the requirement for the Gaming Commission to give notice of the setting of general control system standards in the *Gazette* and includes provision for the commission to give notice of the setting of the standards to relevant licensed providers directly and by publishing on a website maintained by or on behalf of the commission.

I briefly reiterate the point that Dr Woodruff made which is that with the *Gazette* you have one place where people can go to find out about significant government decisions, acts that have been passed, regulations that have been passed, et cetera. What we are doing here is atomising access to government information, so if a person wants to understand what rules apply to the gambling industry in Tasmania they need to understand first of all that it comes under the portfolio of Treasury and Finance, they need to understand then that there is a Tasmanian Gaming Commission and then go to that website and look through that website for that information. We will not be supporting this clause because it is unnecessary to take away this transparency measure.

The Committee divided -

AYES 22

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ferguson
Mr Gutwein
Ms Hickey
Ms Haddad
Mr Hodgman
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma (Teller)
Mr Rockliff
Mr Shelton
Ms Standen
Mr Tucker
Ms White

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

Clause 11 agreed to.

Clauses 12 to 19 agreed to.

Clause 20 -

Part 9, Division 1A inserted

Tabled Paper

Tasmanian Liquor and Gaming Commission - Annual Report 2018-19

Mr GUTWEIN - At the risk of not getting this bill through today, I have been informed that there is an annual report that I need to table today that I could table on the adjournment. It is the Tasmanian Liquor and Gaming Commission Annual Report. I will be tabling it now, so that it is available to members of the Committee if they are looking for it.

Ms O'CONNOR - Clause 20 is contained within part 3 of the amendment bill; Part 3, Gaming Control Act 1993 Further Amended. The proposed new section 145K establishes an, 'Exemption from monthly return for on-course bookmaking'. It allows the betting operator to voluntarily relinquish their exemption if they earn more than \$150 000. Treasurer, why is this voluntary and not mandatory? I am going to put three questions in a sequence.

The proposed new section 145L establishes a, 'General exemption from monthly returns', if the Commissioner of State Revenue considers it would be 'unduly onerous'. There are no guidelines other than unduly onerous, nor does the section require further guidelines to be made in regulations, nor is there a requirement for any information to be made public. Why is this section so discretionary and untransparent? We have heard the term 'unduly onerous' before in relation, for example, to a decision not to make public the stage 2 expressions of interest proponents. Is it, again, industry saying this is a bit hard and that they do not really want to deliver a monthly return to the Tasmanian Gaming Commission? You would have thought that if you are making money from gambling that a monthly return should be lodged, at a minimum. That strikes us as an unwelcome change to the act.

The proposed new section 145N has provisions to deal with agreements that avoid point of consumption tax. Subsection 1 provides that the Commissioner of State Revenue 'may' do a number of things if an agreement, 'has the effect of reducing, postponing or avoiding the liability of any person to the assessment, imposition or payment of point of consumption tax'. Why does this read 'may', Treasurer, and not 'must'? This provides the potential for government favouritism that is discretionary and untransparent, similar to the proposed new section 145L. Did you get all those questions?

Mr GUTWEIN - I did. I will try to capture all of it. In terms of the exemption, on the basis that there is a \$150 000 limit; for small businesses, many of our on-course bookmakers have less turnover than the \$150 000. Therefore, they can apply to put in an annual return, not a monthly return. It is to assist small businesses with low turnover with their administration. In terms of the term 'may' being used, that is on the basis that they have to apply and be granted. I understand that is a parliamentary drafting insertion.

Ms O'CONNOR - Treasurer, you did not answer the question about the term 'unduly onerous', which is in the amendments, and our query about whether there will be any further guidelines made

by regulation and whether there will be any more transparency about this exemption. It is very broad. It is very discretionary and it allows for exemptions to be decided, potentially and arguably, on a subjective basis and not in a transparent way. What does 'unduly onerous' mean in terms of monthly returns? Are more regulations coming before the House, following on from these amendments?

Mr Gutwein - Is that a question?

