



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

COMMISSION OF INQUIRY SCRUTINY COMMITTEE

TRANSCRIPT OF PROCEEDINGS

with

**THE HONOURABLE JEREMY ROCKLIFF MP
PREMIER**

Tuesday 5 December 2023

MEMBERS

Mr Wood MP (Chair);
Ms Johnston MP (Deputy Chair);
Ms White MP;
Ms Dow MP; and
Dr Woodruff MP

OTHER PARTICIPATING MEMBERS

Mr O'Byrne MP
Mrs Alexander MP

WITNESSES IN ATTENDANCE

Hon. Jeremy Rockliff MP, Premier, Minister for Mental Health and Wellbeing, Minister for State Development, Trade and the Antarctic, Minister for Tourism and Hospitality

Ms Jenny Gale Secretary of the Department of Premier and Cabinet

Mr Craig Limkin Secretary of the Department of State Growth, former Deputy
Secretary of the Department of Premier and Cabinet

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THE COMMISSION OF INQUIRY SCRUTINY COMMITTEE MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART, ON TUESDAY, 5 DECEMBER 2023

The committee met at 9.30 a.m.

CHAIR (Mr Wood) - The time now being 9.30 a.m., the scrutiny of the Premier will begin. I welcome the Premier and all the departmental staff who are here with us this morning. The time scheduled for scrutiny of the Premier is two hours and 45 minutes. Tea and coffee is provided at the end of the atrium for members to help themselves throughout the day. Members will be familiar with the practice of seeking additional information, which must be agreed to be taken by the Premier and the question handed in writing to the secretary of the committee.

I invite the Premier to introduce other persons at the table for the benefit of Hansard and then invite the Premier to make a brief opening statement. Thank you, Premier.

Mr ROCKLIFF - Thank you very much, Chair, for that introduction. I thank members of the committee for what is a very important day of questions and scrutiny. I will begin with an opening statement. As per your request, to my right is Jenny Gale, the Secretary of the Department of Premier and Cabinet; and Craig Limpkin, who is the Secretary of State Growth. As members would be well aware, he had considerable involvement in working as Deputy Secretary in the Department of Premier and Cabinet throughout the commission of inquiry process and, indeed, following as well.

I have a short opening statement. I will keep my opening remarks brief. I start by acknowledging the incredible bravery of victims/survivors of child sexual abuse who have courageously spoke out on behalf of themselves and many, many others who were unable to come forward and some who may never be able to do so. Without the strength and courage of victims/survivors, the injustices and the failings of the past 22 years and longer would not have been uncovered.

My commitment to you today is that the significant reform and change will occur, ensuring future generations of Tasmanian children and young people are protected, kept safe from sexual abuse and harm in our institutions. Our Government set up a commission of inquiry because the safety of children and young people is our highest priority. I know all members across the committee and across the parliament would agree.

Now, through the response, we can give meaning to the commission's final report by implementing it and delivering real change. The commission's report provides us with a blueprint for systemic and holistic change. Actioning the report will ensure Tasmania is nation-leading in the protection of our children and young people in government institutions. We have committed to implementing all of the 191 recommendations and 75 findings handed down in the final report. Our response commits our Government to delivering 83 per cent of those recommendations over the next two-and-a-half years, by 1 July 2026, and many of the recommendations by 1 July next year.

We do believe this can be achieved because we haven't waited for the commission to hand down its final report before acting. I have spoken about that a number of times. Through the course of 2022, a total of 30 interim actions were announced, 17 of these interim actions

are now complete and being implemented, and work is well underway with the remaining actions.

Since the commission's report was released on 26 September, there has been extensive work across our agencies to consider the full suite of recommendations and to map out the process of change. We have considered all of the recommendations carefully and set time frames for delivery that align with the suggested time frames of the commission. For a small number of recommendations, this is simply not possible and the commission recognised this, noting that the proposed delivery time frames were intended as a guide. We have moved 10 recommendations back and we have brought five recommendations forward. I want to reassure all members that where actions and recommendations can be delivered ahead of schedule, they will be.

For example, in relation to recommendation 21.8, I can announce today that additional funding of \$1 million will be provided to SASS and Laurel House to immediately increase access to harmful sexual behaviour intervention supports, including for young people in Ashley Youth Detention Centre.

To recommendation 19.5, today I can announce that the expression of interest process for the establishment of a child sexual abuse adult victim/survivor advisory group will open, a group which will be so pivotal in shaping our child sexual abuse reform strategy. Details on the advisory group draft terms of reference and the application process is available on www.keepingchildren.safe.tas.gov.au website today.

Our Government's response to the commission of inquiry final report is just the next step, it will not be our last. We are committed to continuous improvement, listening and learning from children and young people and victims/survivors, who will be at the centre of our consultation for our child sexual abuse reform strategy and action plan. This strategy will be released in July 2024 and will complement our response to the commission of inquiry final report, creating a safer Tasmania for all children and young people.

I will conclude by saying that 54 of the commission's recommendations require legislative amendments, so it is vitally important that we, as a parliament, work together across party lines to give effect to these legislative reforms to deliver the changes the commission has recommended. We have much work ahead of us. We share a collective responsibility to deliver the changes to safeguard our children and young people for now and the generations to come. I welcome the opportunity to take questions from members who I know have a great interest in the commission of inquiry report and the implementation of recommendations and more.

Ms WHITE - Premier, I'd like to join with you in acknowledging victims/survivors who are watching on here today, their advocates and their allies. I recognise that this could be quite a difficult couple of days for people. Thank you for the update. I am also keen to get an update from you about other matters that we've raised with you previously, in particular, the 30 misconduct notices that were formally issued and the inquiry process that you established and announced through a ministerial statement. You made a note at that time that in August the Government had established the joint safety and accountability team to identify those 34 alleged perpetrators.

Mr ROCKLIFF - Yes.

Ms WHITE - That process had identified 34 alleged perpetrators. I am keen to understand if you can provide an update on the status of the work of heads of agency who are working through a process where they're assessing potential breaches of the State Service Code of Conduct. Can you outline to the committee whether any breaches of the State Service Code of Conduct have been identified, how many and from which agency?

Mr ROCKLIFF - Thank you very much for the question. There are a number of aspects to that. There have also been number of further reviews and inquiries to be undertaken in the interest of transparency. Firstly, the Joint Safety and Accountability Team (JSAT) is a multi-agency team comprised of key enforcement and regulatory authorities. In August this year, as stated, JSAT began phase one of that work, which was to conduct an urgent review into the commission of inquiry's final report to ensure that the Government had responded to all concerns relating to the safety of children raised in the report.

JSAT has completed phase one in September this year, provided a report to Government with key figures, including the identification - as you say - of 141 separate allegations of abuse and 34 alleged perpetrators within the commission's final report. Seven - I believe this is your question, honourable member - of those 34 alleged perpetrators were identified by JSAT as current state servants, with all seven employed by the Department of Education, Children and Young People. In cases of allegations of child sexual abuse, the state servant has been removed from the workplace with immediate notification to the relevant external agencies, or a process has already been undertaken and they have either left the service, or following investigation it is deemed appropriate that they return to work.

If I may just pause for a moment and speak of the heads of agencies part of your question. Heads of relevant agencies have reviewed the matters arising from and related to the commission of inquiry report. Every matter of concern in relation to a current or former Tasmanian State Service employee is being assessed to determine whether further action under the State Service Act 2000 is required. Each head of agency is working through the appropriate processes whereby any behaviour which is deemed inappropriate will be assessed for a potential breach of the State Service Code of Conduct, noting that this work is not limited to the formal findings.

Where a head of agency forms a reasonable belief based on the available evidence that a State Service employee may have breached the State Service Code of Conduct, an independent investigation will be undertaken to provide advice to the head of agency for determination and sanction, as required by the State Service Act employment direction ED5. Investigations into potential code of conduct breaches have already commenced in many cases, and it's noted that the provisions of ED5 only apply to former employees where an investigation has commenced prior to the employee leaving the State Service. With respect to the code of conduct, yes, it is related to that.

Ms GALE - In relation to the seven current state servants, one code of conduct process had already been completed prior to the publication of the Government's response. All other matters are still underway.

Ms WHITE - Thank you. Premier, on 17 October in your ministerial statement update you outlined then that 7 of 34 alleged perpetrators identified were current state servants. All seven are employed by the Department of Education, which you have just spoken to again. You said at that time of those seven individuals, five are currently subject to a disciplinary

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process under ED5 and disciplinary processes have been completed for two employees. The matters were fully investigated and staff were deemed able to return to work. Has that status changed? Because the secretary indicated that one had had their code of conduct completed, but your statement on 17 October said two of the seven? Can you update the committee on the status of those seven? It certainly was my understanding that there were still five who were under investigation. Can you outline to the committee whether they are currently at work?

Ms GALE - In relation to the five and the information that I gave you about the one having been completed, one of the seven is undergoing another code of conduct process. That is the reason for the change. My advice is that none of those are currently at work apart from the one who's been returned to work.

Ms WHITE - Thank you. Premier, are you aware of anybody who might currently be employed, particularly at the Ashley Youth Detention Centre, who has a code of conduct matter that is current for them?

Mr ROCKLIFF - At the Ashley Youth Detention Centre? I will seek some advice on that, honourable member. I understand the importance of the question and why the question is asked. I want to get everything factually correct, so I will seek advice from the Department of Education, Children and Young People to bring back an answer for you. I know the minister will be up today, but we will try to get an answer for you as soon as possible.

Ms WHITE - Perhaps I could provide context.

Mr ROCKLIFF - Yes?

Ms WHITE - Is anybody who is a current employee - they may not be at work because they may be under investigation - is there anyone who's a current employee at Ashley Youth Detention Centre currently on leave because of a police investigation, because of their alleged conduct, or because of a code of conduct investigation?

Mr ROCKLIFF - I will seek some advice.

Ms GALE - It is my understanding that there are employees of Ashley Youth Detention Centre who are currently on leave and for whom a code of conduct process is underway. I'm not able to determine why they are on leave because leave is separate to the code of conduct processes.

Ms WHITE - How many staff?

Ms GALE - I would need to get that information from the Department of Education, Children and Young People.

Ms WHITE - It's just a process question, if I may, and I respect that you've got different ministers appearing at different times, Premier. Are you happy to take a question like that on notice here or would you prefer it be asked in a separate committee process?

Mr ROCKLIFF - No, we welcome the opportunity of taking questions on notice irrespective of the portfolio responsibility. The importance of the two-day scrutiny is to provide answers to all Tasmanians but in particular victims/survivors of child sexual abuse, so

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we will take whatever question we need to on notice and whether that's a question for the Minister for Education, Children and Young People, it's my responsibly, albeit my scrutiny would be completed by that time, so irrespective of that, yes.

Ms WHITE - Thank you.

Dr WOODRUFF - Premier, I also want to, on behalf of the Greens, speak to the people who are watching today who are victims/survivors or their advocates and thank them and acknowledge the long road that they've travelled for us to be sitting here today and scrutinising your Government's response to the enormous body of work the commission of inquiry did. Thank you for making this available. It is a mammoth, a huge body of work. I want to go to the commission of inquiry's page 5 of the first report where they said:

Over our lifetime, many of us may find ourselves directly or indirectly contributing to the conditions that increase the risks or occurrence of child sexual abuse.

