



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 24 May 2022

REVISED EDITION

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Tuesday 24 May 2022

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

RECOGNITION OF VISITORS

Mr SPEAKER - Honourable members, I welcome a group of grades 5 and 6 students from Howrah Primary School. Welcome to parliament.

Members - Hear, hear.

QUESTIONS

Department of Communities Tasmania - Abolishment

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.01 a.m.]

The commission of inquiry has heard horrifying evidence of significant failures across Tasmania's health and education systems. These first-hand accounts have been difficult but absolutely necessary to hear so we can take steps to ensure such failings never happen again. From what the commission has heard, there is significant risk that your plan to abolish the Department of Communities Tasmania and move the responsibility of the Child Safety Service into the Education department will make a failing system even worse.

Will you abandon this plan or at the very least, delay it, so children are not immediately placed at further risk?

ANSWER

Mr Speaker, I thank the member for her question. First, when it comes to the commission of inquiry, I thank victims/survivors, their families and loved ones for their bravery in coming forward to the commission of inquiry into the Tasmanian Government's Responses to Child Sexual Abuses in Institutional Settings.

The inquiry was established to bring these matters to light. They are challenging and distressing issues for victims/survivors to divulge. They are challenging and distressing for all Tasmanians to hear, but they need to be heard. The lessons need to be learned so we can all work to make our state a safer place for our children and our young people.

With the commission's hearings underway, we must allow the process to take its course independent of government. However, our Government is listening and paying great heed to the evidence presented at the inquiry. While we are listening, we are also working on what we can do right now. I will be saying more about that in a ministerial statement later this morning.

Rather than wait to receive the commission's recommendations next year to safeguard our children and our young people, today we have announced funding of \$26 million over four

years to employ a safeguarding officer in every government school. This was a key recommendation of the independent inquiry into the Tasmanian Department of Education's responses to child sexual abuse by Professor Smallbone and Professor McCormack, which I announced in August 2020. We will have more to say today about our actions.

Ms White - Do you think abolishing the Department of Communities is the right thing to do?

Mr ROCKLIFF - With respect to your question, Ms White, the transition of the Department of Communities is one of the steps in the Government's staged approach to improving outcomes for Tasmanians, particularly our most vulnerable children and young people.

The change is not about reducing services; it is not about saving dollars. It is about building on the successes achieved by the staff of the Department of Communities in recent years and aligning services to best meet the ongoing needs of the Tasmanian community. Throughout the transition period there continues to be a focus on the delivery of the important community-focused services and on the skilled staff who deliver them, with no jobs lost as a result of the transition. The transition will be undertaken in stages, between July and October this year, to bring services related to children under the responsibility of one agency.

The Department of Education will be expanded to become the Department of Education, Children and Young People, to exist in its new form by the end of September 2022. This will remove administrative barriers and silos to allow a truly child-centred department. This will make the best use of the skills of our people and our resources to support children and young people, to strengthen the delivery of services and programs. We will not be changing course, Ms White. I will be very upfront about that.

There are very real and important synergies between the Department of Education and aspects of the Department of Communities when it comes to the support of our most vulnerable, our children and our young people.

Department of Communities Tasmania - Abolishment

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.07 a.m.]

Your Government's plan to abolish the Department of Communities and absorb the difficult and important work on child safety officers into the Department of Education is extremely risky. In South Australia, a similar move was such an unmitigated disaster it left a system in disarray and resulted in a royal commission making no fewer than 409 recommendations. Critically, it found substantial reform was needed, but it was unobtainable if Families SA continued to be part of the larger Department of Education and Child Development.

Is it really wise to disregard the lessons learnt in South Australia, particularly at this time, and push ahead with the abolishment of the Department of Communities in Tasmania?

ANSWER

Mr Speaker, I thank the member for her question, and her pointing to an example in another state and its experience. We are Tasmania; we are a different state. We have a very capable team in the Department of Education, led by a very capable secretary, Mr Tim Bullard, and our Minister for Education, Mr Jaensch, who has experience in this matter of child safety and is now leading the Education department through his ministerial responsibilities.

What is important in bringing the aspects of the Department of Communities Tasmania and the Department of Education together as it relates to the support and the care, and safeguarding our young people and children in our care and more broadly right across Tasmania, is that we are getting rid of the silos across departments - creating those synergies, communicating across the spectrum to support our young people in our state care and also through the education system. To me it makes sense. I believe it makes sense to Tasmanians, particularly in these times.

The commission of inquiry is pointing to failures over decades of all political colours, all governments. There is evidence that we have failed our young people. It is important that we make changes where we can to reduce silos to enable better communication. I discovered gaps in communication through the pandemic, as a result of the support of our young people and their education, and reaching them in vulnerable settings to ensure they were able to be supported with their education through that very challenging period of disruption. There were gaps in communication that I discovered as Minister for Education at that time, and from that learned experience I support the move we are making and a broad anti-silo approach to the support and care of our children. I appreciate the question, but we are pursuing what I believe is a very important path.

Federal Election Results - Reaction of Premier

Ms O'CONNOR question to PREMIER, Mr ROCKLIFF

[10.11 a.m.]

Saturday was a watershed day for our country. Australians have elected a new federal parliament with a strong mandate to deliver a safer climate, a national integrity commission and a fairer society. A Greens and teal wave has signalled the future direction of politics in this country. Indeed, in Tasmania, the Greens also had a strong swing in every seat. The majority of Australians have rejected business-as-usual politics. They want an end to climate destroying practices like the clear-felling and incineration of our native forests, and rather than criminalising the defenders of carbon-rich forests, holding them up in lights as champions for a safer climate.

What lessons have you learned from the collapse of the Liberal Party in the federal election? When will you rein in the right-wing dinosaurs on your frontbench, and in your party, and end the climate wars in Tasmania?

ANSWER

Mr Speaker, I thank the Leader of the Greens for the question; I appreciate that. My observations of the federal election and your observations from a national perspective - of course there are learnings to that. The coalition lost government and the Labor Party has won

government. On that note I had a very pleasant conversation with our new Prime Minister Anthony Albanese on Sunday and I wished him well. I thanked him for the commitments he has provided Tasmania. I have named a couple of those, most notably the Hobart Airport runway, which is welcomed and will provide a lot of opportunity, particularly when it comes to access to international routes such as Singapore, for example.

Tasmania's part of the federal election was also telling, with the support of our Liberal Party candidates across the board, most notably in Lyons, Braddon and Bass. I am very proud of our candidates and sitting members who worked very hard, Gavin Pearce and Bridget Archer. They are genuine people who reflected their constituencies, worked really hard and increased the vote of the Liberal Party, which should not be lost.

Ms O'Connor - So no lessons to be learned?

Mr Rockliff - The Greens achieved 6.39 per cent of the vote in Braddon, for example, Ms O'Connor, and it is probably a reflection of -

Members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - Of course we will work collaboratively with the federal government. I am not a political commentator so I will not go on about it but I also believe the very strong work of our state team, and working with our federal members of parliament, was reflected. People value a strong economy in Tasmania. They value work. They appreciate the efforts of the state Government in increasing the number of jobs by some 27 000 since 2014. However, they also recognise that we have a balanced approach in Tasmania when it comes to the matters you are talking about.

Ms O'Connor - The kids don't think so.

Mr ROCKLIFF - Ms O'Connor, Tasmania's emissions profile is the envy of the nation and indeed the world. We have achieved our target of net-zero emissions in six of the last seven years. We have achieved our target for Tasmania to be 100 per cent self-sufficient in renewable electricity generation. In 2019 our net emissions were 108 per cent lower than in 1990. While our economy has doubled and over 60 000 jobs have been created, the Government will legislate a target of net-zero emissions or lower from 2030, the most ambitious targets in the country and one of the most ambitious in the world. We have enviable emission status -

Ms O'Connor - Stop smashing the carbon banks.

Mr SPEAKER - Order, Ms O'Connor.

Mr ROCKLIFF - Our ambitious targets will deliver brand benefits, which are very important, particularly when we sell Tasmania and our products and services to the world. Brand benefits, investment and jobs will be brought, while strengthening everything we have to offer and produce here including advanced manufacturing, hospitality and tourism, science, irrigation, agriculture, aquaculture and resources.

It is about providing a balanced economy. It is leading the nation when it comes to our emission targets. It is leading the nation when it comes to climate change. It is working with agriculture and tourism to support the benefits of climate change, to increase our brand capacity and our awareness. We believe we have the balance right, balancing our natural resources -

Dr Woodruff - The atmosphere does not agree with you.

Mr SPEAKER - Order, member for Franklin.

Mr ROCKLIFF - and protecting our soils. That is what genuine natural resource management is about. Our forestry reserves are important. In our 2022-23 Tasmanian Budget we will allocate significant funding towards action on climate change and our next Climate Change Action Plan. We will support industry - which is what I was alluding to before - and businesses in our community to reduce emissions and become more resilient -

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

Mr ROCKLIFF - The opportunities that climate change presents include actions to increase renewable energy generation, support green hydrogen, drive the EV uptake and reduce emissions from waste. I look forward to continuing that very balanced approach we have in Tasmania, which is the envy of the nation and indeed the world.

Winter Energy Supplement

Mr O'BYRNE question to PREMIER, Mr ROCKLIFF

[10.18 a.m.]

Thousands of Tasmanian households are struggling to keep their heads above water due to ever-increasing costs of living. One of the biggest pressures on household budgets as we head into winter are energy bills. On the eve of the 2018 state election the Liberal government announced a surprise energy bonus payment inexplicably paid in the middle of summer. Despite calls for the initiative to be repeated in 2019 and 2020, your Government refused. Last year your Government conveniently, right before the last state election, announced that you would pay a winter energy supplement. The need to provide energy bill relief to households this winter has arguably never been greater. Families are skipping meals and getting behind on their rents just to pay these bills. Will you commit to providing a winter energy supplement in this year's Budget, or is your Government only prepared to ease the cost of living as a calculated attempt to simply buy votes before an election?

ANSWER

Mr Speaker, I thank Mr O'Byrne for his question. I reflect on the very real need to address the pressures of the cost of living and our Government knows just how important the cost of living is to Tasmanians. That is why we have worked to ensure our regulated energy prices for Tasmanians have remained among the lowest in the nation.

Last year, households received a 7.11 per cent reduction in regulated electricity prices and small businesses received an 11 per cent drop. Over the past seven years, in real terms, regulated energy prices have decreased by 18 per cent for residential customers and decreased

by over 27 per cent for small business customers. However, we know Tasmanians continue to face real challenges when it comes to cost of living pressures. Our Government is working to do what we can to alleviate those cost pressures within the tools available to it.

Following the release of independent Office of the Tasmanian Economic Regulator's final price determination for 2022, our Government has requested Aurora Energy to not include the cost of delivering Aurora+ to Tasmanian customers from its total cost to serve from 1 July 2022, when it makes its final tariff submission to the regulator. What this means is that Aurora will not proceed with implementing the Aurora+ element of the total cost to serve as outlined in the Economic Regulator's determination, meaning most Tasmanians who do not yet use that service will not pay for the product in their bills from 1 July.

Aurora+ is designed to give customers more insight and control over their electricity usage. It is an important tool to help Tasmanians better understand and manage their power usage and mitigate bill shock. It remains an important tool for Tasmanians to address the cost of living pressures. Aurora Energy will continue to communicate the benefits to its customers.

All jurisdictions around Australia and many worldwide, Mr O'Byrne, are seeing the cost of living rise due to COVID-19 and other supply issues. We are not immune to that in Tasmania, but we continue to take decisive action on the cost of living, which includes \$308 million over four years in concession support for vulnerable Tasmanians for water and sewerage, electricity and rates. These are among the lowest regulated electricity prices in the nation.

There were price hikes of 65 per cent under your government. We capped prices for four years. Last year we delivered the \$125 winter energy supplement for 93 000 Tasmanians. We are working with Aurora to lower their regulated costs in coming years.

We are very mindful of the cost of living pressures on Tasmanians across a range of services. We have demonstrated that action when it comes to electricity, water and sewerage, and car registration. Where we can support Tasmanians to ease the cost of living we will do so.

Macquarie Point Development Corporation - Alleged Governance and Administrative Failings

Ms JOHNSTON question to MINISTER for STATE DEVELOPMENT, Mr BARNETT

[10.22 am]

On 5 May I asked if you were aware that, in 2019, the department was formally alerted to accusations of bullying, manipulation, and emotional abuse from Macquarie Point Development Corporation management towards staff. I asked if you were aware of claims that procurement practices are manipulated to favour some providers and circumvent Treasury's instructions. You took my questions on notice.