Ms O'CONNOR - Yes, but because this is my final opportunity to speak on this clause I am very reluctant to sit down in case you pull another one of your 'I have answered the question' stunts.

Mr Gutwein - My understanding is that guidance as to what it means by 'unduly onerous', as well as what the process would be for them to apply, will be placed on the Treasury website via the commissioner because it relates specifically to small on-course bookmakers.

Ms O'CONNOR - You say guidelines will be published on the Treasury website or the Liquor and Gaming Commission website?

Mr GUTWEIN - It will be on the Commissioner of State Revenues' website.

Ms O'CONNOR - Do you have any information on the time lines; when those guidelines may be ready, given that this is apparently so urgent that we have to pass it before the end of the year?

Mr GUTWEIN - The implementation date, should we get this through the parliament, is 1 January.

Ms O'CONNOR - The guidelines will be in place by then?

Mr GUTWEIN - The guidelines will be in place by then and the commissioner will also be discussing this with the Office of Racing Integrity as well.

Clause 20 agreed to.

Clause 21 agreed to and bill taken through the remainder of the Committee stages.

Bill read the third time.

ADJOURNMENT

[5.56 p.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Mr Deputy Speaker, I move -

That the House do now adjourn.

Tasmania Statement - Health in All Policies

[5.56 p.m.]

Mr HODGMAN (Franklin - Premier) - Mr Deputy Speaker, the Tasmania Statement was recently signed by Mr Graeme Lynch AM, chair of the Premier's Health and Wellbeing Advisory Council, the Minister for Mental Health and Wellbeing, Jeremy Rockliff, and myself. It is a statement of commitment by my Government to work together for the health and wellbeing of

Tasmanians and, most importantly, it commits us to collaborate across government and across our communities to address the social and economic factors that influence health by involving Tasmanians in our decisions, working across government and with our communities on shared priorities, making decisions that benefit Tasmanians now and into the future, and measuring if we are making a difference. It is a Health in All Policies approach.

The Tasmania Statement is another first for Tasmania. There has been a lot of work done by many dedicated individuals and organisations over many years to get to this point, and the Tasmania Statement marks a new way forward, a new way of working together. I congratulate the Premier's Health and Wellbeing Advisory Council on convening the Leaders Breakfast attended by more than 60 people, and the Health in All Policies forum attended by around 94 people, to stimulate cross-sector action in this area. There is no doubt that there are many entrenched problems that confront us and governments cannot do it all. It is a whole-of-government and whole-of-community challenge. Helping people to become more aware, interested, engaged and in control of their own health and wellbeing is certainly a positive thing for them and also our community.

Collaboration and cooperation to address these challenges is therefore critical and as a first step, the chair of my Health and Wellbeing Advisory Council will be meeting with and speaking to all heads of agency and I have asked my Health and Wellbeing Advisory Council to provide advice on what the next steps could be for a Health in All Policies approach across government, including those ideas put forward at the recent forum. Helping Tasmanians to live healthier and happy lives is a priority for this Government and we are committed to finding new and better ways of working across government and with our communities to develop longer-term solutions to address longstanding social and economic factors that may influence poorer health outcomes for Tasmanians.

Comments made Alleging Greens Inciting Violence

[5.58 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I rise on the adjournment tonight to condemn the comments of Treasurer, Mr Gutwein, and Mr Jaensch in question time today. The Greens advocate strongly and consistently for peace and non-violence and unequivocally condemn acts and threats of violence. Any threats to Mr Daniel Hackett or his family are completely unacceptable, and on behalf of the Greens I condemn any person who has made these threats, in the strongest possible terms.

The Greens have a long history of walking this walk. When it was reported that a One Nation candidate's car was vandalised earlier this year, we condemned this behaviour. Leadership means condemning violence or threats of violence against anyone, and that includes those of different political beliefs.

What about the Liberals? When a Tarkine protest camp was attacked earlier this year and protestors were threatened and had their property stolen and urinated on, the Liberals refused to make any comment other than that the police would investigate the alleged incident. This regrettably shows where many on the conservative side of politics stand. It is hard to escape the conclusion that they want some voters to feel violently towards protestors or sympathise with violence against protestors, so they refused to condemn this action. This is not leadership.