They go on to say:

Day-to-day actions that make us a cog in the broader machine that quietly tolerates abuse and sexualisation of children.

Premier, do you believe that you've overseen the removal of all such cogs in government institutions?

Mr ROCKLIFF - Thank you. You're referring to volume 1 -

Dr WOODRUFF - Executive summary, page 5.

Mr ROCKLIFF - Yes, I have the paragraph in front of me here. As I've previously stated, Dr Woodruff, any person that has harmed, allowed harm to a child or young person will be held to account and our Government will be doing all we can to ensure that there are no perpetrators in government institutions that can harm children.

The reason why we set up the commission of inquiry was to shine a light on the past failings. The commission of inquiry have done their thorough work and we're committed to the protection of children and young people and will do all we can to ensure that there are - as I think you've raised it - 'cogs' nowhere within the system of government. The checks and balances and the accountability mechanisms that we've put in place over the course of not just the last three years since the commission has been doing its very good work but over successive years, including working with vulnerable children checks and the like; each have added to ensure that, as much as possible, perpetrators are nowhere within our system of government.

As the commission themselves have indicated, there is a massive amount of cultural work necessary to ensure that every state servant understands their responsibilities. This has commenced with the Department of Health and will be extended right across government. On the day of the tabling of the commission of inquiry report we announced some \$55 million of investment to support the implementation of the recommendations and \$4.5 million of that - if my memory serves me correctly - to support that cultural change in and across government.

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Dr WOODRUFF - Thank you. The commission of inquiry makes it clear in their report that there is a current, present risk to children in a number of institutions in Tasmania. Do you acknowledge that the report, your report titles and the website address - which is 'Keeping children safe' - do you recognise that the Government can't be keeping children safe if they're not actually currently safe? Aren't we talking about making children safe?

Mr ROCKLIFF - Ensuring, making. must be safe.

Dr WOODRUFF - But we're not keeping them safe, because there are many who are not safe now. Still.

Mr ROCKLIFF - It is every individual's responsibility to ensure that, when they see a young person or a child that is not safe or at risk of not being safe, then that is absolutely, utterly reported. All children have the right - a fundamental right - to be safe and secure and respected, irrespective of the government institution, whether that be a health facility, a youth justice facility or education facility. Also - can I say - all children and young people must be believed as well.

Prior to the commission of inquiry, throughout the commission of inquiry as evidenced by the recommendations or the actions that we've announced, 17 of those have been implemented that I announced in May 2022. Following the recommendations from the commission of inquiry we're committed to doing all we can to ensure the safety of our children and young people in our care.

Dr WOODRUFF - I agree that is absolutely the intention of yourself and people in the Government, but do you also recognise that although the state should be a model parent, it's currently not a model parent? Do you acknowledge that there are children right now who are not safe in Ashley Youth Detention Centre and in out-of-home care?

Mr ROCKLIFF - We have enormous responsibility as a Government and any government who essentially is - I will use your terminology - in the context of the parent, to ensure the safety of our children. I would absolutely want to guarantee that every child in our care is safe. The reason why we have commissioned the inquiry and, indeed, going through the recommendations - and I expect full implementation of the recommendations to not only make the commission of inquiry report come to effect but also above the recommendations - to ensure that we don't accept a level of certain safety for Tasmania, but that we are nation-leading. If there is any evidence that any child is not safe in any institution then that needs to be reported and addressed.

Dr WOODRUFF - I suppose it was reported in the commission of inquiry's report. That is the point.

Mr ROCKLIFF - Yes.

Dr WOODRUFF - They made the statement that children are at risk now. How many children are at Ashley Youth Detention Centre and how many children are in out-of-home care?

Mr ROCKLIFF - Can I firstly address the matter you're referring to at the moment? You've asked the question, 'Are the detainees at Ashley safe?' I will have to refer to the Keeping Kids Safe plan. We've been making the changes that I've spoken about, ensuring that our

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children and young people are at the centre while the work towards the transition progresses. We need to better support our young people at Ashley.

We've provided investment of \$5 million in the financial year of 2023-24 to ensure the safety and wellbeing of the children at the centre continues to be prioritised. I can detail a number of actions, including the review of all policies and procedures to ensure that they are contemporary and fit for purpose; the establishment of an incident review committee for compliance follow-up; there has been physical infrastructure improvements; working to ensure practices and procedures are therapeutic and trauma-informed; also reviewing the learning development framework to ensure all staff are trained to deliver a therapeutic model of care at the youth detention centre.

We have additional integrated security measures to achieve security and safety outcomes for children, young people and staff, and improvements - as I have referred to a number of times - in terms of therapeutic service models, including access to clinical services for children and young people at the centre.

Body-worn cameras have been introduced in a trial capacity at Ashley as of 30 November 2023 to support the safety and security of young people and staff. They will be activated by staff when responding to an incident and ensure an accurate audio and visual record is captured. An evaluation of the effectiveness and review of procedure will commence in six months. There has been a new personal searches policy, which was introduced in 2019, which we've spoken about a number of times since that time.

More specifically towards the end of your question, the numbers at Ashley, day-to-day fluctuations, as you'd expect. I am advised currently there are 12 on remand and 3 on detention, bringing a total of 15.

Ms WHITE - Premier, the commission of inquiry is called the Tasmanian Government's Response to Child Sexual Abuses in Institutional Settings. I am keen to understand, as part of the Government's response, how many staff have been terminated as a result of the evidence that's been shared.

Mr ROCKLIFF - I do have a number of figures or data relating to, since the commission commenced its proceedings. If you will allow me just a few moments to get that. Are you referring to routine disclosures? We have committed to the annual routine disclosure, you would be well aware, but also -

Ms WHITE - That tells you how many people have been stood down, but not terminated.

Mr ROCKLIFF - In terms of a breach of Code of Conduct in relation to child sexual abuse and sanction determined since October 2020, there have been seven. The termination number is released annually in the annual report. Would you like to speak more about that?

Ms GALE - Currently, the terminations of state servants are reported annually in the Tasmanian State Service Annual Report. The commission has recommended that the secretary of DPAC reports annually on all allegations of child sexual abuse and the processes and the outcomes. The first annual report in relation to the commission of inquiry's recommendation will be in 2024, which brings that recommendation forward two years.

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Ms WHITE - You are not able to tell me to date if there have been any terminations as a result of the evidence presented to the commission of inquiry? Why do we have to wait until 2024, which I presume would be October 2024 because that's when annual reports are shared?

Mr ROCKLIFF - That's correct.

Ms WHITE - Nearly a year away.

Mr ROCKLIFF - In terms of that main data or information available -

Ms GALE - The figures that are in the routine disclosure were - or the headings, if you like, of the categories in the routine disclosure - were based on the advice that we received at the time about identification of employees. We need to be careful that we don't identify individual employees.

Ms WHITE - I am not asking you to do that. I am simply asking if there have been any terminations.

Ms GALE - That is the reason why. When there are relatively small numbers involved, there is a possibility that employees can be identified, and so the decision was made that we should report on the number of breaches and whether sanctions had been determined, not on terminations.

Ms WHITE - Premier, I find it staggering that you're unable to tell us whether anyone has been terminated. I'd assume the only reason they would have their employment terminated is if they had perpetrated abuse or had been involved in some way that covered up that abuse and therefore they should not be employed in the State Service. I would have hoped, in the interests of transparency and closure for victims/survivors who have given evidence through this process, that you could update the committee about whether anybody has been terminated.

Mr ROCKLIFF - Thank you for the question. We have every need, and will be transparent in information that we provide the Tasmanian people.

The State Service have their processes, but all alleged perpetrators are, of course, reported to police and go through a process.

Ms GALE - In relation to the employees who are mentioned in the report itself - I think you were referring to, Ms White - apart from the one process that I indicated earlier has been completed, the others are still underway, so there have been no terminations. Those processes are still underway.

Ms WHITE - So, to date, there have been no terminations as a result of the evidence shared through the commission of inquiry?

Ms GALE - The Employment Direction 5 processes in relation to those employees who are named in the report - to my knowledge - are still underway. Of course, you'd be aware that some employees have resigned.

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Ms WHITE - I am aware. To that, I'd like to understand how many have been charged? Because, obviously, you can't escape criminal prosecution because you resign. Can you update the committee on the number of people charged?

Mr ROCKLIFF - The police have laid charges for 10 matters against 9 people relating to child sexual abuse and 74 state servants have been suspended as a result of allegations of child sexual abuse since October 2020. As we have previously discussed, there's seven code of conduct breaches determined and sanctions imposed. As has also been stated, the head of the State Service has been publishing information through the routine disclosure process since 2020 relating to suspensions of State Service employees due to allegations of child sexual abuse.

Ms White - Thank you, Premier. Of those 74, how many are on full pay?

CHAIR - Mr O'Byrne has the call.

Mr O'BYRNE - Thank you, Chair. I would like to acknowledge victims/survivors and their advocates and also that this is a very tough process.

My question is about cultural change and the leadership of the public sector. Obviously, you're going through investigations and dealing with the accusations and the crimes committed by perpetrators or alleged perpetrators. Obviously, there's a hierarchy of responsibility: it is not only the people directly engaging with young people and children that have a responsibility; it's their supervisors, their managers, secretaries and deputy secretaries of departments.

How many people in leadership positions who may not be personally charged with crimes against children, how many supervisors, leaders of the public sector that have been held to account in terms of counselling for lack of action or lack of response to dealing with the risk that was clear and present to young people, how many people have lost their job? How many people have been counselled? Have people been removed from leadership positions because of their failure to undertake their duty of care for young people?

Mr ROCKLIFF - Before I refer to the secretary, I agree with you on the importance of cultural change. That process has commenced, as I previously mentioned, with the Department of Health some time ago and the \$4.5 million of investment. Allegations of child sexual abuse - as it was said before - will result in the state servant being removed from the workplace and immediate notification to the relevant external agencies. As the full investigation and consideration of alleged incidents to determine if there have been breaches of the State Service Code when an allegation is made in an agency, it is elevated to the head of the agency who then advise the head of the State Service for inclusion in the routine disclosure return that is published monthly on the Department of Premier and Cabinet website. Suspension of a State Service employee because of allegations of child sexual abuse is publicly disclosed. The State Service is committed to continuing to improve the processes and reflect feedback from employees, unions, key stakeholders and learnings from the commission of inquiry itself.

Before I get to your questions in terms of the numbers of people in various areas, that part of the \$4.5 million investment into the process of achieving cultural change is to ensure that we're embedding child safety in all aspects of the business of the State Service, engaging with our children, families and communities to hear their voices, upholding equity and diversity, recruiting and supporting the right people, a transparent and robust complaints

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process, ongoing education and training for staff and volunteers, safe physical and online environments, a formal culture of reflection and review, and formal and up-to-date policy environments.

We are embedding resources in taskforces set up within each agency to identify opportunities and barriers to cultural improvement, priorities for training and development, and skills development for critical staff and teams. We have made a start assessing our performance against child safety standards to achieve compliance with the child and youth safe organisations legislation. Through the taskforces, we'll build on the tangible things each agency will deliver for these child-safe services. Taskforces in each agency will take responsibility for identifying and acting upon specific agency needs.