I have now been made aware that under the current CEO, nine out of 11 staff members resigned in the first 18 months of her tenure. In the last 12 months, a further six have left. Furthermore, I am told that she has never had a performance review. I understand the

investigation in the latest bullying accusations has been completed. The board has not even seen a report.

After almost three weeks, are you now in a position to inform the House of your response to these questions? Do you accept that there are serious governance and administrative failings at Macquarie Point Corporation and that nothing short of a full, open and transparent inquiry will sort out this mess?

ANSWER

Mr Speaker, I thank the honourable member for her question and her interest in Macquarie Point, which is a very important project for Tasmania. The Government continues, through the Macquarie Point statutory body, to deliver this once-in-a-lifetime development for Macquarie Point and for Hobart. Macquarie Point is a very exciting opportunity. It is more than nine hectares. It is one of the last remaining vacant urban infill locations in any capital city in Australia.

I note the member's question of a couple of weeks ago and indicate, based on that question, which I responded to on the day, that I wrote to the chair of the Macquarie Point Corporation and made some inquiries. I attached the *Hansard*, which is what you put on the record. I have asked the chair for a response to that.

Regarding the workplace grievance dispute that was raised last time, to confirm what I previously said, matters of this nature are subject to proper process. As such it is not appropriate for me to comment further on this. It is a matter for the board and the corporation.

With regard to the issue you raised that has been brought to my attention, I am advised that the concerns that you have raised have been put to the board. That is why I have written to the board chair to seek feedback on that. I can advise you and the Chamber further on that once I have received the response from the chair of the board.

That is appropriate. These are operational matters. It is not something that a minister or the Government gets involved in. The CEO reports to the board and it is a matter for the board. Brian Scullin is a highly credible figure, a business leader and, together with the board, we expect them to act on the concerns that have been raised.

Once I have that feedback, I am more than happy to make available to the member and the Chamber further information as appropriate.

Tourism - Government Support for Businesses

Mr WOOD question to the MINISTER for TOURISM, Mr ROCKLIFF

[10.26 a.m.]

Can you update the House on the steps that this Government is taking to continue supporting our tourism businesses as they re-emerge strongly from an incredibly challenging two years?

ANSWER

Mr Speaker, I thank the member for Bass for his question and his interest in matter. I am proud of our tourism sector and the incredible determination and professionalism they have displayed through what has been the most challenging and disruptive of times that they would have ever experienced.

Prior to stepping into the role of Minister for Tourism, I was fortunate to represent my predecessor at the Qantas Australian Tourism Awards on the Sunshine Coast and see the tourism operators on the national stage scoop the medals pool and outshine every other state and territory. That was an enormously proud moment for me. There is little doubt that we have an incredibly compelling brand and product proposition for any discerning traveller. However, the competition for that traveller will be more intense and more competitive than ever before as each destination fights hard to rebuild their respective visitor economies.

While our industry has always punched above its weight, we acknowledge that we are now competing for the visitor dollar in an environment that has altered considerably as a result of the pandemic. Our advantage is that we are already well placed in the hearts and minds of travellers in respect to the qualities and motivators which influence their travel decisions. To build on this, our Government has provided a further \$10 million funding to Tourism Tasmania to bolster its marketing efforts and build on the very successful Come Down For Air and off-season campaigns.

I remind the House of the importance of the visitor economy to our state. More than double the number of people per capita are employed directly and indirectly in the industry than the national average. Tourism provides a higher share of the state's GSP compared to all other states and territories.

The signs are promising. Our aviation capacity has already returned to pre-pandemic levels. This month we have experienced our best May in the business events space since 2018, with approximately 2400 delegates attending 11 business events throughout the state and injecting around \$6.8 million into the economy.

Future investment from the sector, as well as the corporate incentive sector, is very strong. The confidence among our industry is reflected by the incredible level of interest in the Tourism Innovation Grants Program, which recently closed its applications and for which the assessment process will begin shortly.

A total 29 Tasmanian tourism businesses recently attended ATE, the Australian Tourism Exchange in Sydney, which is Australia's premier international tourism event. Reports from our contingent were consistently positive, with the attending international buyers showing incredible levels of interest in what we have to offer.

As I said previously, the federal government's commitment of \$60 million towards the cost of bringing the Hobart International Airport's runway pavement to Code E standard is an enormously exciting opportunity for our state. We will be working very closely with the federal government and airport management to realise that investment in a very timely way.

The future is bright; it is positive. However, we must continue to support industry, and make sure that Tasmania remains top of mind for potential travellers. Our commitment of a

further \$10 million towards Tourism Tasmania's marketing budget over the next four years strongly reflects that support.

Child Safety Services - Job Vacancies

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.31 a.m.]

Labor welcomes your announcement today regarding safeguarding officers in schools. However, while we fully support this much needed investment, the concerning fact remains, as was put to your minister on ABC radio, that there are currently 60 job vacancies across child safety in Tasmania. Because of this significant shortage, those working at the frontline feel they often cannot do what they know is needed to be done to support children at risk of harm.

Despite working at their absolute hardest, under manageable caseloads, this means they cannot guarantee the safety of Tasmanian children in need, and is pushing the remaining staff to breaking point. This is why it is not unusual for a burnt-out or overworked child safety worker to leave work one day and find it simply unbearable to return the next. Will you provide the necessary resources in the Budget to recruit and retain sufficient staff to fill this unacceptably high number of vacancies in Child Safety Services?

ANSWER

Mr Speaker, I thank the member for her question. Our announcement today is a reflection of considerable investment to support our children and young people. Our Government recognises the critical role played by our child safety staff in meeting the needs of some of our most vulnerable members of our community.

Since we came to office in 2014, staffing resources in our child safety system have increased by around 40 per cent. We have worked steadily to strengthen the capability of our staff and provide better structures and support. Over the past 12 months we have made significant additional investment in child safety staffing, including relief staff to cover leave and absences, child safety and wellbeing officers in the advice and referral line, and child safety officers working across the assessment case management and out-of-home care teams.

Our Government does not underestimate the challenges involved in responding to vulnerable families and children and young people who are at risk of abuse or neglect. To meet these challenges our Government will continue to ensure a child safety service is appropriately resourced and supported.

I am advised by the Department of Communities Tasmania that there are over 280 full-time equivalent as of 2 April 2022 in the Child Safety Services establishment, including the advice and referral line. When we came to government in 2014, and prior the commencement of the Strong Family, Safe Kids reforms, there were approximately 200 full-time equivalents in the Child Safety Services establishment.

We have increased our capacity by around 40 per cent. A few years ago, we invested some \$24 million. The recruitment of 25 additional child safety officers, and other frontline staff, our Strong Family, Safe Kids redesign of the child safety system also contributed to a

range of new liaison and specialist roles that support safety officers in their crucial role. This includes our early years intensive engagement specialists, transition to independence, specialists, Aboriginal liaison officers, family law court specialists, court coordinators, restoration specialists and family violence specialists.

In addition to this, flexibility has also been built into the system so that staffing can be flexed up to respond to increased demand or areas of need through appropriate use of short-term, fixed-term employment arrangements. That is 280 full-time equivalents.

Child Safety - Numbers of Children Currently at Risk

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.36 a.m.]

Each month when your Government releases statistical data on child safety, there is one consistent fact: the number of children reported as being at risk but not receiving help remains unacceptably high. The latest data from March showed that there were 59 children in this situation. However, child safety workers tell us this number is just the tip of the iceberg and in reality is much higher. Are you confident that the number reported publicly, which is currently 59, is accurate?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for her question. I go to the first sentence of your question: the fact that you acknowledged that we are now releasing this data monthly across our housing, health, and human services sector. There is a very good reason for that: so that we can be held accountable to that information when it comes out every single month, as per your question.

Previously, that data was released on a quarterly basis; certainly, the health dashboard that I am responsible for was on a quarterly basis. We are quite rightly debating concerning statistics as a result of our Government's openness, transparency and willingness to be held accountable to our investments in this area, and its concerning data.

Protecting the health, safety, and wellbeing of Tasmania's vulnerable children and young people is a clear priority for our Government as we have demonstrated and as our minister has spoken about today in a public forum. We are committed to doing all we can to further improve their safety and wellbeing, and to support the staff who work to protect our most vulnerable Tasmanians.

Encouraging impacts continue to be seen from our \$51 million Strong Family, Safe Kids reforms, which focus on supporting families to stay together where it is safe to do so.

Ms WHITE - Point of order, Mr Speaker. It goes to standing order 45 - relevance. The question to the Premier was whether he could confirm that there are currently 59 children who have not been allocated a case worker but have been notified as being at risk. Can he confirm that is accurate?

Mr SPEAKER - On the point of order, all I can do is to ask the Premier to be relevant to the question. He chooses the best way to go about that and the background that he gives. The Premier has the call.

Mr ROCKLIFF - We are open and transparent about releasing the data monthly -

Ms White - Does the data reflect what is actually happening?

Mr SPEAKER - Order.

Mr ROCKLIFF - It is a far cry from when you were in government when we had to RTI all sorts of information that you were not forthcoming with, which we now produce on a monthly basis in an open and transparent way so we can have debates in these forums. Do not criticise our willingness to be accountable and to be transparent.

Over the past 12 months we have made significant additional investment into child safety including: 10 mobile relief staff to cover leave and absences; six child safety and wellbeing officers in the advice and referral line; and nine child safety officers working across the assessment case management and out-of-home care teams.

No government has been more transparent, open, and accountable in this area and invested more to protect the safety of our children.

Small Business Sector - Government Support

Mr TUCKER question to MINISTER for SMALL BUSINESS, Ms OGILVIE

[10.40 a.m.]

We know there is no greater supporter of Tasmania's 39 000 small businesses than the Tasmanian majority Liberal Government. Can you outline to the House how our Government is continuing to support our local small business sector to accelerate and to grow?

ANSWER

Mr Speaker, I thank the member for Lyons for his question. He is absolutely right: there is no greater supporter of Tasmania's small business sector than our strong and united Liberal Government.

Importantly, today I am delighted to announce that, after a competitive assessment process, four fantastic programs will be funded under round 1 of our Small Business Incubator and Accelerator Pilot Program. Funding of almost \$1 million will be provided to the following programs: the Braddon Business Centre Inc. Small Business Accelerator Program, which will be targeting the retailing, manufacturing, primary production, food processing and construction sectors; the Illuminate Education Australia Shift Lab Incubator Program, which is targeting businesses from all sectors; the Seedlab Germinate Incubator Program, which is targeting the agribusiness, advanced manufacturing, health and beauty sectors; and one that is a personal favourite of mine, Secret Lab Pty Ltd, a narrative game development incubator that will be targeting the gaming and games development sector.

I had the great pleasure to speak briefly with Dr Paris Buttfield-Addison prior to coming in to express my great delight in what they have been able to do. Their business has been around for a while - probably for about as long as I have been around in this place - and I love it when small business and technology comes together and this group of innovators do amazing things. We know they have done some award-winning games; they have won a BAFTA for one of their games which is called *Night in the Woods*. Paris talked a little bit about the sort of innovation and incubator program they want to deliver to allow not only young developers but people who are story-tellers as well and not necessarily programmers to come on board and develop games so they could get those much-needed credits in order to move forward in the industry. It is much like film-making in that you need a credit to be taken seriously, so I was very impressed with that and it was my great delight to speak with Paris personally.

The successful recipients will provide specialist advice and support, aiding the creation of new businesses and ensuring the success of early-stage businesses in key economic sectors. I congratulate all recipients and I am really looking forward to seeing the results of the programs as they are delivered over the next 12 to 24 months.

Mr Speaker, I also take this opportunity to congratulate all our small business which have survived and thrived. We know it has not been easy. They have survived a worldwide pandemic, something that none of us really anticipated or were prepared for, and now many are starting to thrive again with most restrictions now lifted. My feedback from many of the small businesses is that patronage is increasing significantly as confidence is returning to our community. I note that tourists are flocking back to our beautiful state in record numbers and our small businesses are reaping the benefits of our strong economy.

In fact, I can say the latest CommSec State of the State Report has Tasmania leading the nation as the best-performing economy in the country, now for the ninth consecutive quarter. Just last week we heard that Tasmania's unemployment had hit its lowest level on record at 3.8 per cent in the month of April 2022, which is lower than the national average of 3.9 per cent and the third-lowest of all Australian states.