By refusing to condemn this behaviour against peaceful protestors, the Liberals provided tacit endorsement of it, an endorsement that is amplified by serious inflation using words like 'eco-terrorists'. As we know, that is a factually false statement as terrorism, eco or otherwise, involves acts of violence. Someone is not a terrorist by virtue of the fact that they are protesting. This inflammatory language incites violence against others and by not condemning it when it happens, the Liberals are culpable twice over. To try to implicate the Greens in any threats to Mr Hackett, threats that we consider unacceptable and condemn, is just more opportunistic garbage.

I will also say this. Mr Hackett is not responsible for the disgraceful authoritarian expressions of interests and RAA process. It is this Liberal Government. This Government has deliberately, cynically and with intent to divide the community, pursued the corruption of process that has led to deep community anger over Lake Malbena and the broader issue of the privatisation of public lands. To accuse people of being bullies by raising their democratic voices and pursuing their lawful appeal rights is just another attempt to generate division and anger. This Government has the power to reduce hostility in the community by halting the hawking off of community assets and fixing this corrupted expressions of interest process that currently exists.

I will wind up with this. I said at a recent event at Wild Island Gallery that I thought it was legitimate to ask hard questions of proponents in the expressions of interests process. It is legitimate to put them in the public spotlight. That is how we won Ralphs Bay in large part, because we put the spotlight on Lang Walker, and when John Gay was trashing Tasmania through Gunns Limited, people who love the forests and democracy put the spotlight on John Gay.

I asked Mr Jaensch this morning for an apology for accusing me personally of inciting violence. He has not apologised and, to be honest, I do not expect one. However, it is deeply unfortunate and does not progress the debate when we ask serious questions being asked by a whole broad cross-section of stakeholders in relation to the expressions of interests process when the minister for Parks devolves to shouting, accusing people of being bullies, accusing people of being intimidating and his colleague accusing people of inciting violence. It is unacceptable. Surely in this place we should be above that.

It would be terrific if the Treasurer and the minister for Parks would just get up and answer a question on these issues, but instead of doing that he devolves to deflection and accuses us of somehow being responsible for Mr Hackett's suffering. We are not. If Mr Hackett is cranky with anyone for the situation he is in, he should look to his colleagues in the Liberals and their corrupted expressions of interest process to privatise public lands.

Northern Regional Prison - Westbury Residents' Concerns

[6.04 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, I rise on the adjournment to read into the *Hansard* an informal business survey which was conducted by members of the WRAP Group. This was forwarded to us as the Opposition and I believe it was also forwarded to the Government and I will read it out for the record.

On Wednesday 06 November 2019 the Honourable Will Hodgman MP, Premier of Tasmania and his colleagues the Minister for Corrections, the Honourable Elise Archer MP and Members for Lyons, the Honourable Mark Shelton MP, the Honourable Guy Barnett MP and John Tucker MP made an impromptu visit to

Westbury. They walked around several businesses chatting with people out and about on the streets and in the businesses they visited. A local business owner, Ms Liza deLautour, happened upon their visit and asked questions about when the Government would commence consulting with local businesses about the Proposed Northern Prison Site on Birralea Road Westbury. She was told by them that the consultation process had begun and that most businesses in Westbury were supportive of the proposed prison site. Since she has her own business and hadn't been consulted she took the initiative to ask local businesses of their experiences, if any, with the prison consultation process.

Liza deLautour is the business owner of You & Me PT in Westbury and a resident of Meander Valley since 2008. She independently, without any instruction from anyone, group or organisation, undertook this survey. She gave the raw data to ... her friend and client, and asked her to present the data in report format.

That is what I am now reading into the *Hansard*.

To the scope:

Businesses surveyed ... with a shop front on Meander Valley Road and William Street in Westbury. The survey was conducted face to face on Thursday 07 November and Friday 08 November 2019. On entering the business Ms deLautour introduced herself and requested to ask them two questions about the proposed Northern Prison site. If the business was busy she made another time to come back.