In conclusion, before we get to your specifics, I'm advised the funding may be used by each agency to, for instance, roll out child-safe training, recruit child safeguarding advisers, implement tailored child-safe reporting and learning systems, establish and embed a child-safe complaints management system, establish a practical information securities system, embed child-safe standards in the performance management processes for all staff, and build on the work already underway for the One Health Cultural Improvement Plan to reinforce management and leadership development responsibilities.

In terms of the specifics of Mr O'Byrne's question on numbers?

Ms GALE - The heads of agency have analysed the report and have identified all of those state servants who have been commented on adversely. There are processes currently underway to make an assessment on each and every one of those as to whether or not they may have breached the code of conduct. Those processes are ongoing. I do not believe any have been completed.

But you may recall that the Premier announced that there will be an additional routine disclosure that will provide progress against those processes that will be published so that that information is available to the public. The publication of that is imminent. We are still quality assuring the information for the final version of that routine disclosure but the expectation is that that will be online sometime this week, and that will provide progress.

Mr O'BYRNE - To clarify, that is people not directly perpetrating against children but people in positions of responsibility who failed to act?

Ms GALE - It will be both.

Mr O'BYRNE - How many are being investigated in the public service?

Ms GALE - I would rather wait until I had that information quality assured before I was able to give that number but I am expecting that it will be published this week.

Ms JOHNSTON - Chair, I'd also like to acknowledge victims/survivors and thank them for their bravery for shining a light on our failure to keep children safe in the past and present, and also acknowledge those who have not been able to speak up and realise that today is a very difficult day and this week will be too.

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Premier, following on from Mr O'Byrne's question, I don't want to put words in your mouth but you indicated just how important and fundamental cultural change is to the implementation plan. Following on from that, in the context of demonstrating a commitment to meaningful cultural change, in relation to the list of 22 individuals against whom the commission of inquiry issued section 18 notices regarding potential misconduct and adverse findings - the list which you confirmed to the House of Assembly on Thursday 2 November was provided to the commission, to a state lawyer, in April this year. Can you rule out today that any of those 22 individuals had any role in the development of the Government's implementation plan and/or will be likely to have any role in delivering the implementation going forward?

Mr ROCKLIFF - Thank you for the question, Ms Johnston. I'll seek some clarification.

Ms GALE - Through you, Premier, the Government's response I assume you're referring to, because the implementation plan won't be available until 1 July 2024. In relation to the Government's response, DPAC had responsibility for the production of the Government's response. There was input from other agencies in relation to their particular recommendations and I don't have any information as to who participated in that.

Ms JOHNSTON - To be clear, in the Government's response and in developing the implementation plan which is to come, you can't give an assurance that no-one who had received a section 18 notice has been involved in that process or will be involved in that process in the coming months and years ahead?

Ms GALE - I'm not aware of who received section 18 notices as such. We have not been provided with a list of people who received section 18 notices.

Ms JOHNSTON - Premier, are you aware?

Ms GALE - I am aware of the processes that agencies go through to coordinate the information that came through into the response, but again, not of the individuals who contributed to that. As I indicated to Mr O'Byrne previously, all of those people who were mentioned in the report - the circumstances around that - are currently being assessed and they will go through processes, through an ED5 process where that is deemed necessary, and then a sanction will be applied at the end of those processes. It's not possible to pre-empt what those sanctions will be and therefore it's highly likely that some of the people who are under assessment may participate in ongoing normal agency activities.

Ms JOHNSTON - Premier, would you agree that that is concerning to victims/survivors to hear today that potentially people who had section 18 notices provided to them are involved in the implementation plan of a such a critical document, when cultural change needs to happen from the top?

Mr ROCKLIFF - We are committed to cultural change right from the top. I accept that, while I am in this role as Premier of Tasmania, the buck stops ultimately with me with respect to these matters. I will do everything I can to ensure there is significant cultural change. Part of that cultural change is of course accountability, as you would well appreciate, and there are a number of processes we've spoken about today where there are accountability mechanisms and actions in place throughout the public service and that continues with some of the reviews that I've announced since the tabling of the report.

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Dr WOODRUFF - Premier, recommendation 12.1 in the commission's report tells the Government to close Ashley Youth Detention Centre as soon as possible, but instead you've listed this for July 2026. Your predecessor's original promise was by the end of 2024. Do you understand that Minister Jaensch's refusal to act earlier is abandoning the majority of those children in Ashley Youth Detention Centre now, the 12 on remand not convicted of any crime, as well as the three who are detainees there?

Mr ROCKLIFF - We have been working through our commitment to close Ashley and we will; we have made it very clear. We need to do so and in a manner that supports the children or young people and also ensures community safety. We have identified the site, as you'd appreciate, in terms of the location of the detention facility but also the blueprint more broadly for youth justice where the therapeutic model of youth justice and care will be achieved, which is part of that closure of the one facility.

Dr WOODRUFF - What is your rationale for not transitioning children who are in Ashley to community-based out-of-home care?

Mr ROCKLIFF - As I say, we've worked hard to ensure that we can close Ashley as soon as we possibly can. We have committed some considerable investment to do so, which is \$50 million to transition to a more appropriate, contemporary, fit-for-purpose facility in the south of the state, which I have just mentioned. The statewide centre will provide that opportunity for intensive intervention and rehabilitation through a therapeutic model of care. It will be smaller than the current Ashley Youth Detention Centre and incorporate design features that reflect best-practice international youth detention facilities as well.

The closure of the centre provides that opportunity to adopt a strengthened diversion and prevention approach to youth justice, as I have spoken about already, and that trauma-informed service model focuses on improving outcomes for young people in terms of their rehabilitation, their safety, their wellbeing and, importantly, their learning as well. In the interim, we will also undertake additional work at Ashley Youth Detention Centre to ensure that the safety and wellbeing of the children at the centre continues to be prioritised. I've detailed a number of aspects to those as well. This will be done in consultation with key stakeholders.

To your question as well, Dr Woodruff, the courts determine whether the risk to a young person or the community is such that the young person has to be kept secure and that security and that secure environment, if I can put it that way, needs to be contemporary and that is why we are making the changes at Ashley and why we'll implement our southern-based facility which I've spoken about as well. It is part of a broader blueprint for youth justice that Minister Jaensch has had a draft of out already and no doubt he'll be making some comments when he faces the scrutiny hearing today.

CHAIR - Just on that, I remind the committee that the relevant minister will be in this afternoon. so please address the relevant questions to the relevant minister, thank you very much.

Ms WHITE - Premier, the commission of inquiry issued 30 section 18 notices to 22 people but they only made one finding of misconduct. Misconduct is defined in the Commission of Inquiry Act as conduct by person that could reasonably be considered likely to result in a criminal charge, civil liability, disciplinary proceedings or other legal proceedings

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being brought against that person in respect of the conduct. Your secretary has indicated that a list of the names has not been provided to her in her role, has it been provided to you?

Mr ROCKLIFF - No.

Ms WHITE - So, you haven't been provided with a list of those names?

Mr ROCKLIFF - No.

Ms WHITE - We have asked you questions about this in the parliament. You've denied that the Government had a list of those names, it was later revealed through correspondence that they were provided to your Government in April. Your Government has had those names since April. Why haven't you, as the employer, taken an interest in finding out who these individuals are to make sure that they're not in a position where they are working with children or in a setting that's inappropriate?

Mr ROCKLIFF - I expect that every child in a government institution - their safety is utterly prioritised and are not in and around people who are at risk of perpetrating harm to a child.

Ms WHITE - Premier, we just learned that people who have been issued a section 18 notice may be involved with development of the implementation plan for the response of the Government to the commission of inquiry. We have just learned that you yourself, apparently, do not have a list, the secretary of the Department of Premier and Cabinet does not have a list of those people, yet it was provided to your Government in April. What will you do to make sure that none of those people are involved with the development of the implementation plan? If you really are going to change the culture of the Government and our institutions, how can you expect anybody to believe that's going to happen when these people could be involved with the decision-making process?

Mr ROCKLIFF - Every person identified as a possible perpetrator has been referred to the appropriate authority, be it Tasmania Police, HealthSense -

Ms WHITE - You also have said no one has been terminated.

Mr ROCKLIFF - The Teachers Registration Board or the Working With Vulnerable People registrar. All heads of agency are continuing to work through the findings and individual circumstances relating to matters of concern in relation to State Service employees both current and former and identified in the final report. This work is not limited to the formal findings. An independent audit of all the actions in response to the information and concerns raised by the commission regarding State Service employees will be undertaken.

In relation to individuals identified in the report, I remain committed to providing the community with as much information as permitted by law. As I committed to on 17 October, the Department of Premier and Cabinet is preparing an additional report based on information from all relevant agencies that outlines the number of matters under assessment, the progress of those assessments and whether actions under the State Service Code of Conduct have commenced or been determined. It is the Government's intention that this will be available later this week. Anything further?

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Ms GALE - I understand that what you may be referring to in relation to April is information that the Government received in relation to those employees for whom the commission of inquiry was considering, or may have been considering, to issue misconduct findings. I just want to clarify that. A list of who received misconduct findings we do not have.

Ms WHITE - Section 18 notices?

Ms GALE - Yes. Thank you for clarifying that.

Ms WHITE - Only one misconduct finding was made.

Ms GALE - There was one misconduct finding. The Premier has also previously announced that the Department of Justice is conducting an audit of all section 34A notices. That audit is still underway. However, I can confirm that, as the Premier has said, any state servant who is referred to in the commission of inquiry report is currently subject to an assessment by heads of agency. They are underway. Some ED5s have commenced. As I indicated earlier, they have not been completed but they are underway. I am confident that all of the state servants who are referred to in the report are being held to account.

Ms WHITE - Premier, to that end, the commission of inquiry in their report outlined that:

It's important for us to state that as far as we are aware at the time of writing, none of the staff we examined in our case examples have been charged with any child sexual abuse offences.

Premier, of the 10 charges that have been made against 9 people, are they people who have been identified through the report or is there a different process that's brought those names to your attention because the commission of inquiry found that, as far as they are aware at the time of writing, no one had been charged?

Mr ROCKLIFF - Thank you for the question. I will seek the answer for you. I am happy to take that question on notice. I understand the importance of it. It is perhaps best to refer to the Police Commissioner around the question that you raised. We will seek an answer for you and take that on notice. If we can provide that for you, we will.

Ms WHITE - I ask that question because the reasons that I'm hearing your Government give for why you haven't followed up on who has been issued with a Section 18 is that if something serious has been found to occur, somebody will have been charged. Yet at the time of writing the report, nobody had been charged. I am unclear of the timing around when those nine people were charged and for what reasons they were charged, and I'd be interested to understand that. I am also interested to understand, from your perspective, Premier, whether you think it is appropriate that your Government hasn't informed itself of who has been issued with a Section 18 notice to ensure that those people aren't working in positions that could influence the implementation plans drafting. Because ultimately, how do you rebuild trust and change a culture if the same people who've been issued with Section 18 notices are still in roles where they're influencing the decision-making of Government around these important matters?