In conclusion, I know that our small business people are optimistic for the future, as am I, and as is our Tasmanian Liberal Government.

Ambulance Tasmania - Funding Issues

Dr WOODRUFF question to MINISTER for HEALTH, Mr ROCKLIFF

[10.44 a.m.]

Words cannot do justice to the truly dire state of Tasmania's ambulance service. Your Government's repeated failure at every budget to fund enough paramedics and support volunteers is costing lives. People are dying waiting hours for an ambulance. The mental health distress for staff of the casualised work, overwork and trauma is leading to a wave of resignations from Ambulance Tasmania. The best of our best are leaving the state or quitting para-medicine for good. On your watch as Health minister, things have got increasingly worse. Have you identified what you are doing wrong and what are you going to do to fix it to ensure that Tasmanians in need, when they call for an ambulance, have it come and that they get the care they deserve?

ANSWER

Mr Speaker, I thank the member for her question and interest in this matter. Her question reflects the increase in demand for our health services every year and I have some very clear data on that. It is clearly important that we open more beds and reduce access block, which we are continually doing and have done over the course of a number of years. I will not go into the experience the Tasmanians had between 2010 and 2014 because we all know it.

While the statewide median emergency response time has increased, it has done so in the context of total responses significantly increasing. Between 2019-20 and 2020-21, the total number of ambulance responses increased by some 10.5 per cent, from 93 165 to 102 986. Notably in the most recent AMA Report Card, Tasmania recorded one of the nation's highest proportions of patients transferred from ambulance to hospital, at 79.6 per cent within 30 minutes, second only, I am advised, after New South Wales.

Dr Woodruff - You're not supporting your staff.

Mr ROCKLIFF - We are supporting our staff. I recognise the pressures of our first responders when it comes to our paramedics. Ms White delivered me some correspondence from a number of paramedics and people in the community regarding the pressures within Ambulance Tasmania and our paramedic staff. Our first responders do a fantastic job and I commend them for the often very distressing circumstances they confront when delivering very good care for people who require it.

What is important is investment in paramedics. It is a fact that since 2014 we have 243 more full-time equivalents across Ambulance Tasmania.

Dr Woodruff - It's not real. I don't know what you're talking about.

Mr ROCKLIFF - We made very clear commitments, Dr Woodruff, at the last election around supporting 48 more paramedics, of which we have delivered 44. We are looking at areas of Tasmania where there is increased demand -

Dr Woodruff - It's not working. Why have you casualised them?

Mr SPEAKER - Order, member for Franklin.

Mr ROCKLIFF - such as in Sorell, in Lyons and in Huonville, as an example, where we are about to invest to turn those stations into 24-hour seven days per week stations, which is important.

Dr Woodruff - But there are no new staff, no increase.

Mr ROCKLIFF - We are providing new staff. I have demonstrated that in the data I have reflected. We also have increased demands on our health system, Dr Woodruff, and the whole continuum from when triple zero is called, the secondary triage operations can swing into action as well as our PACER team when it comes to supporting our mental health consumers. What is also important is the work that has been done on a statewide access and flow program within our hospitals, backed up by increased resources and increased hospital

beds. Ward 3D in Launceston has some 28 additional bed capacity. The TASU, ward 6A from memory, in the Royal Hobart Hospital, has had an increase of 24 beds.

Our system improvement is also very important. Not only resources, there are more paramedics, opening up new beds, employing more staff in hospitals, but we need to look at system improvement as well. That is exactly what we are doing. Part of that system improvement is taking the pressure off our emergency departments.

The new triage PACER system, where mental health clinicians, paramedics and police work together to support people with serious mental health episodes in the community, is alleviating the pressure on our emergency departments. That is working. The latest advice is that more than 300 people have been supported with that system. It is a great innovation and investment. These people would otherwise have been supported in our emergency departments, and that creates all sorts of access and flow challenges. There has been investment in paramedics, investment in new vehicles - a \$9 million investment into 30 new vehicles - investment in hospital beds and system improvement in access and flow statewide.

Integrity Commission - Implementation of Outstanding Recommendations

Ms HADDAD question to PREMIER, Mr ROCKLIFF

[10.51 a.m.]

When you became Premier, you promised that you would lead a government with integrity. In 2016 a review of Tasmania's Integrity Commission made 55 recommendations to improve the ability of the commission to uphold the integrity standards expected by Tasmanians. Six years later the Attorney-General has implemented just six of these 55 recommendations. Will you direct the Attorney-General to implement the remaining recommendations as a priority, or are you too weak to get this done?

ANSWER

Mr Speaker, I thank the member for her question. Integrity is important to me and important to this Government. We have made significant improvement and reforms since 2014 in our openness and transparency. We have spoken about that this morning. The Department of Justice is currently working with the Integrity Commission to consider areas for reform in the Integrity Commission Act. I was on a joint house select committee with Labor members, Liberal members and Greens members back in 2007 to 2009, from memory, where we recommended the establishment of an integrity commission in Tasmania. We are very committed to that.

Reform of the Integrity Commission Act involves considerable work so that any proposed options for reform are considered in a measured, sensible and balanced way, allowing for appropriate consultation and appropriate scrutiny. The Government is currently undertaking a comprehensive approach to consider further necessary reforms as a result of the Cox Review recommendations.

The first phase of recommendations of the Cox Review was the Integrity Commission Amendment Bill 2017, which made technical and other amendments to the act. The bill addressed recommendations 1 to 6 of the report by providing improved governance and clearer

direction to the Integrity Commission. The parliament approved the bill and it received royal assent on 13 June 2017.

The second tranche is currently underway, as indicated in the Government's response to Mr Cox's report. Many of the recommendations involve complex policy issues requiring further consideration and analysis. In consultation between the commission and the department a number of the recommendations have been identified and will include expanding the ability for the commission to treat information gathered by agencies as part of the assessments and investigations for potential breaches of State Service's code of conduct.

As part of any code of conduct investigation, any potential amendments in this space will broaden the ability for the commission to access information and remove duplication, improving the powers for the commission to commence, dismiss or cease complaints, or own motion investigations where appropriate; extending offences under the act to protect a person from being threatened by violence or other means on account of providing information or evidence during an investigation or assessment; considering whether to introduce a mechanism to allow the Integrity Commission to accept referrals from the Local Government Association code of conduct panel; amendments to follow for flexibility around the time frames around compliance, with notices to produce information or provide evidence as there is limited ability to allow for extended or shortened periods depending on the circumstances; clarifying confidentiality requirements; allowing the chief executive officer to appoint more than one investigator in relation to complaints, as well as consideration of an expansive number of other technical matters to improve the operation of the act.

The Department of Justice is continuing to work through the recommendations. The minister expects to receive advice and options for reform and consideration shortly. We will consult broadly on any further proposed amendments to the act and will consider all issues raised during consultation.

Budget 2022-23 - Children's Safety in Government Schools

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

[10.56 am]

Can you update the House on how the 2022-23 state Budget will keep children and young people safe in Tasmania's government schools?

ANSWER

Mr Speaker, I thank Mrs Alexander for her question and her interest.

Every child has a right to have an education, to be heard, and to be kept safe from harm. We know there is more to be done to keep our children safe in our schools. The Tasmanian Liberal Government will invest \$26.1 million over four years to appoint and train a safeguarding officer in every government school, with \$9.7 million per year in ongoing funding.

Safeguarding officers in every government school were identified as a key recommendation by professors Smallbone and McCormack in their report on the Independent Inquiry into the Tasmanian Department of Education's Responses to Child Sexual Abuse. In their report, the professors envisaged that these roles would ensure that relevant safeguarding information is reported and recorded, contribute to school safeguarding risk assessments and management plans, and serve as a point of contact for students and school staff about safeguarding concerns.

The safeguarding officers will be employed as part of school support and well-being teams which have responsibilities including working collaboratively to achieve learning support and wellbeing outcomes for all students; sharing information, supports, and capacity building with teaching staff; case management co-ordination and ensuring the responsibilities of support staff are understood and enabled.

The safeguarding officers will work closely with the Office of Safeguarding Children and Young People which has been established to drive long-term cultural change and continuous improvement in the Department of Education, so that it can be an exemplary child-safe organisation. Appointing a safeguarding officer in each school will help build a safeguarding network across the state government school system, providing a central point of contact for matters related to child safeguarding.

The \$26.1 million commitment will support up to 72 full-time equivalent positions, with an allocation of between 0.2 and one FTE per school, based on the number of student enrolments at each school. It is expected that these roles will begin being filled and supporting schools from term four this year.

While having a safeguarding officer in every school and a system-wide safeguarding structure is critical, we know there is more to do to build knowledge and capacity within our schools regarding safeguarding. That is why our Government is also investing \$2.6 million for mandatory professional learning for all Department of Education staff; \$1.27 million to provide specialist senior support staff with expertise in supporting children and young people affected by harmful sexual behaviours; \$3.8 million for additional psychologists and social workers in our schools, and \$2.6 million to boost staffing in the office of Safeguarding Children and Young People.

This is a total package of \$36.4 million over four years with \$12 million ongoing to help keep children and young people safe in our schools. This significant investment demonstrates the Government's commitment to the implementation of all 20 recommendations made by Professors Smallbone and McCormack in their report, and this funding package will support the direction and work that is needed to embed a culture and practice in the department and within government schools where child safety is everybody's responsibility.

Jane Howlett MLC - JackJumpers Funding - Actions as Minister

Ms HADDAD question to PREMIER, Mr ROCKLIFF

[11.01 a.m.]

You promised that you will lead a government with integrity. Labor has discovered through right to information documents that, as minister, Jane Howlett wrote to the former

premier demanding that the Government come up with \$250 000 in previously unbudgeted grant funding. That money was to go to the JackJumpers. That is a direct contradiction of the emphatic public denials made by former premier, Peter Gutwein, that she had any involvement with the grant. Will you match your rhetoric on integrity and hold an independent investigation into these very serious allegations, or will you not do anything to address matters of integrity and corruption in politics?

ANSWER

Mr Speaker, I thank the member for her question. Can I say that perhaps a reflection of Labor's performance in Tasmania at the federal election is also a reflection of the matters that you raise in this House and very personal attacks on individual members?

My understanding is that these documents clearly show the funds were a commitment negotiated directly through the former premier's office and that the premier approved the funding. Ms Howlett had no involvement in those negotiations; the department was responsible for the payment process, not the approval process. This was simply a procedural letter which was necessary to enable the department to release the funds and therefore entirely appropriate.

It is clear that those opposite have nothing more to offer the community but continually going down this pathway of gutter politics. Tasmanians do not like it and that has been reflected in recent elections. In the Huon election you lost a seat due to your -

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - At least I backed him strongly in this place. I did not hear the name Toby Thorpe too much in the lead-up to the election. I will back all our candidates because I admire their courage for wanting to stand up to represent their community. The fact remains that there is one less Labor member in the parliament than there was 12 months ago, and that is due to the toxicity of their workplace culture and environment. It is also a reflection of the matters they raise in this place.

Ms White - You are missing three!

Mr SPEAKER - Order.

Ms WHITE - Point of order, Mr Speaker, under standing order 45, relevance. The question was about the integrity, or lack of integrity, of this Government and whether the Premier would investigate a conflict of interest.

Mr SPEAKER - The Premier heard the question. I will indicate to the Premier that he should be relevant but he actually made the connection in the first part of his presentation.

Mr ROCKLIFF - Thank you, Mr Speaker. I believe I answered that question directly and succinctly when I stood up in the first place.

Jane Howlett MLC - JackJumpers - Actions as Minister

Ms DOW question to PREMIER, Mr ROCKLIFF

[11.04 a.m.]

You have claimed you want to lead a government with integrity. It is now indisputable that former minister Howlett wrote to former premier Gutwein requesting a quarter of a million dollars of unbudgeted public money for the JackJumpers, while serious questions remain about the nature of her relationship with the CEO. This directly contradicts statements previously made by your Government and comes after a steady stream of revelations and still unanswered questions about the former minister's sudden removal from the Sports portfolio, the involvement of lobbyists in her resignation, and the role she played in Cabinet decisions that resulted in tens of millions of dollars of public money being spent for the benefit of the JackJumpers. How can you lead a government with integrity if you are too weak to do anything about such serious potential conflict of interest?