The business owners surveyed agreed to have their responses recorded but wanted to keep their anonymity. The reason for this is that they are concerned about negative impacts on their business should their opinions become public. While being reticent to express their opinions publicly they appreciated the opportunity to discuss the matter and ... to be heard.

Businesses that were surveyed were from a variety of different industries and services including but not limited to hospitality, tourism and retail.

Two questions were asked:

- 1) Have you been consulted about the proposed Northern Prison site?
- 2) Do you think that the prison on the preferred site will make a positive, negative or neutral impact on your business?

In all 23 businesses were surveyed.

Those surveyed were asked to answer from a business perspective only. For many businesses, however, it was difficult to separate business views from personal views. Many business owners see their businesses as more than simply a way of making a living. They are not only Westbury business owners but part of the Westbury community in its entirety. They are invested in the community on many different levels not merely business.

The graphs:

Have you been consulted about the proposed Northern Prison site?

A total of 18 answered no, they had not been consulted; two answered 'no comment'; and three 'management not available for comment'.

Then -

Do you think that the prison on the preferred site will make a positive, negative or neutral impact on your business?

A total of 12 answered 'negative'; six answered 'neutral'; two answered 'no comment'; and three answered 'management not available for comment'.

Recurring comments:

All the businesses surveyed commented that they would want to be consulted by Government and should be consulted but haven't been. Some received a visit from the Liberal MPs on Wednesday 06 November but they didn't regard this as real or a thorough consultation.

Three businesses commented that they feel the prison on Birralee Road is a 'done deal'.

Two businesses said that they (the Government) informed them of the proposed prison in an underhanded and sneaky manner.

Three businesses who are neutral about the location of the proposed prison and its impact on their business consider the prison's closeness to Westbury a valid argument against the prison on the proposed site.

General concerns:

Businesses are concerned about the Prison's impact in the following ways:

- Working late
- Effects on the elderly
- Lighting
- Security
- Staff
- Noise pollution.

This is some of the information that business owners stated.

Individual comments:

Short term change and long term uncertainty; perhaps more staff but for how long?

The process has been wrong and I don't trust it - the whole lot.

The Examiner came around, The Gazette has asked questions but no Department of Justice or politicians.

Another one said that 'The politicians visited on Wednesday, they spoke to customers, not staff or management'. Another said, 'I wouldn't build a tourism attraction in Risdon Vale'. Another said, 'A regular traveller through Westbury said they won't be stopping for coffee in Westbury if the prison is built'. Another one said, 'Hayes Prison Farm - far enough/close enough to have no stigma on the area'. Another said, 'I don't want "prison business" from prison visitors, staff or anyone from the prison'. Another said, 'My business may initially grow but I do not want to have a prison here - I will sell'. Another said, 'My business is currently growing, a site in Valley Central is a good option for relocation, however if the prison eventuates I will not move there because my customers would be put off by the close proximity of the prison'.

Another said, 'The prison won't make any difference to my business'. Another said, 'It's a poor location - if it's not right to be close to a juvenile detention centre but it can be close to a school - it makes no sense'. Another said, 'The politicians visited on Wednesday, they asked me "what's the feeling in Westbury?" they didn't ask me anything directly about the prison or my business. My business is already flourishing, especially in the last few years - I don't need the prison business'. Another said, 'I'm unsure about the future effect the prison may have on my business. I would rather not have a prison. I don't know what the future will be. I'm against it because it will damage the social integrity of the town. It's not good for Westbury at all. If the prison does cause harm, you can't take it back, it's here forever', was another comment.

In all, '95% of the Village are against it (this business' customers and friends)'.

Another says, 'My business is successful now, the prison could have negative impact and things could change'.

Time expired.

Right to Protest

[6.11 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I rise today to condemn this Liberal Government for introducing a bill to the House that will fundamentally change the long held right of Tasmanians to protest: fear of arrest if they are peaceful and making a statement.

I can assure the Clerk before he speaks to you that I am not going to speak about the contents of this bill. I am quite aware of that. Merely the fact it has been tabled is a disgusting statement about how authoritarian this Liberal Government has become and the police state that we are slowly marching towards.