Mr ROCKLIFF - I can only repeat my assurances that accountability is essential to rebuilding trust. We recognise that over successive decades, the trust between victims/survivors, the government and government institutions has dissipated. That includes through the findings and the identified failures of governments over the course of the last 22 years in particular, as was the focus of the commission of inquiry since the year 2000. Previous to that was the Department of Education report done by Professors McCormack and Smallbone as well.

Accountability and transparency is essential to rebuilding that trust. Nothing that I have done as Premier - I feel I've done all I can, and we will all do more to ensure we rebuild trust, particularly with victims/survivors and the community. We all want to implement the recommendations. We have a thorough interim report of our Government's response to the report of the commission of inquiry. The comprehensive work continues to be undertaken with the release of further actions and a way forward in July next year.

Ms GALE - A matter to clarify: section 18 notices are provided to individuals, not to institutions. It's not possible for the Government to understand who they were issued to, unless somebody offers that information. However, section 34A notices - and that's the means by which the commission of inquiry had to indicate to institutions any matters of concern that they raise that became evident throughout the commission of inquiry. As I indicated previously, the Department of Justice is undertaking an audit of section 34A notices because they may have been sent to, for example, regulatory authorities, as well as government agencies. That audit is underway to ensure that all of those matters of concern that the commission of inquiry indicated - I think in a letter to you, Premier - that they had finalised to their satisfaction were through section 34A notices. That audit is underway and will be completed.

Mr ROCKLIFF - The commission had, as you are well aware, the power to make referrals to appropriate authorities that referred a large number during the course of the inquiry. In fact, I am advised this included 43 referrals under section 34A of the Commissions of Inquiry Act 1995. Throughout the time of the commission of inquiry, police have laid charges for 10 matters relating to child sexual abuse in Tasmanian government institutions. Some of these matters were reported directly to Tasmania Police; they were not referrals from the commission. These 10 matters relate to 9 individuals who have all been put before the courts. For information, the 10 matters do not include those pertaining to James Griffin, who was charged in September and October 2019.

My apologies, I need to clarify a date I provided earlier. I have been informed that the scheduled start to the use of body-worn cameras is the week commencing 11 December 2023.

Ms WHITE - Premier, one of the criticisms in the commission of inquiry was the lack of curiosity. Are you not curious about who these 21 individuals are who've been issued with section 18 notices? The Government has received that information. It may be with the state's lawyers, and that's where I understand that information resides. Why haven't you demanded, as the Premier, that action be taken so that these individuals and their conduct can be followed up? Rather than, as what appears to be the case, this blind faith that something is going to happen and hopefully children will be safe or hopefully the cover-up behaviour that was exhibited that led to the commission of inquiry issuing them section 18 notices won't continue? I can't wrap my head around the lack of interest and urgency from your Government to get to the bottom of who these 21 people are.

Mr ROCKLIFF - I reject that. We're the Government that set up the commission of inquiry to shine a light on past failures of successive governments. We take full responsibility for the implementation of the recommendations and, indeed, the findings. I reject your accusation. We have started the process, in terms of actions, back in May. In terms of my role as Premier, when we announced the 30 actions, 17 have been completed - I've been quoting 15, but 17 have been completed since parliament [?? 10:34:04] and new information. We're working through that.

We took a lead in the importance of ensuring that we didn't wait for the commission of inquiry recommendations to be detailed and the president, Marcia Neave, made it very clear in her opening statement that the Government should and must act in terms of actions and not wait for the recommendations. We have done that. We have outlined considerable investment. We have outlined interim actions when the commission of inquiry report was tabled. We have the report that we are here this week scrutinising in terms of our government response. This is a start and there will be more as we build on those recommendations. The people you refer you will be included in the section 34A audit. All people named in the report are being assessed.

Dr WOODRUFF - Premier, you said just then that your Government commissioned this inquiry to investigate past failures of successive governments into child sexual abuse. Isn't the point that the commission of inquiry made extremely strongly is that there are current failures? There are current failures in current systems, in current institutions and in current cultures, and the work you're undertaking is going to take years to complete in order to change those cultures and systems. In Ashley today there are restrictive practices which are identified as a form of isolation, in the present, right now. The commission of inquiry identified the use of force, bullying and sexual abuse as being rife at Ashley Youth Detention Centre in the very recent past - when they were writing.

In September, community sector organisations and experts asked to meet with the Minister for Education, Children and Young People to explore options for alternative care and therapeutic arrangements for children at Ashley Youth Detention Centre, but Minister Jaensch would not meet with them. We then understand that community sector organisations asked the minister to assemble a working group to discuss what services are already being provided and what possibilities were available to have an alternative approach to caring for those children, and again Minister Jaensch was not receptive. Does that shock you?

Mr ROCKLIFF - Thank you for the question, Dr Woodruff. Minister Jaensch will be before the committee hearing welcoming the opportunity for scrutiny on his actions, the Government's actions pertaining to his portfolio responsibility. When it comes to the safety of children in all departmental settings, we've released an integrated framework for safeguarding children and young people from abuse, with a particular focus on child sexual abuse, safe, secure and supported our safeguarding framework. It is structured to directly align with the national principles of child safe organisations and Tasmania's child and youth safe standards now embedded in the Child and Youth Safe Organisations Act 2023.

Under the framework, all staff, volunteers and external providers will be required to undertake introductory and ongoing annual training in critical aspects of safeguarding, including a legislative requirement to report and respond to all concerns, suspicions, allegations, information and knowledge of child abuse, including neglect. In 2023 the department introduced revised mandatory reporting training for all employees, which has been

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completed by approximately 12 000 staff, I'm advised, and from 2024, volunteers and external support providers will be required to complete this training. This is a vital part of ensuring all workers are aware of their obligations to report any concerns of a child or young person.

When it comes to safeguarding in our schools, that is Minister Jaensch's responsibility. We have a safeguarding lead in every state government school. They help to plan and put in place strategies to support the wellbeing of students and foster a culture where it is understood that safeguarding is everyone's responsibility in terms of action 11. Further information -

Dr WOODRUFF - I suppose my question -

CHAIR - Again, I just remind the committee that the relevant minister will be appearing before us this afternoon, so questions in relation to Ashley Youth Detention Centre, I would suggest, be held over till the later session when the relevant minister's here.

Dr WOODRUFF - I appreciate that, Chair. Can I just ask for clarification? My very clear point was not about the arrangements at Ashley Youth Detention Centre, it was not about any operational matters and I didn't ask that question. I asked whether the Premier was shocked that his minister is refusing to meet with people from the community services sector. It was not about operational matters, it was clearly about the role of you as Premier and the fact that these organisations - Colony 47, TasCOSS, the justice reform initiatives, the legal centres, all the people who work with the children who need care and therapeutic support - they have described minister Jaensch as dismissing expertise in the sector and accused him of disrespect. Do you still think that he is the right person to be leading the job of closing Ashley?

Mr ROCKLIFF - I have said many times that I have confidence and support the work of Minister Jaensch. He has been working in this role for some time. He is an extraordinarily committed and compassionate person. My expectation is that all ministers, irrespective of the hats they wear at a particular time, engage thoroughly with all stakeholders.

Dr WOODRUFF - He is not doing that. Will you speak to him about it?

Mr ROCKLIFF - Dr Woodruff, my understanding is that Minister Jaensch has met with TasCOSS and I am sure -

Dr WOODRUFF - I heard from them yesterday, the whole group. They haven't had that conversation, they haven't been met. He is stonewalling them.

CHAIR - Ms Alexander has the call.

Mr ROCKLIFF - I will come back to that, Dr Woodruff.

Mrs ALEXANDER - I would also like to acknowledge the victims/survivors and their families and to recognise the fact that their pain and the emotional turmoil they went through is the reason we are here today and all the work that has been done so far.

Premier, I noticed that there has been an acknowledgement of a central register of employees whose employment has been terminated because of a code of conduct investigation for child sexual abuse - that that's been talked about. Has this register commenced? Is information being shared across agencies as we speak?

Ms GALE- This is one of the initial actions we've undertaken in relation to - or previous, actually, to the commission of inquiry recommendations being handed down, the final report. There is a central register, yes, and that information is being shared between agencies. There are protocols and guidelines for how that information can legally be used and shared between the relevant personnel in agencies.

Mrs ALEXANDER - Premier, would you be able to disclose to the Tasmanian public the number, at different points of time, of people on that register?

Ms GALE - That is one of the considerations that will be undertaken as we implement the recommendation from the commission of inquiry about an annual report by the secretary of the Department of Premier and Cabinet. As I indicated to Ms White earlier, the first annual report will be provided in 2024, which is two years ahead of the schedule identified by the commission of inquiry. We are still working through the matters that will be part of that comprehensive annual report.

Mrs ALEXANDER - Premier, on the basis of the answer that we have just received around the annual report, will you undertake to make a similar opportunity - like today and tomorrow - for the parliament to scrutinise that yearly report?

Mr ROCKLIFF - Every report can be scrutinised through the budget Estimates process, so there is an opportunity for that to occur at that time, question time. I can go into the independent monitor and a number of matters relating to recommendations to the commission of inquiry where there will be scrutiny as well. But, as evidenced by the fact that we are here this week, in terms of ensuring there is availability to scrutinise the response released on 1 December last week, we are always open to suggestions of how we can be thorough in our responses and our scrutiny.

Mrs ALEXANDER - Just to clarify, instead of having a whole-of-government scrutiny, you envisage that there will be individual scrutiny as part of budget estimates of the various departments?

Mr ROCKLIFF - I am open to suggestions, Mrs Alexander. I do not want to make decisions without thinking through how best we can provide the opportunity for scrutiny for all members of parliament, irrespective of the government of the day. I am conscious of the fact that right now I have the privilege of being Premier and our Government. That may not always be the case so I have always found, with 12 years' experiencing Opposition, that scrutiny in all its forms is an important part of the democratic process.

Ms WHITE - Premier, yesterday I had the opportunity to be briefed by the Tasmanian Family and Sexual Violence Alliance, who were very thorough in the information that they shared with us. There was concern raised, however, and it relates to the question from Mrs Alexander, that the Government is doing work internally identifying individuals who may present a risk to children and creating a register but that will not be shared externally. The concern is that people will take a job in the community services sector and the information that the state knows about them will not be shared with their new employer, and they will take on roles working with children. The state has identified them as potentially having a risk but their new employer outside the State Service does not know that.

How will your Government take a broad approach to making sure we prevent instances of harm against children? The response from the Government to date has been very narrow, looking at internal processes of government without considering the broader impact of harm to children across the community, particularly for the services delivering support to children, especially vulnerable children. The sector is keen to understand how they can be engaged and information shared so they are not employing people who could put children at risk.

At a higher level than that, how will your Government take steps to prevent instances of child sexual abuse occurring by working across the state to change the culture rather than just a narrow focus on the State Service?

Mr ROCKLIFF - Thank you for the question. I would understand the reasons for the discussion that you had yesterday. I would be open to listening to the concerns as expressed to you more directly.