Members interjecting.

Mr SPEAKER - Order, the Premier has the call.

ANSWER

Mr Speaker, I am not sure what the standing order is for repetition of a question, but that was exactly the same question that was previously asked. I am advised that Ms Howlett had no involvement in those negotiations. The department was responsible for the payment process, not the approval process. This was simply a procedural letter which was necessary to enable the department to release the funds, and therefore entirely appropriate.

Local Government - Proposal for Compulsory Voting

Mr TUCKER question to MINISTER for LOCAL GOVERNMENT, Mr STREET

[11.06 a.m.]

Can you update the House on the Government's plan to help lift communities' perceptions of the importance of local government and the decisions they make?

ANSWER

Mr Speaker, I thank the member for Lyons for his question and acknowledge his time on the Break O'Day Council and his interest in the local government sector.

As local government minister, one of my main objectives is to enhance the level of engagement between the Tasmanian public and local government and to elevate this tier of government to the level it deserves.

I am pleased to announce that today I will be tabling the Local Government Amendment (Elections) Bill 2022 to be debated next Tuesday, 31 May. If passed by the parliament, this legislation will introduce compulsory voting for this year's local government elections, as well

as simplify preferential voting - often referred to as 1 to 5 voting - and some vote saving measures.

As a former elected member of Kingborough Council, I understand the importance and value of the decisions made by local councils. The decisions made by these councils are just as important as those made at a state and federal government level, and in many cases impact the day-to-day lives of residents a lot more. It is a strange anomaly that we do not require people to vote at local government elections while it is enforceable at state and federal elections. It sends a message that these decisions at local council level are somehow not as important, and it is my intention to rectify this through legislation.

We want to lift communities' perception of local government and its importance by bringing local council elections into line with state and federal elections. We also want to lift the communities' engagement with the local government sector. At the last local elections in Tasmania, the voter participation rate was only 58 per cent and we must improve that. It is timely to introduce this measure now in time for the 2022 local government elections in September and October.

The Local Government Association of Tasmania has said that it 'welcomes the Government's recognition of the importance of our sector with its proposed changes to local government elections later this year'. LGAT president Mayor Christina Holmdahl said:

The sector supports the proposed changes to simplify the ballot papers to only require marking 1 to 5 preferences. This is something that local government has been advocating for and will go a long way to reducing the number of informal votes.

While I recognise mayor Holmdahl's concern that there was limited opportunity for LGAT to comment on the draft legislation, I form the view that this issue has been well canvassed over many years and the substance of it is well understood.

The legislation time line is necessary to enable time to design and implement an appropriate information campaign to inform the public of the new requirements for this year's elections.

Ms O'Connor - So many reforms that were recommended in that process you have ignored.

Mr STREET - If we delayed introducing the bill we would have had to wait another four years for the next council elections.

Dr Woodruff - What about any old resident being able to vote?

Mr SPEAKER - Order.

Mr STREET - Honestly, Mr Speaker. Importantly, I can confirm that the Government will ensure that its implementation will be cost-neutral to local councils. In previous consultations with LGAT, this was one of the sector's major concerns with this reform. The TCCI has welcomed the Government's plan, with CEO Michael Bailey saying compulsory voting would 'better reflect the critical nature of local government to the lives of Tasmanians'.

He went on to say 'there is no reason the same assurance and importance should not be given to local government, which plays a critical role in the lives of Tasmanian businesses'.

Ms O'Connor - What about the general manager's role?

Mr SPEAKER - Order.

Mr STREET - The Property Council of Tasmania has also said that it welcomes and commends the state Government on its announcement and that it intends to make voting in local government elections compulsory. The executive director Rebecca Ellston said:

There is certainly merit in having councils elected on the same principles as other spheres of government.

I believe the Local Government Amendment Bill 2022 will provide -

Dr Woodruff - Are you going to read out Christina Holmdahl's comments?

Mr STREET - I just did. If you would actually listen instead of interjecting, I just read out her comments, Dr Woodruff. Honestly, you are too busy interjecting to actually listen to the answer. Pathetic.

Dr Woodruff interjecting.

Mr SPEAKER - Order, Member for Franklin. Order.

Mr STREET - She is caught out, not listening, not paying attention. Then she tries to talk over the top again. The same pathetic behaviour - week in, week out.

I believe the Local Government Elections Bill 2022 will provide a vital mechanism for the renewal and strengthening of the democratic mandate of councils, at a time when we are working together to equip local governments to support their communities for decades to come through the review process.

It is time that we give local government the recognition it deserves in terms of robust democratic processes and align local government with the state and Commonwealth when it comes to compulsory voting. I look forward to introducing the bill today, and working together with members from all sides to achieve this important reform.

Time expired.

RECOGNITION OF VISITORS

Mr SPEAKER - Honourable members, I acknowledge that we have a second group of grade 5 and 6 students from Howrah Primary School. Good morning and welcome to parliament.

Members - Hear, hear.

MINISTERIAL STATEMENT

Keeping Children and Young People Safe

[11.11 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I wish to provide an important update to the House regarding Tasmanian Government actions to keep children and young people safe. This is of utmost importance to our Government and every member of this House.

Every child and young person has a right to be safe and children and young people's safety is everyone's responsibility. The Tasmanian Government has a role to play in keeping children and young people safe, which is why we established the commission of inquiry to bring to light any past and current failures of government institutions to protect children; to learn from them to ensure we can effectively safeguard children and young people into the future.

The evidence given to date in the commission of inquiry is confronting. I would like to sincerely acknowledge and thank victims/survivors, their families and their loved ones for their bravery and courage in coming forward. I acknowledge it is challenging and distressing for you to share your experiences. However, it is very important that your voices be heard and lessons learnt from your experience so we can make the future a safer place for children and young people in Tasmania.

I again offer this Government's deepest and most heartfelt apology to victims and survivors of abuse that occurred in government institutions. To all victims/survivors who have come forward to the commission, we hear you, we believe you; on behalf of governments past and present, we are sorry that we failed you.

I thank the state servants who have come forward in an effort to make things better for people and young people in Tasmania. I reiterate today that not only do all state servants have my full support to come forward and to shine a light on these matters, I emphatically encourage them to do so. There is no more important task than helping us to ensure our system protects our most vulnerable.

To better support state servants who have evidence to provide to the commission, I can confirm today that the Government will provide two days of special leave: one day to enable the preparation of statements and one day off to appear. Departments will be providing details this week to all staff about how they can access this additional leave. Once again I stress there will be no reprisals for coming forward. It is absolutely the right thing to do and you will be supported in doing so.

The national principles for child safety organisations identify the importance of leadership from the top as necessary to build a culture where children and young people are valued and every person is committed to child safety and child wellbeing. I want the Tasmanian community to be clear about the fact that keeping children and young people safe is absolute priority for me and my Government. This will be one of my personal priorities during my tenure as premier.

When I was sworn in as premier, I said that I wanted to lead a government that is accountable, that listens, and acts accordingly. We will listen with empathy. We will act with

kindness. We will provide caring, child-centred and trauma-informed support to victims/survivors, both as children and as adults, and we will act with integrity. Most importantly, we will be accountable for implementing changes to prevent child sexual abuse from occurring in Tasmanian institutions.

The President of the commission, the honourable Marcia Neave AO, noted the need for us to keep pace in her statement during the commission's opening hearing. Ms Neave implored us to maintain momentum and commitment to implementing the National Royal Commission's recommendations in parallel with those of the inquiry. She said:

Where government has the tools to make Tasmanian children safer in Tasmanian institutions today, it should use them. It should not wait until the outcome of this Commission is known to take action which it already knows is necessary.

That is why today I will be announcing immediate actions in response to the two weeks of hearings which have already occurred.

Before outlining those actions, I wish to recognise the steps we have already taken to safeguard children and young people in Tasmania. In August 2020 as Education minister, I announced an independent inquiry into systems and practices within the Department of Education in response to allegations of child sexual abuse. This was the prelude to a much broader commission of inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Government Institutions announced by the then premier, Peter Gutwein, in November 2020. As the then premier said at the time:

The vast majority of people who work or have worked in our government agencies in positions of great trust do the right thing. Unfortunately, there have been occasions where that trust was breached and allegations came to light regarding child sexual abuse in institutions.

Mr Speaker, we took decisive action to investigate these matters. In 2020 Tasmania Police completed an internal review of the adequacy and appropriateness of police actions in response to information received about child sexual abuse allegations and delivered the Griffin outcomes report. In response, Tasmania Police established a specialist team to lead work on improving procedures and processes for the investigation of child sexual abuse. A specialist team oversaw the signing of a memorandum of understanding between the Child Safety Service and Tasmania Police to enhance information sharing and ensure appropriate responses and actions are undertaken when either party receives information relating to child sexual abuse: a review of thousands of records held across government agencies to assess any potential risk to children; the development of Tasmania Police guidelines for investigating child sexual abuse; changes to the Tasmania Police Manual, strengthening responses; the development of the *Keeping Children Safe* handbook to guide operation practice and joint responses between children, youth, families and Tasmania Police; and new protocols for information exchanged between police and the Registrar for Working with Vulnerable People checks and education regarding the importance of sharing information.

Changes to the Children, Young Persons and Their Families Act 1997 have also been made, with amendments to clarify that that information can now legally be provided from the

Child Safety Service to the police and also protocols around the exchange of information including when and how information should be shared.

When the report into the Tasmanian Department of Education Responses to Child Sexual Abuse was handed down by Professor McCormack and Professor Smallbone in June 2021, the Government responded by accepting all 20 recommendations. Central to this is the establishment of the Office of Safeguarding Children and Young People, which is now driving long-term cultural change and continuous improvement right across the department in government schools, libraries and child and family learning centres so it can be an exemplary child-safe organisation.

We also became aware of historical allegations of abuse against current employees of Ashley Youth Detention Centre via the National Redress Scheme for people who have experienced institutional child sexual abuse and/or through a common law negligence claim, and we acted on these allegations.

In September 2021 we announced that it was time for a major systemic change in our youth justice system, with a need for a holistic approach that gives our young people a far better chance of gaining the supports they need so they are in a better position to rehabilitate and live better and more productive lives. We are committed that Ashley Youth Detention Centre will close and we will invest in new infrastructure and introduce a new service delivery model in its place focused on early intervention and diversion strategies, with detention as a last-resort measure.

In February 2022 we announced our next important step to bring services related to children under the responsibility of one new agency, the Department of Education, Children and Young People. This change will place children and young people at the centre of a coordinated education and supports to keep them safe and engaged in learning by removing bureaucracy, administrative barriers and silos to allow truly child-centred department to form. Importantly, all parts of the new agency will benefit from the leadership and cultural change provided by the office of Safeguarding Children and Young People.

The work of the new department will also be informed by the Child and Student Wellbeing Strategy which supports a universal approach to wellbeing while recognising that some learners, such as those impacted by trauma, may need additional support to engage in learning. The department continues to build its system-wide capacity and trauma-informed and trauma-responsive practice.

Tasmania has long recognised the need to make redress to those who have been abused in Tasmanian institutions. In 2018 we began formal participation in the National Redress Scheme, a key recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse. As of 30 March 2022, we have received 684 claims in relation to state government institutions and 100 per cent of those claims have been returned to the scheme operator within the required statutory time frames.

Earlier this year, we progressed reforms to the regulatory framework that provides financial help and assistance for Tasmanian victims/survivors of crime under the Victims of Crime Assistance Act 1976. The changes mean that from 1 July this year victims/survivors will be able to seek greater financial support as a result of trauma or injuries, easing any financial burdens during an extremely difficult and vulnerable time in their lives.

We have also established a register for approved counselling and psychological care providers to ensure that the provision of counselling and psychological care is conducted by appropriately qualified and trauma-informed professionals for all victims/survivors who would like such support as part of the application for redress through the national scheme.

The Department of Justice has additionally established a specialist unit to deliver direct personal responses on behalf of the Tasmanian Government for victims/survivors participating in the Redress Scheme. That specialist unit is staffed by expertly trained professionals and clinicians and provides extensive support to victims/survivors in identifying and delivering meaningful trauma-informed apologies and engagements with people abused while in the care of Tasmanian government institutions.

On 17 November 2020 the Evidence (Children as Special Witness) Amendment Act 2020 commenced. This act fulfilled the Tasmanian Government's commitment to establish a pilot witness intermediary scheme. The scheme, which commenced on 1 March 2021, further strengthens Tasmania's criminal justice system by introducing skilled communications experts who work alongside lawyers and judges to ensure that vulnerable witnesses, including children, participating in a criminal justice process are able to communicate to the best of their ability.