This is not a light thing to say. It is a frightening thing but we are seeing Liberal and Labor governments around Australia increasingly introducing and passing this disgusting attack on the right to protest in this country so that corporations are not stopped or hindered in any way in their continued successful attempts to destroy the natural environment, to take and extract every little

resource they can that is remaining there and to do whatever is required to further the profit motive. Let us be clear, that is what this is about.

There are no instances that the Government can provide where this would have been required in recent history. There is no peaceful protest that could not be managed by the laws today that we have in Tasmania so that the safety of people is not hindered. There are trespass laws. There are many ways for the police to ensure that the rights of businesses are maintained already.

This legislation would lock people up for 18 months for peacefully protesting the first time, lock people up for four years for peacefully protesting the second time and as Mr Barnett said, crowded quite happily, up to 21 years in jail for protesting. That is more than you get for murder in this state. Just think about it. More than you get for murder.

As Bob Brown said today, people are not afraid of prison when the alternative is extinction. We know the sixth mass extinction of all animals on this planet is occurring right now. We know that. We are hurtling towards a dark place. Every scientific body that is responsible for this research is telling us this. A biodiversity crisis. The United Nations this year has told us, the IPPC panel has told us. Land use change is bringing a massive extinction crisis. A million species are expected to be gone within the next 10 years.

This is what people are speaking about because this Government wants business as usual. Why do they want it? Because that is what corporations want, of course they do. The Labor Party and the Liberal Party are together, doing the bidding of corporations and we are so far from understanding where we truly are because normal to the Labor and the Liberal Party is just doing what they have always done. They cannot think differently.

This is not going to stop people. This is going to encourage people because it is going to be really clear what we are up against. We do not have time to wait to move into the police state that is coming toward us. People will be less afraid of going to jail than the alternative. The alternative is an unthinkable abyss in which there is total breakdown of the climate. There is a loss of all functioning biodiversity. It will be the young children in the school strike for climate, the 'knitting nannas', the old people, the peaceful young people, the 20 000-odd people who are on the streets; they are the people who will be locked in the Government's jails.

Shame on the Premier for crowing that these were the toughest laws in the country. What sort of a government do we have? Who did people elect? Every single Liberal member in this place should feel disgrace that this bill was tabled, to what end? It is so that it is entirely possible that nobody could protest Ta Ann, a Malaysian timber company, extracting what they can from the old growth forests in Tasmania. Of course, let us not stand in their way, off you go, do your bidding.

The coal exploration licences: why would we stop opening up the Midlands, farming land, to the international thermal coal extraction company? Let us write some legislation now to make sure they can do it and they do not have to worry about any annoying protestors getting in the way. Shame on Michael Bailey from the TCCI for saying that it was necessary for businesses to have this legislation. Horseshit, Madam Speaker, absolute horseshit -

Madam SPEAKER - Order, I do not think that is a very nice word to be using in here.

Dr WOODRUFF - It is the right word because it is not true. There is no such thing as 'economic tourist' -

Mr BARNETT - Point of order, Madam Speaker. That is totally unparliamentary and I ask the member to withdraw.

Madam SPEAKER - What is the point of order?

Dr WOODRUFF - Yes, what is the point of order? If you do not like it, get up and give an adjournment speech about this yourself.

Madam SPEAKER - Could I have what point of order it is?

Mr BARNETT - The point of order, the wording of 'h-o-r-s-e-s-h-i-t' is unparliamentary and it should be withdrawn.

Madam SPEAKER - Is there a standing order that I have to obey? Can I have a ruling on that, please? I agree with you that that is unparliamentary. I am not impressed at all. Okay. It is intemperate. Could you please withdraw the word 'horseshit'?

Dr WOODRUFF - I withdraw it for the people in the room who are uncomfortable with the fact that the world has moved on and it is no longer considered to be a problematic word. The point is, the real problem with the language in this place is that which is coming from the Liberals in Government and it is absolutely disgusting. People will rise up against this bill and the High Court will have another challenge before it.

Time expired.