More broadly, we have a Working with Vulnerable Children check that all matters can be referred to, plus other regulatory bodies. That Working with Vulnerable Children check is crucially important, as you would appreciate, and a very good mechanism to understand a person's suitability to be working with children and young people. If there are ideas outside of that you might be referring to, or do you have a suggestion?

Ms WHITE - A broader cultural change that we know is needed across the Tasmanian community. The response from the Government has been focused solely around what you can do rather than how it might change behaviours more broadly across Tasmania to prevent child sexual abuse from happening in the first place. The report to date has largely focused on how respond to it, rather than a heavier focus on preventing it. That is a culture change that is not just the responsibility of one government agency; it is a cultural change that needs to happen across the broad landscape. And it needs to include the community services sector and others who, at the moment, do not feel like they have been invited to the table.

Mr ROCKLIFF - I would be very interested to engage with the community services sector in how they may feel is the best way to have the broad cultural change. The commission of inquiry's focus has been on government institutions. I've spoken today about cultural change within all departments, particularly Health. We started that process very comprehensively and well, and with our investment. We have that working with vulnerable people check, which is a whole of community check.

Any matters that the community services sector would like to discuss with me or relevant ministers in terms of ideas about the broader cultural change, notwithstanding the commission of inquiry's shining a light on government institutions has deeply affected the whole community and highlighted the need for protection of children everywhere.

Ms WHITE - They're information sharing as well, to make sure they're not employing somebody they shouldn't? I take on board your feedback about the working with vulnerable people card, but to be perfectly frank with you, that's not the best protection. I think that we've seen that. I worry if that's the only thing the Government can point to, because I do think that the community services sector is likely to find itself in a position where they might be employing somebody that they shouldn't; that the Government knows about because you have them on your risks register. How will you share that information so that those people are known to not be suitable to work with children more broadly, outside the State Service?

Mr ROCKLIFF - I appreciate any concerns that the community services sector would have in this area. I would be more than willing - a welcome opportunity, in fact - to engage with the services sector around the possibility of sharing information -

Ms WHITE - Say for instance, if somebody applied for a job and they had on their resume they had previously worked for the department of children and young people. Upon checking their references, could they also ask, has this person been identified, have they been placed on the risk register? Could you look to see if that information could be shared?

Mr ROCKLIFF - We will, as I've said before, leave no stone unturned. Anything we can do to increase transparency, accountability and the protection of our children we will do. Just today, I've announced that we're investing an additional \$1 million across two specialised therapeutic sexual assault support services to immediately increase access to harmful sexual behaviours intervention supports.

I can also point to chapter 18, regarding overseeing child-safe organisations, and work through some detail around the commission of inquiry discusses the community-wide child sexual abuse prevention strategies recommended by the national Royal Commission, of which I know we're all familiar with; the Government's investment in ensuring that staff and volunteers who work within child-facing organisations have a good baseline knowledge of child sexual abuse and how to respond to it and the establishment of a new Commission for Children and Young People. There are 15 recommendations pertaining to that important matter. Is there anything - engagement around Government?

Ms GALE - My expectation is that when as we're developing the child sexual abuse reform strategy and action plan, that that is intended to be much broader than an internal Government action plan and strategy. We've just completed the response. We're working now towards having that reform strategy and implementation plan completed by 1 July next year. That will be the broader community consultation, building awareness and so on will be part of that strategy and implementation plan. The commission of inquiry recommendation indicates that it needs to go much more broadly than its report and a response to the report. That will be part of the work that we undertake as we get to delivering that plan.

Mr ROCKLIFF - Dr Woodruff, can I just update the committee on a question you asked before?

Dr WOODRUFF - Of course you can. I wanted to update the committee on a comment I made earlier.

Mr ROCKLIFF - It goes back a little while. How many children or young people are in out-of-home care? I am advised that currently there are 961. I have 961.2.

A member - That must be a very young person.

Mr ROCKLIFF - In relation to minister Jaensch, I am advised he met with TasCOSS and stakeholders' group on 3 November. The minister invited TasCOSS and others to visit the Ashley Youth Detention Centre. My understanding is that it was a productive meeting. Mr Jaensch invited TasCOSS and members to visit the AYDC in line with our commitment to increase their access, transparency and insight into day-to-day operations, which are so important. Minister Jaensch will no doubt speak about his desire to continue productive

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discussions with TasCOSS and other members, which I know he will do. It is my expectation that all relevant ministers would as well.

Dr WOODRUFF - Thank you. For clarity, your answer on out-of-home care, does that include children who are under third party guardianship as well?

Mr ROCKLIFF - I will make sure we get the information correct, so we will update the committee at that time.

Dr WOODRUFF - I wanted to correct my comment earlier, which you partly responded to, which was that minister Jaensch did meet with the sector after nearly two months, but will not meet to talk about convening working group.

You would acknowledge from the commission of inquiry report that rebuilding trust requires accountability and transparency. The youth justice blueprint is referenced continuously throughout the Government's response. The document is currently just a draft that no one in the sector has seen. The commission of inquiry report also references another related draft document that itself is not public. Do you understand the distrust that this creates not just for victims/survivors but also for the community sector?

Mr ROCKLIFF - In terms of the -

Dr WOODRUFF - Access to such an important document as the youth justice blueprint. There is formal drafts available but not to the community sector. There is no transparency.

Mr ROCKLIFF - My understanding is that shortly, the youth justice blueprint will be available to the community. I have spoken about this today, in actual fact, I have referenced it. The blueprint sets the direction for youth justice in Tasmania over the next decade. Utilising a public health approach, the blueprint refocuses and strengthens support for children and their families through implementation of an integrated multidisciplinary service system that promotes wellbeing and reduces engagement in antisocial and youth-offending behaviours.

In terms of the engagement with the community -

Dr WOODRUFF - I understand that there is a draft but they have not seen the final.

Mr ROCKLIFF - The draft was put out more than 12 months ago, if my information is correct, and sought feedback.

Dr WOODRUFF - Before the commission of inquiry report.

Mr ROCKLIFF - Minister Jaensch will cover this extensively. It is very soon to be publicly available. My understanding is that it is imminent in its release.

Dr WOODRUFF - Yes, but can you see that the community sector has had no opportunity to provide engagement and to work with the Government on that youth justice blueprint, especially after the commission of inquiry report was handed down? This is, in many peoples' view, a continuation of keeping stuff secretive, delivering it at the last minute, not truly trying to work together with people on the coalface to try to work out the best approach forward. Can you see how there is a sense of distrust and concern?

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Mr ROCKLIFF - It's my understanding that any draft out there should be accessible to all involved. The draft's been on the website -

Ms GALE - It's currently on the DECYP website.

Dr WOODRUFF - All right. The commission of inquiry had a draft supporting document that they said wasn't publicly available.

Mr ROCKLIFF - Right. I will speak of the draft itself, which has been available for comment on the website, and that is Minister Jaensch's direct responsibility. You've taken some interest in it clearly but, in terms of Minister Jaensch's direct engagement with the community sector, that is a question that -

Dr WOODRUFF - I'll take it up with him.

Mr ROCKLIFF - Minister Jaensch will answer, except to say we would value any input of any stakeholder, community sector or individual. There is a blueprint - non-government stakeholder email list that I have here which is extensive, which would point to at the very least at face value, Dr Woodruff, of a degree of engagement. It is a very important blueprint and my expectation is that our ministers, irrespective of the hat they wear, engage with their key stakeholders frequently.

Dr WOODRUFF - Would you think the working group then is an important part of the having a working group -

CHAIR - The time being 11 a.m., we're going to have a 5-minute break and come back at 5 past 11.

The committee suspended from 11.02 a.m. to 11.09 a.m.

Ms WHITE - Premier, I want to revisit the discussion we had about the strategy that will be released on 1 July and ask what's going to happen in the interim, because there is obviously a period between now and then where people may leave the State Service and seek employment with the community services sector. How will the community services sector know whether or not that is an appropriate person to employ?

Mr ROCKLIFF - All right. Before I get to that, I'll just add to an answer, Chair. This is a reference to the blueprint. I'm advised that TasCOSS and members had the blueprint sent to them a few weeks ago for a targeted consultation post-commission of inquiry.

To your question, Ms White, there was some reference to the Working with Vulnerable Children card that yourself and Dr Woodruff made in response to an answer that I made. The recommendations in the report pertain to reviewing processes that will make it easier to suspend a Working with Vulnerable People card when an investigation is underway and cancelling the card. They should be strengthened, those provisions.

Your question goes back to the engagement between, assuming the availability of information, between what the government setting might know and then a community organisation to ensure they are not employing people that -

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Ms WHITE - Arguably in another jurisdiction, too. It might be the case that they move and they get employment in a similar role and nobody is aware of concerns that have been raised about them here.

Mr ROCKLIFF - Good question. I've indicated I'm happy to meet with the sector to best work through these matters. Ms Gale has put some information on record related to this and I'm happy to meet with the sector next week to discuss their concerns and ideas. I also need to be aware of the Personal Information Protection Act, which determines how employee information can be used.

Ms GALE - We would need to work on those matters but I'm more than happy to meet with the sector to discuss their concerns.

In relation to other jurisdictions, most if not all - I'm fairly confident it's all - have pre-employment checks, as the Tasmanian State Service does. In terms of moving between jurisdictions, from a government perspective at least, which is really all that we can determine, they do have processes for pre-employment checks which one would hope would highlight any issues that may have arisen.

Ms WHITE - Okay. I want to go back to a response you gave earlier, Premier, where you said that all people named in the inquiry will be assessed. That was following my question around the 22 section 18 notices that had been issued, only one misconduct finding made: how will you understand who these other 21 people are? In response to that, you said that all people named in the inquiry will be assessed. You've said, and the department secretary has said, that you don't know the names of those people, so how will they be assessed?

Ms GALE - Firstly, we'll make an assumption that all people who were issued with misconduct notices would have some kind of adverse commentary in the report. Everybody that has adverse commentary in the report is under assessment now, as we speak. Some of those assessments have already led to ED5 processes. The section 34A audit should be the means by which we pick up any that aren't named, which I would find to be highly unlikely. But if that were the case, a section 34 notice referrals audit should pick up any that have not been named in the report.

Ms WHITE - From that, Premier, can I conclude that the names of those people who've been issued section 18 notices have their names somewhere in the report? And shouldn't the Government be able to collate that information so that you do know who those 21 people are? Why haven't you done that because you've just said, to an earlier question that you don't know them and the secretary said the same.

Mr ROCKLIFF - Again, my expectation is - and I've detailed already today, on a few occasions - the thoroughness of the processes to ensure the safety of our children and to ensure that any person who has perpetrated an offence will be held to account. That is my clear expectation and that will happen.

Ms GALE - As I indicated, each head of agency has commenced and is well through assessments of every person who is named. Those people who are named in the report are known to heads of agency. What specifically we don't know is which of those may have received a section 18 notice, unless they have offered that information up. But every single one of those people is being assessed, so every one of them - and there will be many more. If

there were 22 people who received, as you've indicated, those section 18 notices, there are many more than 22 people who are named as having some kind of adverse commentary in the report; and all of those people are being assessed. So, we are very confident that all those people are under assessment and, as I indicated, some ED5s have already commenced.

Ms WHITE - Premier, why haven't you just asked the state lawyers to provide you with a list of those names? The commission of inquiry provided them with the names.