Since the Tasmanian Government has released its response to the Royal Commission into Institutional Responses to Child Sexual Abuse, we have completed 206 of the 306 recommendations that relate to the Tasmanian Government. Our Government commits to fast-tracking the remaining 100 recommendations, 92 of which have commenced, to improve the safety of children and young people in our system.

A key recommendation from the royal commission was the establishment of a legislative framework for complying with the Child-Safe Standards and Reportable Conduct Scheme. In response, we have committed to the development of a child and youth safe organisations framework including comprehensive, legislated child-safe standards and the establishment of a reportable conduct scheme. The framework will be overseen by a dedicated and independent oversight and regulation body. The adoption of child-safe standards will contribute to the prevention of abuse and harm to children, building a culture of child safety not just across Tasmanian government institutions but in the wider Tasmanian community.

Compliance with the child-safe standards will be monitored and enforced to ensure that institutions, services, organisations, businesses, clubs and associations have policies and procedures in place to prevent child sexual abuse from occurring in the first instance. Where abuse does occur, the reportable conduct scheme will act as a watchdog to ensure responses to incidents of child abuse are child-centred and trauma-informed and cause no further harm. Under this scheme, if an allegation of abuse is made, the independent oversight body will have the responsibility to monitor the organisation's investigation and response and recommend changes to prevent abuse from occurring in the future. Results of investigations will feed into a systemic review of response policies and procedures as part of a continuous improvement approach to child safety.

The commission of inquiry has already heard that a lack of information-sharing is a barrier to keeping children safe from harm and may prohibit victims/survivors from receiving timely and transparent information about the investigation of matters raised. We must abolish any bureaucracy or red tape that prevents the sharing of information which could keep a child safe.

It is important to me that people with a lived experience of child sexual abuse in institutional settings are involved in the development and implementation of this child and youth-safe organisations framework. That is why we will establish an advisory panel made up of adult victims/survivors of child sexual abuse in institutional settings and family or friends of victims/survivors, and I look forward to their contribution to this very important work.

Of course there is more we must do. Today we are announcing that in our ongoing support of the recommendations of Professors Smallbone and McCormack that we are committing additional funding to safeguard children and young people in our schools by appointing a school safeguarding officer in every government school and requiring mandatory professional development for all Department of Education staff. This requirement will remain in place when the agency transitions to the Department of Education, Children and Young People.

We will also be adding an additional four full-time equivalent senior support staff to increase support for children and young people affected by harmful sexual behaviours or child sexual abuse, as well as eight full-time equivalent psychologists and eight full-time equivalent social workers to further support student wellbeing and safety. In fact, there will be funding of some \$36.4 million over four years to support children and young people in government schools in this year's Budget.

Mr Speaker, we have heard the voices of victims/survivors and state servants who have provided evidence to the commission and we are committed to making the changes needed to keep our children safe. Other additional measures we will take across government which will be funded in this year's Budget include:

- supporting a timely investigation of complaints and disciplinary processes, with an additional \$758 000 for the Teachers Registration Board for additional investigators;
- a whole-of-government response unit to deliver a coordinated Tasmanian Government response to the commission of inquiry, with \$2.2 million to support this process;
- building a shared capability for investigations related to serious code of conduct breaches across the State Service, with \$240 000 allocated;
- \$2.5 million to establish a project team to design and implement the Child and Youth Safe organisation's framework, legislated child safe standards and the reportable conduct scheme;
- supporting children and young people impacted by trauma with a further \$24 million over the budget and forward estimates;
- additional frontline workers for the advice and referral line and Child Safety Services as part of our continued investment with an additional \$5.4 million; and
- \$2.2 million to establish an out-of-home care accreditation framework and the development of a carers' register. The out-of-home care accreditation framework will improve the standards for children and young people in out-of-home care.

To preserve forensic evidence longer for victims/survivors, the budget will also include a \$3.7 million investment for forensic science laboratories.

Included in the budget is \$40 million for new youth justice facilities, allowing for the closure of Ashley Youth Detention Centre. This will include holistic, therapeutic, trauma-informed and child-centred models of care with a focus on rehabilitation. In addition, as we have announced, there will be \$15 million to pilot two multi-disciplinary centres to offer a best practice model of support and safety services to victims/survivors of sexual and family violence.

I confirm an uplift in funding in this year's budget for family and sexual violence of \$12.5 million for the first year of the next action plan and that a key priority in the plan will be increased recurrent core funding for Tasmania's nine specialist family and sexual violence services, with five-year contracts to provide greater certainty and capacity to respond to demand.

Too many children have been failed by government and government institutions. Too many children are living with trauma after being betrayed by a person they should have been able to trust. Today, I am announcing legislation will be drafted this year to create a new crime of failing to protect a child or young person for people in authority within an organisation who fail to safeguard a child from substantial risk of sexual abuse by an adult associated with that organisation.

The Attorney-General has taken the lead on this work. I understand good progress has already been made. There will be consultation on this important legislation. I hope it will be passed by the end of this year. Our Government plans to amend the Criminal Code to introduce a presumption that children under the age of 17 cannot consent to sexual intercourse when a person is in a position of authority over them. These legislative changes will bring our criminal justice system into alignment with community expectations. We will be exploring options to expand the scope of regulated activities under the registration to work with vulnerable people legislation, to ensure Tasmania's worker screening scheme for people who work or volunteer with vulnerable people, including children, is the best it can be.

We have heard from victims/survivors and their families that information does not flow between and out of our departments as easily as it should. Reducing barriers to accessing information and important information sharing between organisations is important to reduce risks to children and to ensure government can be more transparent when supporting victims/survivors seeking information.

We have heard that protecting personal information is important, but we need to look at where this might be getting in the way of child safety. We will consider legislative solutions and other initiatives that will make it easier to share information about risks to children, including looking at whether issues of custom, practice and culture are creating unnecessary barriers. We will look at how to better educate employees regarding the circumstances where they can and should share information. It is our hope this will allow greater transparency for victims/survivors on the status of investigations. You deserve to know when investigations are complete and the outcome of the investigations.

The review of the State Service, conducted by Dr Ian Watt, made recommendations relating to the employment direction five, or ED5, which is the employment direction under

which code of conduct investigations are conducted, including investigations into child sexual abuse claims against public servants. We have accepted Dr Watt's recommendations around ED5s, which include the ability to tailor the employment direction for investigations of an alleged breach of the code of conduct according to particular circumstances and that we create a shared capability for the investigation of serious code of conduct breaches.

Victims/survivors have told us the experience of existing ED5 processes can be distressing and retraumatising. We have heard that parties to these investigations can feel vulnerable and exposed during the investigation process. That is why it is important that interactions with victims/survivors are both trauma-informed and child-centred.

Our Government will make trauma-informed practice professional learning mandatory for investigators and for other state servants involved in ED5 investigation processes. We will also move to having investigation teams that are gender balanced. We will ensure that ED5 processes are much more sensitive to the needs of victims/survivors. We will look at ways to increase the pool of impartial investigators who can be called upon to investigate ED5-related issues, so investigations can be finalised as efficiently and as effectively as possible.

It is our hope that these changes will help minimise the distress of victims/survivors in the ED5 process. We will look at ensuring investigative material gathered for one process, for example, an ED5, can be shared for the purpose of another, for example an investigation by the Teachers Registration Board, so that witnesses only have to be re-interviewed where absolutely necessary.

The Government has already made significant progress towards the creation of a central register of employees who have been terminated as a result of an ED5 investigation. The administration of a central register will make it easier to identify where an employee has been terminated as a result of a breach of the code of conduct, to ensure an appropriate assessment can be made if they apply for a different government job.

We have heard that the way employees respond to someone who is disclosing current or historical child sexual abuse can have a significant impact on their experience of trauma. It is critical that State Service employees can respond effectively to help make victims/survivors feel safe and ensure that their trauma is not compounded. Government employees also need to be able to recognise when a child or young person is demonstrating signs of trauma, as this might lead to that employee raising concerns, which could ultimately lead to ensuring that child's safety. The Government will investigate rolling out trauma-informed training across the state service, starting with those in leadership positions, including heads of agency.

We have heard from victims/survivors and their families that it can be challenging to access government-held information necessary for redress or to pursue civil litigation claims, particularly in instances where they must seek information from multiple departments. Victims/survivors have told us that responses from our departments can be inconsistent, including variations in response times and the type of information that is released. We must break away from that siloed approach of our departmental structures to facilitate improved information sharing and deliver better outcomes for our victims/survivors.

Throughout the COVID-19 pandemic, we have seen unprecedented levels of collaboration within government and it is my intention to evoke that same spirit of collaboration to provide timely and consistent responses to victims/survivors and to be more forthcoming

with information through Right to Information (RTI) application processes. We commit to improving the RTI process including to providing training across the State Service to ensure more consistent processes and responses.

We have listened to what victims/survivors and others have said about their lived experiences, engaging with the Government's current civil litigation processes. The civil claims process should not and must not make victims/survivors feel that their experience of abuse has been dismissed or minimised. To do so, is simply not acceptable. We will review the structure and processes across civil litigation to ensure our process is trauma-informed and that all our legal practitioners recognise evidence-based understandings of the nature and impact of child sexual abuse.

It is my expectation that the Government's new approach will ensure victims/survivors feel listened to, understood, informed and supported through the civil litigation process.

I will also make arrangements in the Heads of Agency Performance Agreements to clarify expectations and improve accountability for making sure child safety and wellbeing is imbedded in organisational leadership, governance and culture.

The Tasmanian Government and many of our agency heads have provided apologies, written and verbal, to victims/survivors of child sexual abuse which span successive governments of all colours.

I have reached out to the Leader of the Opposition and the Leader of the Greens about my intention to move a formal apology on behalf of the Tasmanian Parliament to all those who have been failed by government institutions, not just those participating in the commission of inquiry, but all those who have been failed. These failings have occurred under successive governments, so it is appropriate that an apology is tripartisan. I would expect a formal apology to be delivered at the completion of the commission's public proceedings when more victims/survivors have had the opportunity to come forward to the inquiry and share their experience. I continue to encourage all survivors of child sexual abuse to come forward as well as anyone who has something to say that could make our children safer.

There is a range of avenues available to help you speak up in a supported way. The commission provides counselling before and after hearing appearances so you do not have to go it alone. In providing information to the commission, participants have rights and protections under the Commissions of Inquiry Act 1995, including that your employer cannot prejudice or dismiss you. Others cannot try to prevent you from providing information to the commission. Others cannot punish you or cause you damage, loss or disadvantage because you provide information to the commission. If anyone has information about their experiences that they want to provide to the commission but are worried about providing it, please contact the commission directly to discuss your options and your protections. Only when we have a shared culture of speaking up will we ensure our children are protected and that they are safe.

As I said when I began, the Government will continue to respond to what we hear through the commission, and its recommendations in due course, with heart and humanity, with empathy, with kindness and with care.

I want all Tasmanians to know this Government is listening and to know that all members of parliament are listening. More important than that, for the sake of children today and children born tomorrow, this Government and indeed all of us are acting.

[11.45 a.m.]

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

That the statement be noted.

At the outset, Premier, I thank you for the way in which you have spoken, in particular about the commission of inquiry's work and the encouragement that you have given to those who have evidence to come forward and the clear statement that you have made as premier on behalf of your Government.

Mr Speaker, I have been speaking to the Premier about the need to make really clear statements to give people confidence that they can come forward to the commission of inquiry process. This statement from the Premier makes that unequivocal. It is very encouraging to see that as well as a number of announcements that he has made.

I thank the Premier and the Government for the support they are providing to the commission of inquiry; for the very clear statement that the Premier has made: that people are encouraged to come forward; that they will not face retribution if they do; the provision of leave for them to participate in that process; and the access to any psychological support they may need because of the trauma they may experience in doing so. That is very important.

Now, to the details of the statement given by the Premier. It was very lengthy and we will take time to consider all those matters. In the time I have I want to touch on a couple of details.