Homeless People - Emergency Support

[6.19 p.m.]

Ms STANDEN (Franklin) - Madam Speaker, I rise to talk about the Government's inaction on emergency support for homeless people in this state. It was the middle of winter when Mr Jaensch finally succumbed to the considerable pressure and announced his media release of 20 June -

... an additional \$5 million towards providing immediate actions to reduce homelessness and housing stress across Tasmania.

Here we are, it is well beyond winter and no-one is convinced of how many people have been assisted this winter and what the Government's exact plans are to expend that \$5 million. That is not good enough. The minister has said that brokerage assistance that was provided in the winter package of last year has been repeated this year and extended and that is a good thing but that has become a business-as-usual response.

To my knowledge, the minister announced the purchase of the Waratah to create supported accommodation, some 30 or so units for young people who are homeless or at risk of homelessness and that is a good thing but that facility, let us be clear, will not be opened, refitted and so on until well into next year. The announcement of the extension of shelters applied only in the south and some of those temporary accommodation units have been opened at the Hobart Women's Shelter but not at Bethlehem House, as far as I know. If they are open and accommodating families, that is good because that has been a gap for a very long time but not one of those accommodation pods was opened in winter, as promised.

The announcement of a Housing Ends Homelessness Expo, again, was offered beyond the winter period and some thousand or so people attended. We need to look at a cost-benefit analysis of that. A lot of effort went into organising that expo. It was a good idea and it was well intentioned. I do not know how much that cost but I want to highlight that there has been, at the same time, an immediate opportunity for funding assistance in the form of the Safe Night Space that has been proposed by community sector organisations, Hobart City Mission and the Salvation Army.

It was this week that the minister took the opportunity during a debate on an unrelated bill to outline the Government's position in relation to that, saying that it intended to partner to support this initiative. It was initially the intention that this facility be open in September and they have shifted their focus toward potentially opening in December. We are mere weeks away from that time frame. I have avoided doing media in relation to this because I understand the position of the community sector organisations that are waiting on a guarantee from the state Government. The minister outlined in his speech this week that they have achieved a fundraising target of \$120 000, which is a significant shortfall from the \$450 000 that is required.

I attended a wonderful reception organised by the Lord Mayor to promote and to try garner further donations a week ago. A full week later, there has been no concrete funding assistance announced by this minister. There was \$5 million on the table. If that has been fully expended on extension of shelters, the purchase of the Waratah and the expo and other things, why will the minister not come clean and declare that? In the absence of that information, this significant shortfall of some \$250 000 seems to be in the scheme of a \$5 million assistance package that was supposed to provide immediate actions to assist and reduce homelessness. It seems to be an opportunity going begging and it beggars belief that the Government has refused so far to a funding contribution from that \$5 million emergency fund in order to guarantee that the Safe Night Space pilot can go ahead. If the minister does not want to announce that because he wants to encourage further private donations, so be it. As far as I understand, these community sector organisations are operating in the dark with regard to a concrete commitment from the Government and that is a deplorable thing.

This week, there have been headlines with the suggestion that a mortgage is cheaper than renting in many Hobart suburbs. Clearly, the housing stress situation is declining further and further under this Government's watch. When there was a promise of an immediate assistance package, I ask the minister how he defines immediate and how does he define across Tasmania? As far as I can see, youth is missing out in this package. Anybody in regional Tasmania, if you live outside of Hobart, forget about it. Families are gathering some assistance through the pods at the Hobart Women's Shelter but it is clearly not enough. At the very least, this minister owes the people of Tasmania transparency regarding the expenditure of the additional \$5 million, let alone the stage 2 funding of \$125 million for the Affordable Housing Action Plan. That, in itself, has some targets but not funding allocations. It is completely opaque and it is difficult to hold this Government to account.

I urge the minister to reconsider his position and very soon to sharpen his pencil and write a cheque to Hobart City Mission and the Salvation Army to guarantee a very worthwhile facility that will offer a safe space for those 70 to 100 people estimated to be homeless and on the streets of Hobart tonight.

The House adjourned at 6.26 p.m.