Mr ROCKLIFF - In terms of oversight by the Department of Justice, the Department of Justice has requested each Tasmanian government agency and regulatory entity is provided with copies of referrals received from the commission of inquiry for the purposes of auditing and reviewing all concerns relating to State Service employees through a section 34A notice, in accordance with the Commission of Inquiry Act. The Government is confident that all entities that have received these section 34A referrals have acted expeditiously and appropriately in response. However, the audit I've announced and review will be undertaken to ensure that a centralised record of these matters is established and maintained.

Ms WHITE - But it doesn't make any sense at all. Why haven't you asked the government lawyers to provide you with those names? They are not only identified because they might be perpetrators; it is also because they might be enablers. It is important that we get to the bottom of this. There has been a lot of public interest in this. We have asked you questions about it in the parliament, it has been raised through the media. You can't tell us whether these same people are involved with the implementation of the recommendations from the commission of inquiry, from the Government's perspective. Yet, the Government has the names. Why haven't you asked for them?

Ms GALE - If I am understanding your question correctly, the information I indicated that we were aware of back in April, which was in relation to those state servants who the commission of inquiry may have been going to issue a notice or were considering issuing a notice, those people are known and they are included in the assessments that the agencies are undertaking. What we do not have is a final list from the commission of inquiry of the individuals to whom section 18 notices were provided. They were provided to the individuals, not to institutions.

As I said earlier, however, the section 34A referrals, which is the means by which the commission of inquiry refers any matters of concern it has found in its work to relevant institutions. That audit should pick up any other matter of concern that we haven't been able to ascertain through the analysis and assessment of people who are named in any adverse way in the report. They are very comprehensive processes and go beyond section 18 and section 34.

Mr ROCKLIFF - I will repeat, depending on their nature, allegations have been referred to the most appropriate place for consideration and investigation, whether that be Tasmania Police, regulatory bodies such as Working with Vulnerable People or AHPRA and/or heads of agency for assessment as to whether they may have been in breach of the State Service Code of Conduct.

Ms WHITE - I don't know why it's so hard for you to just ask the state lawyers to give you those names, but it's pointless asking you any more questions about it. I will go to a different topic, which is the 74 suspended State Service employees since October 2020. How many of those 74 are still on full pay?

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Ms GALE - We would need to do some calculations in relation to this. It's my understanding that any state servant who has been suspended through the routine disclosure since October 2020 has been suspended on full pay. Some are no longer suspended, but those who are suspended would be on full pay.

Ms WHITE - Is it possible for you - and you may need to do this as a question on notice - to provide a list to us of the length of time each of those 74 people have been stood down for?

Ms GALE - We won't be providing individual employee information.

Ms WHITE - I'm not asking you to identify anybody, I'm just asking for information to say that, 'Employee A has been stood down on full pay for two years and employee B has been stood down for three months', so there wouldn't be a need to identify them based on their title or position or agency.

Mr ROCKLIFF - I will seek advice on what information is able to be provided. I accept the intent of the question which we will take on notice, and take advice on how to present it in terms of time frames as well. I welcome the opportunity to do so.

Ms JOHNSTON - Premier, I want to go back to the issue of the section 18 notices and your response beforehand. I think we can all agree that victims/survivors and their families have experienced the most abhorrent breach of trust when it comes to government institutions. They trusted government institutions to keep themselves and their children safe and that failed. There are people who would have received section 18 notices who, I assume, knew what was occurring in these government institutions and turned a blind eye. They enabled it, facilitated it, turned a blind eye and ignored it, whether through incompetence or not wanting to acknowledge that the problem existed. That is a significant breach of trust to victims/survivors and their families.

Can you now accept that your inability to categorically state that those particular individuals are not in any way, shape or form involved with the development of the government response or the development of or delivering the implementation plan is nothing but another significant breach of trust to victims/survivors and their families?

Mr ROCKLIFF - Thank you for the question, Ms Johnston. The establishment of the commission of inquiry in the first place was to shine a light on past failures of governments, past and present. I accept; and through the evidence as presented - as harrowing as that was for many individuals and as harrowing as it would have been for many individuals who were not able to come forward at that particular time - that through the evidence at the hearings, the finalisation of the report, the discussion now, the response initially and the response released on 1 December, the comprehensive response to be released on 1 July is all about ensuring not only the protection of our children and young people now and into the future, but also bridging that gap through the lack of trust.

With any action that we take forward I am very mindful of the need to be transparent, open and accountable to ensure that we rebuild trust, which I accept for many people is completely broken and I understand why, having read the evidence and the report itself. I acknowledge and have acknowledged in the past the significant breach of trust and the lack of trust, understandably, between victims and survivors. That is why the parliament has apologised a number of times, as a number of us have and should. We are here to do all we

can to respect the heartache and trauma that many people have suffered as a result of their abuse and indeed are reliving, time and time again, in the interests of ensuring that we shine a light on past failures and in the interests of ensuring that peoples' lived experience comes to the fore, so that we can improve all processes and matters so important in relation to the protection of our children.

Ms JOHNSTON - What would you say to victims/survivors and their families who find it very hard to believe that there is meaningful cultural change occurring within the State Service and continuing to occur, when there is no guarantee that those people who had section 18 notices aren't involved in the process of trying to find the solutions to keeping children safe? You're asking them essentially to believe that these individuals have had a lightbulb moment and completely changed their behaviours and are now part of the solution, when they were significantly part of the problem to start with.

Mr ROCKLIFF - The first part of your statement was about cultural change. There has been a very large amount of work done in terms of cultural improvement and change, particularly starting with the Health department, and we all accept that there's a long way to go across all departments. That's why we're investing in cultural change with the \$4.5 million I have mentioned before. I accept there would be many victims and survivors for whom to rebuild that trust - which has been broken so horrifically - will take a lot of time. In some circumstances it may not be achieved and I would understand why, but we must do all we can.

In terms of accountability, I have mentioned our investment, but we are committed to embedding child safety aspects in all aspects of our work and business across government, engaging with children and families and communities to hear their voices, particularly the voices of lived experience, which are so important and powerful that we heard through the evidence and publicly as well. We are upholding that equity and diversity, recruiting and supporting the right people to ensure that we have a very transparent and robust complaints process as well. Education and training is also critically important in this area. We're coming from a very low base and we've got a lot of work to do in this area, but there is education and training for staff and volunteers and we're ensuring we have safe physical environments as well. A formal culture of reflection review and formal and up-to-date policy improvements as well are so crucial to this. I have spoken about embedding resources in task forces set up within each agency to identify what barriers there may be to improving cultural change and priorities for development, particularly school development for staff as well as across agencies.

Dr WOODRUFF - Coming back to rebuilding trust and what the commission of inquiry said was a precondition for that, which is transparency and accountability, recognising that until Ashley Youth Detention Centre is closed, it will be a stain on your Government and successive governments. Notwithstanding the fact we strongly disagree with your time frame, the fact is that the youth justice blueprint and the therapeutic approaches taken to youth detention are critical in the coming years. Do you commit to making sure that your Government has a working group that is formally convened through the minister for youth justice to make sure that the community service sector has a formal engagement in the youth justice process, the redesign, the blueprint and that that happens urgently?

Mr ROCKLIFF - The working group established across the community services sector -

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Dr WOODRUFF - They've asked minister Jaensch and he has not responded to that formal request to convene a working group to talk through the youth justice blueprint plan, which is a key part of your approach over the next couple of years. They want to be engaged.

Mr ROCKLIFF - Particularly on the implementation of the blueprint?

Dr WOODRUFF - Correct. The youth justice blueprint. The youth justice strategy.

Mr ROCKLIFF - It's a question for minister Jaensch. I'm sure you'll discuss this important matter with minister Jaensch this afternoon.

Dr WOODRUFF - I'm only coming to you because he's been blocking it so far, or appears to have been blocking.

Mr ROCKLIFF - I know minister Jaensch, when it comes to the release of the youth justice blueprint, will be engaging with all relevant stakeholders -

Dr WOODRUFF - Yes, they want a formal working group to be convened.

Mr ROCKLIFF - I'm advised on a reference group. In relation to the recommendation to close the Ashley Youth Detention Centre, we've announced the site of the new facility. The blueprint's part of all that. The department will work collaboratively with key stakeholders, including the Southern Midlands and Brighton councils and the Aboriginal community to progress the project - the new facility. A community reference group will also be established to ensure community and stakeholder input informs the master planning process for the site. That's the local area pertaining to that facility.

Dr WOODRUFF - That's a different matter. Options for incarceration, I'm talking about. Do you think it would be valuable to have a working group looking at options for alternatives to incarceration?

Mr ROCKLIFF - The blueprint is about ensuring that very contemporary -

Dr WOODRUFF - Yes. The sector wants to be formally engaged in conversations about options, alternatives.

Mr ROCKLIFF - I'm advised that the department is establishing and convening a community consultative committee that's comprised of a range of community stakeholders, organisations, to provide input and advice that will support the implementation of the blueprint. They will be called a working group but I have no doubt that for minister Jaensch to gauge feedback from people directly involved in this important area, it will be crucial to hear their feedback. A consultative group, a working group, however that's determined or made up, will be, I have no doubt, important when it comes to implementation of the blueprint. I've no doubt that Mr Jaensch would welcome the engagement of organisations with working and lived experience in this important area.

Dr WOODRUFF - Thank you.

Ms WHITE - Premier, I wanted to go back to our previous questions about community-wide change. I understand that in August this year, the sexual violence providers

submitted a comprehensive plan for cultural change across Tasmania to your Government. That followed extensive collaboration with state and national experts. None of these programs of change were included in the response that we are discussing today. I am interested in getting a commitment from you that your Government will implement the sector recommendations on community-wide cultural change that was presented to your government in August as a part of the strategy that you released on 1 July 2023.

Mr ROCKLIFF - It's critically important that we engage with important stakeholders with work and lived experience in these matters. I have announced today funding of \$1 million to support Laurel House sexual assault service,

Ms WHITE - We welcome that because there are 56 children on the waiting list.

Mr ROCKLIFF - Important advocacy as well. There is no organisation that we would want to exclude from having input into the implementation of the recommendations. We want to be inclusive in our recommendations and all three phases of implementing the recommendations of the commission of inquiry.

Ms WHITE - It is good to hear, because their recommendations to you have not been included at this point in the report that you provided on Friday. I am seeking a commitment from you that the work they did and submitted to your Government in August will be included as you do the further work, particularly when it comes to community-wide cultural change. I think we all agree that is very important to see occur.

Mr ROCKLIFF - It is critical, we agree with that. We also have a united position on that. We will always value the work of the organisations that have submitted work to the Government for our consideration. They are the people on the ground doing the work. There are many people in our State Service who are frontline on those matters. I can refer part of your question to the secretary to answer.

Ms GALE - The information that was provided in August is currently under assessment by a division in DPAC, the Community Partnerships and Priorities Division. There will be further engagement with them as we develop the work for the reform strategy.

Ms WHITE - How have you managed that consultation? How have you worked with them to date and how do you plan to consult with them to do as you've just described?