It may have been that the statement did not give you the opportunity, Premier, but there did not appear to be time lines for the delivery of many of the commitments that you have just given to this House about funding for different initiatives or changes in practice that your Government is going to effect. We will be looking for some detail because that is quite important. To ensure we can keep children safe must be a priority for the Government; to make sure we have child safe institutions across our state and to do that as soon as practicable, given not only the evidence that we have heard provided to the commission of inquiry but also what we have seen over a long period of time. This has been through statements made to the investigation that was launched into the Department of Education that preceded the commission of inquiry and also the evidence we have heard in this place and in public about the inadequate resourcing for child safety services. Children are on the unallocated list for far too long before they are assigned to a caseworker. The data we have available, which is from March, said there are still 59 children who were not allocated within an appropriate time frame to a child safety worker.

These are things the Government needs to now be addressing urgently. I note there is additional support for more frontline staff at Child Safety Services. It is just \$5.4 million. By my calculation, that would employ about five people ongoing, based on the fact that in 2018-19 the Government made a commitment of \$24 million, which employed 25 people. A commitment of \$5.4 million will not go far enough to replace the 60 vacancies that we understand exist across the service.

The employment of mental health workers in our schools is something we support. It is something we have championed and called for, for a very long time, but the additional allocation of eight psychologists and eight social workers is not enough. Based on data provided last year, that will increase the total number of school psychologists to 79 and social workers to 90. Each of them has enormous caseloads. If, on average, there are 62 000 school students across the public sector that means that each school psychologist has a caseload of 770 students and each social worker has a caseload of 683 students. That is a very heavy caseload for those workers. This is why we need to see an investment that is greater than an additional 16 workers.

We know that our young people are struggling with more complex issues in their lives. COVID is one element of that; issues around bullying, self-worth and self-confidence. Then you add to that the trauma of participating in something like a commission of inquiry perhaps, or generally the stresses they are feeling day to day. We need to support early intervention practices. School social workers, mental health workers and psychologists deserve more funding so we can have more of them support our young people.

It is also why we have serious questions about the Government's plan to abolish the Department of Communities Tasmania and amalgamate that into a mega-department with the Department of Education, because we know from talking to school social workers that they do not support that. We know from speaking to workers in the Child Safety Service that they do not support that. They are worried that children are going to fall through the cracks, as was evidenced in South Australia where a royal commission was called into the practices that emerged there. We have to learn from those things. We should not replicate those same problems here in Tasmania if they can be avoided, and they can. We ask the Premier to reconsider the time line, to at least put a pause on that amalgamation of the departments until these learnings from South Australia have been considered.

We do not want to see all of these changes, which are happening at once, completely overwhelm the department. Think about what they are currently dealing with and add to that the destruction of the Department of Communities and incorporation to other agencies. Those workers are dealing with a lot of change at the moment and we remain concerned that will mean that all the reforms the Premier has just spoken about will not be implemented to the best standards we would all love to see because the people at the centre of that are going through so much change at the moment.

There is much more I would like to say, but in the remaining time I have, I again thank the Premier and his Government for the support they have shown to the commission of inquiry process. We will consider the further details when we have a chance.

[11.52 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, this parliament has just heard one of the most important statements ever from a Tasmanian Premier. The statement made by Premier Rockliff is exactly what victims/survivors of child sexual abuse in Tasmania needed to hear. It is what the parents of children and young people needed to hear. They need to know that action to keep children and young people safe now and into the future is well and truly underway. They need to know that an historic and contemporary culture of cover-up is being addressed. They need to know that we will work together to make sure Tasmania is the safest place in Australia for children and young people.

I have to give credit where it is due, Mr Speaker. We would not be here having this conversation if not for the relentless advocacy of victims/survivors. Politically, there was a lot of pressure on the previous premier, but Peter Gutwein initiated the commission of inquiry and it is perhaps his greatest legacy. He told us it would be painful, and for those who have come before the inquiry, it most certainly has been that. For victims/survivors who have been watching and listening to the hearings it has been profoundly traumatising.

The Sunday before last, a number of members of this place from across the parties and the crossbench gathered in the sunshine on the lawns of Parliament House for the SOS picnic. That was a day for survivors, their families and friends, for those who have suffered so terribly, people who have been betrayed by the state and by adults they should have been able to trust, and those we know who as a result of that suffering and betrayal are no longer with us.

We shared stories of the anger of survivors, their lack of trust in government and indeed in adults generally, their deep pain and trauma, but there is also a slowly growing and fragile hope that, as a result of the commission of inquiry, this island, which has such a terrible history of failing children, will change. There is this fragile hope that change will finally happen as a result of the advocacy of victims/survivors and the work of the commission of inquiry.

I particularly acknowledge the advocacy of my friend, Tiffany Skeggs, who spoke up because she does not want any other child to go through what she went through, repeated failures of this state and its systems, its agencies, Tasmania Police, to see her and protect her. I also want to acknowledge the advocacy of Alysha, who worked at Ashley Youth Detention Centre, herself a survivor, and as a result of her advocacy we now know much better what was happening to children inside Ashley Youth Detention Centre. It is a sign of how far we are coming that Ashley will close and there will be a more therapeutic approach to children and young people in the youth justice system. It takes great courage for people like Tiffany and Alysha to step up and identify themselves as survivors and go through that trauma day after day, and I can tell you they are indeed traumatised.

Like anyone in this place who has followed the testimony that has come before the commission of inquiry, it has been very confronting to understand how deep those systemic failures are, how enduring the culture of cover-up has been, how opaque the processes are for victims to be protected, to get justice, and what huge gaps there are in the system.

We saw, for example, the Ombudsman, the Commissioner for Children and Young People and the head of the Integrity Commission in a panel before the inquiry, and it became depressingly clear that there are deficiencies in their overarching acts, but there is also again some resistance from those integrity bodies. For example, at the time it became clear that there had been a cover-up at the LGH over former nurse James Griffin, why did the Integrity Commission not investigate at that point? Why hasn't the Integrity Commission, in 13 years of operation, held a public hearing? Why is it apparently impossible for the Commissioner for Children and Young People to advocate for an individual child or young person? Why does it often take years for anything to be dealt with by the Ombudsman, who also is the Youth Custodial Inspector?

We also heard evidence that came before the commission about delays in implementing key royal commission recommendations to deliver child-safe standards in organisations and a reportable conduct scheme. We heard that draft legislation was put out for consultation at the

end of 2020 and we still have not seen another draft of the bill. The commission was told that framework may well be three years away. That is not anywhere near good enough.

I thank Professors Smallbone and McCormack who undertook their inquiry into the Department of Education, because the work that they did was extremely important.

Time expired.

[11.59 a.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Speaker, I appreciate that Ms O'Connor had more to say and seven minutes is not adequate. I will start by thanking the Premier for his very detailed ministerial statement and for my opportunity to have input in this. I also want to state at the outset that I was not able to attend the Sunday before last as I was interstate for my niece's wedding. Otherwise I would have been there.

As Attorney-General, I am deeply committed to better protecting our children and the implementation of all the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse. I passionately believe that all children have the right to safety and that the best interests of children must be the primary consideration of all child-related institutions.

Since the Tasmanian Government released its response to the Royal Commission into Institutional Responses to Child Sexual Abuse we have completed 206 recommendations of the 306 recommendations that relate to the Tasmanian Government. As I have stated in this House many times, I am extremely proud of the work that we have been able to achieve to date for victims/survivors in addition to progressing a number of significant projects, including but not limited to implementing a three-year pilot intermediary program to support Tasmania Police and the courts to improve access justice for children and vulnerable adults.

We have introduced legislation to create new laws which strengthen criminal responses to child sexual abuse, including a new crime of failing to report a child abuse offence, removing limitation periods in civil litigation for victims/survivors of child sexual abuse. That is one of the most important changes we have made.

We have progressed further criminal justice reforms, including sentencing reforms for sexual offences and increased measures to support victims and survivors to give evidence in criminal proceedings including the witness intermediary pilot program; removed limitation periods for civil litigation relating to child sexual abuse claims which impose duty of care obligations on organisations to prevent child abuse perpetrated by individuals who are associated with the organisation.

We have enabled the courts to be able to set aside previous settlements between an organisation and a victim/survivor if it is in the interests of justice to do so. We have expanded the mandatory reporting obligations to people in religious ministry and established a new crime of failure to report child abuse and abrogated the confessional privilege for both.

Tasmania was also one of the first jurisdictions to successfully integrate our local systems with the national centralised data base for working with children checks as part of jurisdictional endorsement of the national standards for working with children checks.

There are further steps we can take and that is why I am taking the lead and progressing the implementation of key royal commission recommendations relating to child-safe organisations, child safety standards and a reportable conduct scheme.

We are calling our approach the child and youth safe organisations framework. That framework will drive cultural change in institutions ensuring action is taken to prevent harm to children. Organisational compliance with the Child Safe Standards will ensure that institutions have the policies, the procedures and strategies in place to make the organisation child safe.

The reportable conduct scheme will ensure that where harm to children is suspected or has occurred within an institutional setting, it is responded to and investigated effectively and that the child is at the centre of the response.

There are thousands of Tasmanian organisations that engage with children and young people on a day-to-day basis at some level. They are not only educators and carers, they are mechanics who engage apprentices, they are commercial play centres and wildlife parks and they are public and private transport services.

As part of the development of the framework, my department will be working very closely with all organisations to build their capacity and understanding of what they need to do to become a child and youth safe organisation. The framework will have independent regulation and oversight, ensuring there is a body dedicated to safeguarding Tasmanian children during their interactions and involvement with child-related organisations.

My department has already begun to work with Aboriginal organisations and community. We understand the need to embed cultural safety into the child and youth safe organisations framework. I am looking to hearing from people with lived experience through an advisory panel and incorporating their expertise into the framework.

The Tasmanian Government wants to see our children and young people grow, learn, play and work in child-safe environments where they are taken seriously, valued and empowered. We are committed to doing whatever it takes to achieve this.

I am confident that Tasmania's approach to child and youth safe organisations will create a nation-leading comprehensive system to support organisations to protect children and young people. We have heard many instances where steps were not taken to protect children in organisations, where concerns were raised about an adult working with children and cases where adults have been transferred by the leadership of organisations, placing other children and youth people at risk.

It is my expectation to introduce a new crime of failing to protect a child or young person later this year. This crime will ensure that adults in leadership positions with organisations that care for children, must focus on protecting children and young people from sexual abuse.

While reporting to police might be one of the steps that a person could take to protect a child, it might not be sufficient to reduce or remove the risk of abuse. In some circumstances, it will be a crime not to take other available steps, particularly if the risk is immediate and other steps are available that will allow an intervention to occur more quickly.

It is important to note that the new crime will only be available to be committed by adults in organisations and not by children or young people who are in leadership positions. The new crime will protect all children and young people under the age of 18 years from risks presented by an adult in a position of authority.

I am running out of time, Mr Speaker. We will be making further amendments to the Criminal Code to create a presumption that children and young people have not consented to sexual intercourse with adults in organisations who should be protecting them. This will bring the criminal law into line with community expectations and make it easier for children and young people to achieve justice through the criminal justice system.

I refer to the criminal claims information the Premier raised in his statement. I would like to detail that further. I might do that on the adjournment today, because I have run out of time.

[12.06 p.m.]

Mr JAENSCH (Braddon - Minister for Education, Children and Youth) - Mr Speaker, I am pleased to respond to the Premier's statement this morning on this important matter.

I acknowledge the important work of the commission of inquiry in bringing to light the failures of the past and provide a new opportunity to create safer environments for our children in our institutions.

I also thank victims/survivors for their courage in coming forward. I acknowledge how challenging and distressing this has been for you and for our whole community. Thank you. The evidence given to date in the commission of inquiry has been confronting. There are still several weeks of evidence to come.

The Government is committed to this process. As the Premier said, we resolve to implement the necessary changes to keep children safe in our institutions. We are not waiting until the commission completes its work. We are taking action now.

As Minister for Education, Children and Youth, I am pleased to provide additional detail in relation to our new initiatives.

In Education, the 2022-23 state Budget will allocate \$36.4 million to help keep children and young people safe in our schools. This will include \$26.1 million to appoint safeguarding officers who will provide advice, support and guidance in each state government school to create and maintain environments that are child safe.

We are providing \$2.6 million for mandatory, professional learning for all Department of Education staff. Staff will be trained in understanding child sexual abuse in schools and how to prevent, and respond to, child sexual abuse. This professional development will build a culture of putting the child and their safety at the centre of all decisions and actions that affect them.