Ms GALE - We've only just completed the response for the Government. The community partnerships and priorities division has been for a long time working with the various non-government organisations across a range of matters. We will continue to engage with them. I don't have a definite plan for engagement yet. I know that DPAC is meeting with organisations on Friday to talk about how to engage the sector and how to better engage victims/survivors.

The Premier has announced expressions of interest for the victims/survivors consultative groups. That work is underway. I think the meeting is on Friday. We're currently mapping a partner network to work with the State Service. We're expecting to engage a research partner before the end of the year. As an example of that, DPAC has already engaged with the National Centre for Action on Child Sexual Abuse to create Tasmania-specific data as part of its community attitudes towards the child sexual abuse study. That's a national study but we have

asked the centre to over-sample in Tasmania so that we can utilise that information to get further insights into the challenges that are faced and the opportunities that there are within our state, so that we can tailor responses accordingly.

There are two things currently underway that will be leading towards the development of that plan.

Ms WHITE - Premier, what is your current estimate of the total ongoing cost of implementing all 191 recommendations? We don't get the Treasurer during this session, so hopefully you can provide a bit of an update.

Mr ROCKLIFF - I've spoken about the \$50 million investment as a line in the Budget. So far, in terms of the Ashley Youth Detention Centre, we have a \$55 million investment we announced in total on the day of the tabling of the report. We're working through the budget process now in terms of the investment that will be needed through the four years.

Ms WHITE - Until July 2029?

Mr ROCKLIFF - There will be a cost for the new facility in southern Tasmania. There will be investment required there and investment required for the blueprint as well, accepting that that is a large capital investment. There will be a stated cost for that, I don't doubt, as we work through these matters. We have announced the \$30 million allocated in the 2023-24 Budget to fund priority actions. That is part of the \$55 million we've already announced in terms of enabling implementation of the urgent recommendations of the final report. We are working now through the investment that is required to implement the recommendations through all the phases, notwithstanding the investment taking us up to 1 July 2024, which we've already announced.

Ms WHITE - So, there is no estimate, no figure in your mind about what it might look like to implement in full?

Mr ROCKLIFF - At this stage we're working through the phases, but for phase 2 and 3 recommendations we need to do the policy work to help determine the investment that is required. We have accepted all the recommendations and I've stated publicly as well that whatever resources are required to implement the recommendations, whether that be capital investment such as a facility to be established at Pontville and the blueprint, plus other resources required, we will invest. What is needed, we will invest in.

Ms WHITE - Will the parts of the agencies responsible for the commission of inquiry recommendations be exempt from your \$300 million efficiency dividend or cut?

Mr ROCKLIFF - Again, we're working through the budget process now, but whatever is required to be invested in to implement the recommendations, that will be the investment that is required. Yes, we have announced our efficiency dividends at that last budget, and departments are working through those matters now, but that will not deter us as a government from investing in what is required to support all 191 recommendations, whether that be for current expenditure in terms of systems and people or on capital in terms of the southern facility as announced at Pontville.

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Ms WHITE - Have you directed that those areas be exempt from finding savings? One of the terrible consequences we saw reflected in the commission of inquiry report was the impact of under-resourcing and understaffing in keeping children safe. Have you directed the agencies to exempt those areas from needing to find savings or make cuts?

Mr ROCKLIFF - There will be no cuts to frontline services. We need to invest more in frontline services when it comes to the recommendations of the commission of inquiry, not less, so there will be absolutely and utterly no reduction of resources to the frontline services pertaining to the recommendations of the commission of inquiry. This will be a very large and much-needed investment and we've committed to that before and there will be no skimping on this. This will require huge investment but whatever resource is required, we will deliver.

Mrs ALEXANDER - Premier, this may be a slightly technical question. We talked about a central register of employees that will have the records of those who have had their employment terminated for child sexual abuse and related conduct, however what happens if halfway through an inquiry a particular employee who has good legal representation signs a deed of release and therefore they can walk away without that inquiry being completed and start employment somewhere else, or requests a transfer under other conditions which maybe under workplace practices you cannot refuse? I'm just trying to understand if there could be particular instances when an employee may not actually have been terminated but may be under significant suspicion. What happens then?

Mr ROCKLIFF - Thank you for the question. I will refer to the secretary of the Department of Premier and Cabinet and the State Service to provide some answer to that. It is a good question and if we're not able to answer it fully now we can have aspects of that on notice, but in terms of process, Ms Gale?

Ms GALE - If I understand the question you have asked, if an employee continues to be a State Service employee, irrespective of where they work and they are under disciplinary procedures, they will continue through to the completion if they've already started, so it wouldn't matter if they, for example, were transferred. I think that would be highly unlikely, but were they to be, then those disciplinary proceedings would continue through to the conclusion.

Mrs ALEXANDER - What happens if they sign a deed of release halfway through the inquiry?

Ms GALE - I'm not aware of any state servant who has signed a deed of release. That happens very rarely and would be such a specific and unique circumstance I'm not confident to be able to provide you with an answer to that.

Mrs ALEXANDER - There are instances in Health sometimes when somebody can sign a deed of release and therefore there is a preclusion from discussing the terms under which the parties have separated. That's why I'm asking the question.

Ms GALE - I'm not aware of any particular Health circumstances and I'm certainly not aware of anywhere across the State Service where an ED5 process has been underway and an employee has signed a deed of release. If you have a specific circumstance, we may be able to take that question on notice.

Mrs ALEXANDER - One last question, again slightly technical. In terms of rolling out training for the prevention and identification of grooming of children, we do not want, obviously, this training to be a patchwork, differing from department to department, so how exactly do you envisage that there will be homogenous training across the whole of government in relation to the same message being delivered of how to identify child sexual grooming?

Mr ROCKLIFF - I'll go back to the words I was using before in an answer to a previous question - it might have been Mr O'Byrne's - and the word I used was 'embed', so any cultural change would need to be embedded in and across all departments and training to that extent in the example you've just given. I can perhaps provide some further information.

Ms GALE - The relevant heads of agency have been meeting weekly and sharing resources and we are building on work that has already been done. For example, part of the broader cultural work that will happen across the State Service will be based on the cultural work that the Department of Health has commenced. Likewise, any tools and resources, training and so on is being shared and built upon so that we have consistency across the State Service.

Dr WOODRUFF - Continuing with some questions about the budget: on the Keeping Children Safe website, there's a section titled 'Tasmanian Government's interim response to the commission of inquiry'. It has a list of 15 actions and associated budget allocations for a total of around \$50 million. We assume this list is what has been or is being delivered with the \$30 million allocated in this year's budget and the Supplementary Appropriation Bill funds. Can you confirm that that is the case?

Mr ROCKLIFF - There has been \$30 million allocated in the 2023-24 budget, as you say, to fund priority actions to keep children safer in advance of the release of the final commission of inquiry report. That was announced in the budget in May. That includes \$2.185 million contingency funding held by the Department of Premier and Cabinet as well. There's \$25.091 million to enable implementation of the urgent recommendations from the final report.

Dr WOODRUFF - The list of 15 actions, that's what I'm asking you to confirm: is that what that money relates to the funding for?

Mr ROCKLIFF - In terms of the \$30 million, there's \$5.8 million for the Ashley Youth Detention Centre to ensure the safety and wellbeing of children in the centre. We've got the \$3.2 million for the Department of Health to establish a child safety and wellbeing framework, panel and service to oversee, monitor and investigate child safeguarding concerns -

Dr WOODRUFF - I appreciate that, but I want to know if the money that's been announced, the \$50-odd million and the actions that you're describing, are they for the list of 15 actions from the Government's interim response to the commission of inquiry or are they to do with anything else?

Mr ROCKLIFF - I've got the full breakdown here, including the \$5.5 million to support other priority actions identified by the commission across government. That is part of the \$30 million. There's \$750 000 for the establishment of the Child Sexual Abuse Implementation Monitor; \$850 000 for the centralised coordination of code of conduct complaints; \$1 million for oversight and coordination; \$4.3 million in additional funding for the Child Safety Service

and support for families at risk; and \$1.5 million for immediate supports to victims/survivors added to the matters that I've spoken about before.

Ms GALE - The 15 actions are included in the \$30 million.

Mr ROCKLIFF - It covers those areas that I spoke of, yes.

Dr WOODRUFF - Thank you. My question following that is that the commission of inquiry recommended an enormous body of work that must happen in terms of, as you've already said, injecting money into services that are completely inadequate at the moment, out-of-home care particularly. How will that money be allocated? What is the mechanism for allocating that money in this financial year? Will you be having a supplementary appropriation budget, another bill that will come to parliament? There is no money in the existing Government budget to put, for example, a big injection of money into out-of-home care. We are concerned that existing services will have to be cut in order to do the work that the commission of inquiry has required.

Mr ROCKLIFF - There'll be no services, frontline services especially, particularly in an area of child safety, that will be cut.

Dr WOODRUFF - We already know of an Aboriginal education worker whose role was removed so that work could be directed into the commission of inquiry. That was one example I have raised with you before.

Mr ROCKLIFF - What we will do and what we need to do is some important policy work, investigation that will require and be presented as part of the 2024-25 budget process in terms of the investment, the enormous amount of legislative work required as well. There is considerable investment between now, essentially, and 1 July that we have announced to the uses I have just spoken of, and developing the policy now and the implementation of that investment between now and the announcement of the next budget. That work is being undertaken now to inform the investment required.

Dr WOODRUFF - Are you saying that there wouldn't, for example, be any additional money put into out-of-home care between now and the July budget, even though there are many actions that need to have direct and substantial investment from government within this financial year? We would like to understand whether you will be bringing another supplementary appropriation bill to parliament in the new year so that work can be done.

Mr ROCKLIFF - I have mentioned \$4.3 million in additional funding for the child safety service and to support families at risk. That, I believe, supports the question you are asking in terms of investment in that critical area. If there is a need for investment between now and the next budget identified in the policy work, there is no barrier to implementing a supplementary appropriation bill to support that investment.

Going back to recommendation 9.1, in terms of:

The Tasmanian Government should provide one-off funding to help implement the Commission of Inquiry's recommended out of home care reforms and significantly increase ongoing funding of out of home care,

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including out of home care services provided by Child Safety Services (such as out of home care governance and case management).

We have accepted the recommendation and the implementation of the recommendation will be by 1 July 2024, which will be after the announcement of the next budget.

Dr WOODRUFF - For the next budget and for the successive budgets after that, will you commit to creating a separate budgetary category for the commission of inquiry expenditure? It is something that many in the sector and victims/survivors have asked for because it is a critical part of being able to see that the Government is not hooking money out of existing service delivery to put towards commission of inquiry-funded work and we can track it. It is going to be difficult, it is going to be going for another six or more years. Can you make a separate allocation for commission of inquiry investments in the budget?

Mr ROCKLIFF - I understand why the question is being asked. I have asked a similar question in terms of aspect of transparency, but also for the Tasmanian community to identify the level of investment being made.

Ms GALE - We are currently in discussions with Treasury about how that might happen.

Dr WOODRUFF - That would be very welcome.

Mr ROCKLIFF - Whether and how the work that has been done, as I alluded to as well. It would be my intent to ensure that is open and transparent.

Ms WHITE - I want to follow on from this line of questioning because the commission of inquiry was quite critical of the Tasmanian out-of-home care services and system. The Commissioner for Children and Young People released her own motion report last week called *A Place at the Table* that also highlighted how we were letting children down, because of the way your Government had moved away from direct case management relationships between children and their caseworkers to a teams model. This has been widely criticised, not just by the commissioner but also by the union, the foster carers, and the children in that service. Surely it is not news to the Government that this sector has been underfunded and under-resourced?

The commission of inquiry has made some recommendations. You have said that you will implement them. What reports of risks did heads of agencies and senior bureaucrats make to ministers up until this point in time, during the course of your Government, about the need for additional funding, and the risk they saw to children because of the lack of adequate resourcing? Were funding requests for child safety and youth justice, in particular, denied by your Government over the past nine years?

Mr ROCKLIFF - I might go back to Dr Woodruff's question to the last answer, which is also related to your question, Ms White. The implementation monitor will report to the Tasmanian parliament and will provide independent oversight and evaluation of the effectiveness of measures taken in response to the commission's report and enable assessment over time. That is part of the transparency and allocation of resources, I would expect, Dr Woodruff.

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Ms White, in terms of the more immediate requests and the discussions between a minister and departments in this crucial area, I will defer that to minister Jaensch. We have additional child safety officers and after-hours emergency services, we have an investment of \$2.5 million resourcing for legislative obligations, keeping children safer agenda, \$600 000.

Ms WHITE - I am not asking for a breakdown of what is funded, I am asking whether or not the requests for funding have been denied. This is not a new issue. I respect that you have referred it to minister Jaensch. He hasn't been a minister for the entire period of this Liberal Government. I have it on good authority that repeated requests were made to your former minister, Jackie Petrusma, who is now your principal advisor for the implementation of the commission of inquiry. Those requests were made through the union, the CPSU, and those requests were ignored. I am asking how many times requests for additional resourcing and funding were denied or ignored or refused. The commission of inquiry is damning in its assessment of Tasmania's out-of-home care system and youth justice system.

Mr ROCKLIFF - We have as a Government invested more resources into this crucial area over the length of our Government. To go back prior to that, there is very heavy scrutiny on past government, on very important investment needed around children and young people. We accept, I believe, across the governments of all persuasions and colours, the need for more investment in our children and young people.

I am about moving forward. The commission of inquiry set up in the first place has highlighted system failures, resourcing concerns. I have no doubt, that the unions advocating for their members, employees, in all areas around health, education, child protection, out-of-home care -

Ms WHITE - And the agencies too. Requests to the minister that were refused.

Mr ROCKLIFF - I have no doubt there are many areas where people would advocate for a greater level of resources. While we as a Government have resourced the crucial area far more, we acknowledge that we need to continue that investment. I will not reflect on past ministers. Minister Jaensch can speak about the level of advocacy and investment that he is aware of. Minister Jaensch is a passionate advocate for more resources in this area, of which we are committed to through implementation of the recommendations.

Ms WHITE - So, you are unable to tell me how many times requests for resourcing were denied?

Mr ROCKLIFF - There are a range of areas right across the whole of government where there are organisations and people who advocate very strongly for more resources in important areas. As you would appreciate, having been a member of a government for four years, investments are applied to the best of the government's ability with the resources at the time. What we are committed to, in terms of the implementation of the recommendations is a greater level of investment. We have demonstrated that. What the commission of inquiry report highlights is that further investment is required and under resourcing in crucial areas in a number of areas has been a real challenge. We are committed to improving that now.

Ms WHITE - Thank you, Premier. On the matter of resourcing, you announced in your ministerial statement that Employment Direction No 16, which specifies the circumstances in

which indemnity and legal assistance may be granted to a public officer, would be reviewed. It had been used at that stage to grant legal assistance to 26 individuals.

Are you able to provide an update about whether anyone has been asked to repay monies to the state and if so, how many?

Mr ROCKLIFF - The commission of inquiry made findings against several individuals who were granted legal assistance under ED16 in its final report. I understand that a number of concerns have been raised recently both through the media and directly to the state Government about legal assistance being provided by the Government to current and former state servants who are the subject of findings made by the commission of inquiry. Twenty-six individuals were granted legal assistance during the commission.

In response to these concerns, we are progressing an independent review of whether there are appropriate grounds to require any public officers who received a grant of legal assistance pursuant to Employment Direction No 16 - Indemnity and Legal Assistance - in the course of the commission to reimburse the Crown for reasonable costs and expenses. The Attorney-General has determined to engage an independent reviewer external to the Tasmanian Government who possesses the appropriate knowledge, skills and experience to undertake this review. The Tasmanian Government will provide all assistance and information as required by the reviewer to enable them to complete the independent review.

It is anticipated that the Attorney-General will announce the individual undertaking the independent review by the end of this year. The review will inquire into and report on and make recommendations in relation to the following matters: whether any of the public officers who received a grant of legal assistance where such legal assistance was to be provided independently of the state in the course that the commission did not at a relevant time act in good faith -

Ms WHITE - Thank you. We've got such a short time, Premier, I don't think we need to go over the terms of reference. The question was whether anybody had been asked to repay money and if so, how many people?

Mr ROCKLIFF - I'm advised that will be part of the review, Ms White.

Ms WHITE - So, we won't have that until the end of this year?

Mr ROCKLIFF - The independent reviewer will be in place by the end of the year.

Ms WHITE - So, they haven't even been appointed yet?

Mr ROCKLIFF - I've just said that it is anticipated that the Attorney-General will announce the individual undertaking the independent review by the end of this year.

Ms WHITE - You announced on 17 October that you were committing to undertake that review and you haven't even found somebody to do it yet? That's a pretty slow response. You're talking about limited resources. You can't fund Child Safety Services properly and yet people could have accessed funding from the state to fight charges brought against them by the commission of inquiry or accusations made against them of wrongdoing using the public purse and you still haven't got the money back off them.

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Mr ROCKLIFF - That's why we're reviewing and enacting the review. We're not about making assumptions, we're about getting the facts. This is why the review is important. We've been very diligently focused on the government response to the commission of inquiry, as we're speaking of now, and it was the intent of this scrutiny of course. The review will be undertaken and we will provide the information that you seek in an open and transparent way.

Dr WOODRUFF - Premier, the Government's response document outlines a six-point plan that details the work that's needed to achieve completion of the Child Sexual Abuse Reform Strategy and Action Plan and it has a concrete time frame for each part of the process. Many of the short-term 2024 recommendations that are from the commission of inquiry's report also outline similar timelines in the Government's response and that's very welcome.

In the commission's recommendation 19.1, which is about developing the Child Sexual Abuse Reform Strategy, they make it very clear that transparency and accountability of progress is a key concern. Point 2C calls for the Government to describe the actions to be taken to implement the recommendations and reforms, including any milestones, sequencing and dependencies. Can you confirm that it's your Government's intention to include a clear, publicly available milestone-based time line for each of the 191 recommendations?

Mr ROCKLIFF - Yes.

Dr WOODRUFF - And what will that look like? Will it be available with, for example, a calendar for each recommendation with quarterly achievements, policies to be done by this date, legislation to be open for consultation here, funding for there?

Mr ROCKLIFF - I expect all those things; those important matters. I've mentioned an independent monitor as well, on previous occasions today and before, and their important work in ensuring that governments are held accountable for the implementation of the recommendations. A Child Sexual Abuse Reform Strategy and action plan will be tabled in each house of parliament, published on a dedicated website, supported by a communication plan that seeks to inform and provide visibility of reform work to stakeholders and the community, and periodically reviewed and updated by the secretary's board through the Department of Premier and Cabinet. We would understand, appreciate and agree with any person in the community that would want a very clear account of the implementation of the recommendations in a way that is very visual and easy to absorb.

Dr WOODRUFF - So, for example, with outcomes for quarter one in 2025, all the recommendations that might be doing something in that quarter would have the list of things that they're doing, not just what's happened before under the redress, the Royal Commission, which is the update is ongoing or action is being continued. We're talking about specific points where consultation will happen, legislation will be done, money will be provided, services will be funded, culture training will have been completed, culture training development will start et cetera- that level of specificity. I'm afraid that in the past that has been a huge failing with the royal commission's recommendations not being able to be followed, and clearly there is still a large number that haven't been implemented. People want to understand what they can look forward to and how they can be engaged in the process as it goes on over the years.

Mr ROCKLIFF - I understand and appreciate what you're saying and what your desire is in terms of that, and that would reflect the information that many people would want in an easy to appreciate and understand way.

PUBLIC

Ms GALE - The only thing further I would add is that because all of the recommendations are different, all of the things that you read out there won't be indicated for every single recommendation. It will be recommendation-dependent, but it will be to that level of specificity with milestones and so on.

Ms WHITE - Premier, I wanted to go back to something you said last month in parliament when you said:

I am advised that the commission of inquiry did write to the state's lawyer in April of this year advising of current and former state servants who the commission had intended or was considering issuing misconduct notices to. I have asked the head of the State Service to confirm that we are meticulously going through all materials sent to and received by the commission of inquiry.

Do you still maintain that you haven't seen any correspondence that details the list of those names of people, and also through you to the secretary, who claimed the same, given that you told the parliament last month that the head of the State Service, who is the secretary of the Department of Premier and Cabinet, was meticulously going through all materials sent to and received by the commission of inquiry?

Mr ROCKLIFF - That is happening and we've made statements today and previously that we stand by.

Ms GALE - We've described the processes that we're going through, we spoke about the April notification, we indicated that the 34A audit is taking place and that every single person from the State Service -

Ms WHITE - No, I'm talking about section 18.

Ms GALE - who was listed in the report is under assessment and that some ED5s are underway. There is a meticulous process of cross-checking between what Justice received and what agencies have received through that 34A. We've made sure that any information that came in relation to staff where there may have been some kind of notice being issued, are included in those assessments, as I said previously.

Ms WHITE - Premier, you said to the parliament last month that you were advised the commission of inquiry did write to the state's lawyers in April this year advising of current and former state servants. This is the section 18 notices where the commission had intended or was considering issuing misconduct notices to these people. It's not about section 34A, it's about section 18 notices for these individuals. I've asked you repeatedly today whether or not you or the secretary have seen a list of those names and you've claimed that you don't have access to it, yet you updated the parliament just last month and said you received written advice from the commission about that in April, or at least the state lawyers did, and then you tasked the head of the State Service to meticulously go through that material. What material has the head of the State Service been going through meticulously if it hasn't included this?

Mr ROCKLIFF - I have outlined that. I stand by the statements we have made previously. Everyone will be held accountable.

PUBLIC

Ms WHITE - How could you not know who these people are to know whether or not they are working on the implementation for the commission of inquiry recommendations? Surely if you're being meticulous about it, you would know the names of these people and you would be able to guarantee that the culture change that is necessary is happening and these people don't have decision-making powers around the implementation plan?

Mr ROCKLIFE - Culture change is happening and is being invested in, in and across every single department. I stand by all the words and actions that I've made previously.

Ms WHITE - Do you understand that this seems completely unbelievable?

CHAIR - We will suspend proceedings for a five-minute break.

The committee suspended at 12.20 p.m.