The funding of these two initiatives aims to create system-wide change to practice and culture across the Department of Education that is critical to ensure that all children and young people are safe from the harm of sexual abuse. We will also provide \$1.27 million for senior support staff with specialist experience in responding to, and supporting, children and young

people affected by sexual abuse. We will provide \$3.8 million for additional psychologists and social workers in our schools.

We clearly recognise that we need more support in our schools for children and young people who have been affected by abuse. Social workers and psychologists provide essential support to students and staff. This new commitment builds on our ongoing investment in professional support staff in schools.

Since 2014, this Government has allocated an extra 120 full-time equivalent professional support staff, including school psychologists, social workers, speech and language pathologists and school nurses. This is an increase of 82 percent under this Tasmanian Government.

Our budget will also include \$2.6 million to boost staffing in the Office of Safeguarding Children and Young People. The office was established in 2021 as a direct response to recommendations in the Department of Education inquiry report.

This additional resource will allow the office to meet increasing demands across the next three years in overseeing the implementation of all safeguarding-related activity across the department.

A further allocation of \$758 000 over the next two years has also been allocated in the 2022-23 Budget for the Teachers Registration Board to engage up to three FTE additional investigators. This will support the timely investigation of complaints and disciplinary processes and further help to keep children and young people safe.

As the Premier said in his speech:

Supporting children and young people impacted by trauma is a critical part in keeping children and young people safe and supporting them to engage with learning and wellbeing supports at school.

Continuing from the 2021-22 Budget, this budget and the forward Estimates will contain \$24 million to support students who have been impacted by trauma. This will include support for an additional 100 individual students funded through this Budget, making a total of 355 students who will be supported in 2022. It will also include professional development in trauma-informed practice for all teachers and teacher assistants and targeted funding to schools to build their capacity to support students impacted by trauma.

In the child safety system, we are also providing greater supports and resources through this Budget. We are adding additional frontline workers for the advice and referral line and Child Safety Services as part of our continued investment with an extra \$5.4 million for new staff. Importantly, this Budget will also include \$2.2 million to establish an out-of-home care accreditation framework and the development of a carers register.

The out-of-home care accreditation framework will provide for the improvement of standards for children and young people in out-of-home care and ensure our system has greater oversight and accountability.

Also included in the Budget is \$40 million for new Youth Justice facilities following the decision to close Ashley Youth Detention Centre. This is not just about custodial youth justice;

however, this is about resetting our whole approach to the youth justice system and young people at risk in Tasmania. The Tasmanian Government is committed to developing a youth justice system, including new custodial settings that achieve better outcomes for young people and their families and keeps our community safe.

I must respond to some comments and questions this morning from the Leader of Opposition regarding the action we are taking to bring child safety and education together in a single department - the Department of Education, Children and Young People. Importantly, teachers and our schools are our number one source of referrals to our advice and referral line in our child safety system. Every one of the children in our child safety system is also part of our education system and for these kids, the quality and continuity of their learning in a child-safe environment is critical to them having a normal life and the same opportunities as all other kids.

I believe Tasmanians expect that these systems are fully cooperative, that they work seamlessly and that we do everything we can to eliminate gaps and blind spots between them to keep our children safe.

Time expired.

[12.13 p.m.]

Ms JOHNSTON (Clark) - Mr Speaker, I commend the Premier for his detailed, considered and incredibly important statement to the House today. I have no doubt that keeping children safe is a high priority of every member of this House and in hearing the evidence we have already heard before the inquiry I have no doubt again that we are all deeply affected by it and have a shared strong desire to do better for all children.

The statement was very detailed and, like other members in this House, I will take time to digest it and to speak with victims/survivors about what it means for them - their experiences in coming forward - but I do welcome some components of the statement.

First, I welcome the Premier's sincere reiteration that he encourages participation. That cannot be said enough. It needs to be repeated so people feel safe and encouraged to participate. I welcome his willingness to act now rather than wait, particularly where victims/survivors and those who have given evidence have identified barriers to participating in the inquiry. It is important that those measures are introduced now and that people are encouraged again to participate.

I welcome measures that will hopefully minimise the re-traumatising effects that victims/survivors experience in having to retell their experiences over and over again to comply with bureaucratic and red-tape processes. I welcome that the Premier has indicated a move to reduce that.

I welcome moves to bringing legislation before this House that will hopefully underpin the principle that child safety is everyone's responsibility and to ensure that it is what indeed happens. I also welcome further injection of funds. I would like to see more and I am sure we will have more to say about that in coming days but it is a start and I acknowledge that.

As I said before, I will take some time to consider the very detailed response here and to speak with victims/survivors. I trust in the spirit of collaboration the Premier talks about that

he is willing to continue to listen to further suggestions that may come forward as we go on this journey together and hear the stories of victims/survivors.

This is a good start, Premier, but there is so much more to be done. I hope that your Government will appreciate that the Opposition and those on the crossbench will keep putting pressure on you because, as everyone in this place believes, child safety is so important. We must do better by Tasmanian children in questioning what is happening through the inquiry, the Government's response. I in particular do have a strong desire to make sure that Tasmanian children are safe and their lives are better. I welcome the detailed statement today and thank the Premier for his reiteration and encouragement for participation.

[12.17 p.m.]

Mrs PETRUSMA (Franklin - Minister for Police, Fire and Emergency Management) - Mr Speaker, I rise to congratulate the Premier on his ministerial statement today.

I have had the honour and privilege of working with Mr Rockliff for over 12 years and I know how passionate and how much he wants, as everyone in this House does, to ensure that our children and young people are kept safe; that Tasmania is the safest place in which to be a child or a young person; and to live in and work in and raise a family. It is of the utmost importance to this Government and to everyone in this House because every child and young person in Tasmania has the right to be safe, which is why children and young people's safety is everyone's responsibility.

I acknowledge everyone's contribution today. Ms O'Connor, I too had the privilege of going to the Support Our Survivors event. To be quite honest, it was very emotional, talking to Tiffany and Alysha at the time and to other victims/survivors there. I thank them and acknowledge their bravery and their families' and the support people's bravery in encouraging them to come forward.

It is very hard as a victim/survivor to come forward and to share your story. Sometimes it can take years to be where you feel that you can do that. To everyone who has come forward and shared their stories, from the bottom of my heart, the Government's heart, and everyone in this Chamber's heart, thank you. We cannot change what we do not know, which is why we are encouraging people to come forward and share their stories. It is the only way that we can learn lessons from what has happened in the past so that we can make the future a safer place for our children and young people.

Together with the Premier and this Government and this whole House, I offer my deepest and most heartfelt apology to all victims and survivors of abuse that has occurred in government institutions and to reiterate what the Premier said: we hear you, we believe you. On behalf of governments past and present, we are very sorry that we failed you.

I thank the Premier for saying that we will be making a formal apology on behalf of the Tasmanian Parliament. In 2012, we made a formal apology on forced adoptions. That was a very powerful experience for the members who were here, but also I know for the people who had been victims/survivors. I welcome that happening when it is the right time. It's important that when we do have that opportunity it will be another part in the healing process.

To all victims/survivors, we encourage you to keep on coming forward to the commission of inquiry. We want you to know that the Government is listening, but more important, for the sake of children today and for children born tomorrow, the Government is acting.

Statement noted.

QUESTION ON NOTICE

The following answer was given to a question upon notice:

25. DIAGNOSTIC LAPAROSCOPY - PUBLIC HEALTH SYSTEM

Ms O'BYRNE question to MINISTER for HEALTH, Mr ROCKLIFF

- (1) Have any people received diagnostic laparoscopy in our public hospitals for the identification or treatment of endometriosis, and if so, how many during:
 - (a) 2019;
 - (b) 2020; and
 - (c) 20[22] to date?
- (2) Is there a wait time for diagnostic laparoscopy in the public health system, and if so, what is the median wait time by hospital for the financial years:
 - (a) 2019-20;
 - (b) 2020-21; and
 - (c) 20[22] to date?
- (3) Is there a wait time for diagnostic laparoscopy for the identification, or treatment of, endometriosis in the public health system, and if so, what is the wait time by hospital for the financial years:
 - (a) 2019-20;
 - (b) 2020-21; and
 - (c) 20[22] to date?

ANSWER

See Appendix 1 on page 133.

RESPONSE TO PETITION

Hobart Traffic Congestion - Solutions

Mr Ferguson tabled the response to a petition presented by Ms Haddad on 24 November 2021:

- **Petition No. 21 - See Appendix 2 on page 135.**

MESSAGE FROM THE LEGISLATIVE COUNCIL

Committee Members - Reappointments

Mr SPEAKER - The following message has been received from the Legislative Council:

The Legislative Council has made the following reappointments to committees as a consequence of the Legislative Council elections held on 7 May 2022:

Ms Rattray to serve on the Joint Parliamentary Standing Committees on Public Works and Subordinate Legislation and the Joint Library Committee.

Mr Willie to serve on the Joint Parliamentary Standing Committee of Public Accounts.

C. Farrell
President of the Legislative Council
24 May 2022.

LAND USE PLANNING AND APPROVALS AMENDMENT BILL 2022 (No. 29)

First Reading

Bill presented by Mr Ferguson and read the first time.

LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2022 (No. 28)

First Reading

Bill presented by Mr Street and read the first time.

COMMITTEE MEMBERSHIP

Joint Standing Committee on Integrity - Resignation of Mr Ferguson

Mr SPEAKER - Honourable members, I have received the following communication from the member for Bass, Mr Ferguson:

Dear Mr Speaker,

Re: Joint Standing Committee on Integrity

In accordance with section 25 of the Integrity Commission Act 2009, I hereby notify you of my resignation from the Joint Standing Committee on Integrity.

Yours sincerely,
Hon. Michael Ferguson MP
MEMBER FOR BASS

Joint Standing Committee on Integrity - Appointment of Mr Street

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

That the member for Franklin, Mr Street, be appointed to serve on the Joint Standing Committee on Integrity in accordance with section 23 subsection (4) of the Integrity Commission Act 2009 (No. 67).

Motion agreed to.

MOTION

Government Business - Appropriation Bills 2022 and Schedule of Estimates Committee Hearings

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

That Government Business take precedence from such time as the Appropriation Bill (No. 1) 2022 and the Appropriation Bill (No. 2) 2022 are introduced, until the House has dealt with all business associated with the Budget.

Motion agreed to.

MOTION

Schedule of Estimates Committee Hearings

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

That -

- (a) all stages of the Appropriation Bill (No. 1) 2022 and the Appropriation Bill (No. 2) 2022 shall have allotted a maximum total of 97 hours as follows:
 - (i) up to the Second Reading: Maximum 16 hours;
 - (ii) in the Estimates Committees: Maximum 63 hours; and

- (iii) in Committee of the whole House and Third reading:
Maximum 18 hours;
- (b) on the Second reading, the Premier and the Leader of the Opposition have unlimited speaking time and other Members speak for not longer than 30 minutes each;
- (c) when the Appropriation Bills (No. 1 and No. 2) 2022 have been read the Second time in the House of Assembly, the Bills be referred to Estimates Committees A and B of the House of Assembly.

Such Committees may not vote on, but may examine and report upon the proposed expenditures contained in the Bills by no later than 14 June 2022, with such expenditures being considered on an output by output basis, including Grants, Subsidies and Loans and the Capital Investment Program.

The following Ministerial portfolio units are allocated to House of Assembly Estimates Committee A:

Date	Minister
<u>Monday 6 June</u> 0900 - 1200 Premier (3 hours) 1200 - 1230 Minister for Tourism (½ hour) 1230 - 1300 Minister for Trade (½ hour) 1400 - 1900 Minister for Health (5 hours) 1900 - 2000 Minister for Mental Health and Wellbeing (1 hour)	Hon Jeremy Rockliff MP
<u>Tuesday 7 June</u> 0900 - 1300 Minister for Infrastructure and Transport (4 hours) 1400 - 1800 Treasurer (4 hours) 1800 - 1900 Minister for Planning (1 hour)	Hon Michael Ferguson MP
<u>Wednesday 8 June</u> 0900 - 1030 Minister for Community Services and Development (1½ hours) 1030 - 1200 Minister for Sport and Recreation (1½ hours) 1200 - 1300 Minister for Hospitality and Events (1 hour) 1400 - 1500 Minister for Local Government (1 hour)	Hon Nic Street MP

1500 - 1600 Minister for Women (1 hour) 1600 - 1700 Minister for Disability Services (1 hour) 1700 - 2000 Minister for Primary Industries and Water (3 hours)	Hon Jo Palmer MLC
<u>Thursday 9 June</u> 0900 - 1200 Minister for Police, Fire and Emergency Management (3 hours) 1200 - 1300 Minister for the Prevention of Family Violence (1 hour) 1400 - 1600 Minister for Parks (2 hours)	Hon Jacquie Petrusma MP

House of Assembly Estimates Committee B:

Date	Minister
<u>Monday 6 June</u> 0900 - 1200 Attorney-General and Minister for Justice (3 hours) 1200 - 1300 Minister for Corrections and Rehabilitation (1 hour) 1400 - 1500 Minister for Corrections and Rehabilitation (cont) (1 hour) 1500 - 1630 Minister for Workplace Safety and Consumer Affairs (1½ hours) 1630 - 1730 Minister for the Arts (1 hour)	Hon Elise Archer MP
<u>Tuesday 7 June</u> 0900 - 1100 Minister for Energy and Renewables (2 hours) 1100 - 1300 Minister for Resources (2 hours) 1400 - 1700 Minister for State Development, Construction and Housing (3 hours) 1700 - 1730 Minister for Veterans' Affairs (½ hour)	Hon Guy Barnett MP
<u>Wednesday 8 June</u> 0900 - 1200 Minister for Education, Children and Youth (3 hours) 1200 - 1300 Minister for Environment and Climate Change (1 hours) 1400 - 1500 Minister for Environment and Climate Change cont (1 hours)	Hon Roger Jaensch MP

1500 - 1600 Minister for Aboriginal Affairs (1 hour) 1600 - 1800 Minister for Skills, Training and Workforce Growth (2 hour)	
<u>Thursday 9 June</u> 0900 - 1000 Minister for Racing (1 hours) 1000 - 1100 Minister for Heritage (1 hour) 1100 - 1200 Minister for Small Business (1 hour) 1200 - 1300 Minister for Science and Technology (1 hour) 1400 - 1500 Minister for Advanced Manufacturing and Defence Industries (1 hours)	Hon Madeleine Ogilvie MP

MEMBERSHIP OF COMMITTEES - HOUSE OF ASSEMBLY ESTIMATES

- (1) Estimates Committee A consists of the following Members:

The Chair of Committees (Chair);
Mrs Alexander (Deputy-Chair);
One member nominated by the Leader of the Opposition; and
Ms O'Connor.

- (2) Estimates Committee B consists of the following Members:

Mr Ellis (Chair);
Mr Wood (Deputy-Chair);
One member nominated by the Leader of the Opposition; and
Dr Woodruff.

(3) Members of the House who have not been appointed as Members of the Committee, may participate in proceedings by asking questions, but not more than two in succession; and may not vote, move any motion or be counted for the purposes of a quorum.

- (4) The Chair of a Committee has a deliberative and a casting vote.

- (5) During sittings, substitute Members may be allowed.

(6) If a vacancy occurs in the membership of a Committee, the Speaker may nominate a Member in substitution, but in so doing has regard to the composition of the Committee as appointed by the House.

(7) A Committee may proceed with business despite a vacancy in its membership.

- (8) The quorum of a Committee is a majority of the Committee.

(9) If at any time a quorum is not present, the Chair will suspend proceedings of the Committee until a quorum is present or adjourn the Committee.

(10) Any time lost for lack of a quorum shall be added to the time allocated to that session.

SITTING TIMES

(1) Each Estimates Committee meets only in accordance with the abovementioned timetable adopted by the House or as varied by the Chair.

(2) Estimates Committees may sit only when the House is not sitting.

OPEN HEARINGS

All hearings of the Estimates Committees are open to the public.

PROCEEDINGS OF AN ESTIMATES COMMITTEE

(1) Consideration of proposed expenditures in an Estimates Committee follows as far as possible the procedure observed in a Committee of the whole House.

(2) A Committee will consider expenditures on an output by output basis, including Grants, Subsidies and Loans and the Capital Investment Program.

(3) A Committee may ask for explanations from a Minister relating to the outputs.

(4) The Minister who is asked for explanations may be assisted where necessary by officers in the provision of factual information.

(5) Officers may answer questions at the request of the Minister but shall not be required to comment on policy matters.

(6) Time limits of one minute for a question and three minutes for an answer shall apply in Estimates Committees.

(7) Questions may be asked on a ratio of three Opposition, one Green and one Government, or in such form as the Committee determines.

(8) A Minister may advise an Estimates Committee that an answer to a question, or part of a question, asked of the Minister will be given later to the Committee, where possible that Committee sitting day.

(9) A Minister may provide additional information to a Committee about an answer given by or for the Minister.

(10) Additional information -

(a) is to be written;

- (b) is to be given by a time decided by the Committee; and
- (c) may be included in a volume of additional information laid on the Table of the House by the Committee.

(11) If any Member persistently disrupts the business of an Estimates Committee, the Chair-

- (a) names the Member;
- (b) if the Member named is a Member of the Estimates Committee, suspends the sitting of the Estimates Committee until the Chair has reported the offence to the Speaker; and
- (c) if the Member named is not a Member of the Estimates Committee, orders that Member's withdrawal from the sitting of the Committee until the Chair has reported the offence to the Speaker;

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

(12) If any objection is taken to a ruling or decision of the Chair -

- (a) the objection must be taken at once and stated in writing;
- (b) the Chair, as soon as practicable, advises the Speaker who makes a ruling on the matter; and
- (c) the Estimates Committee may continue to meet but may not further examine the output then under consideration.

(13) Television coverage will be allowed, subject to the same conditions that apply to televising of the House of Assembly.

HANSARD REPORT

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

REPORTS OF ESTIMATES COMMITTEES

(1) A report of an Estimates Committee is presented by the Chair or Deputy Chair of that Committee to a Committee of the whole House, such reports containing any resolution or expression of opinion of that Committee.

(2) When the reports of the Estimates Committees are presented they may be taken into consideration at once or at a future time.

(3) The following time limit applies to consideration of reports of Estimates Committees on each portfolio unit on the question "That the proposed expenditures be agreed to and that the resolutions or expressions of opinion agreed to by the Committees in relation to those expenditures be noted."

One Minister, the Leader of the Opposition or Member deputised by the Leader - 20 minutes, any other Member - 10 minutes. A maximum period for consideration of 2 hours for each Minister.

(4) When the consideration of reports of Estimates Committees A and B has been completed, the question is proposed and put forthwith without debate "That the remainder of the Bills be agreed to."

(5) When the Bills have been agreed to by the House, the Third reading of each Bill may be taken into consideration at once or made an order of the day for the next sitting day.

I thank the Opposition, the Greens, Mr O'Byrne and Ms Johnston for their feedback.

Ms Johnston, you asked a question of me via email about the allocation of questions in Estimates. I think I responded to you that it was two Opposition, one Greens, one Government questions. It is actually three, one and one. I apologise for that mistake in the email correspondence that I sent to you. Other than that, it is as circulated, Mr Speaker.

[12.28 p.m.]

Mr WINTER (Franklin) - Mr Speaker, Estimates is very important. We always appreciate the opportunity to scrutinise the Budget, which will be handed down on Thursday. None of us on this side of the House has seen the budget. I am not sure whether the Leader of Government Business has seen the budget. We indicated to the Leader of Government Business how much scrutiny is going to be required for each portfolio, but it is difficult to know without knowing what initiatives are going to be within the Budget. We do the best we can on the basis of last year's budget and the scrutiny hearings held in earlier years.

I am an optimist. I have a glass half-full in terms of the performance of these ministers when it comes to budget Estimates this year. I have faith that perhaps this year will be the year they start answering questions. Maybe this will be the year that we get the answers to the questions that we ask as opposed to the dithering and the flapping that we have seen in previous years. I even have hope that we will see fewer Dorothy Dixier questions from Government backbench members to ministers which soak up an extraordinary amount of time as we wait for the minutes to go by while the member asks a question that has been written for them and the minister answers the question with an answer that has been written for them. We will not soak up minutes of time that should really be used for legitimate questions to ministers on behalf of the Tasmanian people. I am confident that this will be the year we will see some change in the level of transparency, as the Premier has mentioned the word so many times this morning, and we will actually see some transparency from these ministers when it comes to answering really important questions.

The Health portfolio in last year's budget took up almost a third of government expenditure that year. Almost a third of the budget expenditure goes into the Health portfolio and the Minister for Health is now also the Premier of Tasmania. He holds down the portfolio

of Health whilst being the Premier. In previous years, the practice has been that we have been allocated a good amount of time in scrutinising those portfolios, which is six hours for the portfolio of Health and two hours for the portfolio of Mental Health and Wellbeing.

Unfortunately, what has been proposed by the Leader of the House this morning is to take away time for members of the Opposition and the crossbench to ask questions of the Minister for Health. Unless we are expecting this Government to drastically reduce expenditure for Health, and I am confident that is not the case, we are expecting that possibly for the first time this year there will be more than a third of expenditure going into the Health portfolio and yet we will have less time to scrutinise it. Not just that, we have less time to scrutinise the Premier's own portfolio of Premier. Therefore, we have less time to scrutinise the Premier and less time to scrutinise the Health minister, not because those portfolios are any less important but because this Premier has had to take on both of those portfolios. He has had to take on the Health portfolio because he does not have the cattle. He does not have anyone else he was confident in to give the portfolio to.

That should not mean that these portfolios get less scrutiny, however. The proposition the Opposition put to the Leader of the House was that, as opposed to reducing the time for scrutiny on these really important portfolio issues - and it is hard to argue that Health is not the most important portfolio; it is at least equally important as any portfolio - this Health minister and this Premier, as proposed in the motion, the Premier should arrive and undertake an extra half day of scrutiny. I understand that the other place has made a similar request to the Premier and Health minister. That is the request we have made through this process, in writing, to the Leader of the House. On 15 May we wrote:

Labor has concerns with what is proposed. Primarily, this relates to the significant decrease in time to scrutinise the portfolios of Premier, which is a reduction of 1.5 hours from 2021, and the Health and Mental Health portfolios, which is a reduction of 2 hours.

We did not hear a response until we arrived this morning to the proposed motion on our desks, so we are now left with the timetable which has provided just three hours for the Premier, just five hours for the Health portfolio and one hour for the Mental Health and Wellbeing portfolio, well down on previous years. Whilst we are scrutinising ministers and the Premier, we are also scrutinising the portfolios, and just because a single person is holding both the Premier and the Health portfolio, it should not mean that we have less time to scrutinise them.

Mr Speaker, I would like to move an amendment. As I said, I have not had a lot of time to provide this but I will read it to the House. I move -

- (1) In the table for Estimates Committee A -
 - (a) after 'Premier' by leaving out '(3 hours)' and inserting instead '(4 hours)'.
 - (b) after 'Health' by leaving out '(5 hours)' and inserting instead '(6 hours)'.
 - (c) after 'Mental Health and Wellbeing' by leaving out '(1 hour)' and inserting instead '(2 hours)'.

- (d) after 'Infrastructure and Transport' by leaving out '(4 hours)' and inserting instead '(3 hours)'.
- (e) by adding

<p><u>Friday 9 June</u></p> <p>0900 - 1000 Minister for Tourism (1 hour)</p> <p>1000 - 1030 Minister for Trade 0.5 hours)</p> <p>1030 - 1230 Minister for Mental Health and Wellbeing (2 hours)</p>	<p>Hon Jeremy Rockliff MP</p>
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(2) In the table for Estimates Committee B -

- (a) after 'Skills, Training and Workforce Growth' by leaving out '(2 hours)' and inserting instead '(1.5 hours)'.
- (b) after 'Heritage' by leaving out '(1 hour)' and inserting instead '(0.5 hours)'.
- (c) after 'Science and Technology' by leaving out '(1 hour)' and inserting '(0.5 hours)'.
- (d) after 'Advanced Manufacturing and Defence Industries' by leaving out '(1 hour)' and inserting instead '(0.5 hours)'.

Also, in this amendment, we would change the hours, reducing Infrastructure to three hours, reducing Heritage to 30 minutes, reducing Science and Technology to 30 minutes, reducing Advanced Manufacturing to 30 minutes and reducing Skills and Training to 1.5 hours. We would increase Premier to four hours, increase Health to six hours and increase Mental Health and Wellbeing to two hours.

Government members interjecting.

Mr WINTER - The amendment largely brings these portfolio allocations in line with previous years. For example, the portfolio of Science and Technology that I heard howls of -

Ms Ogilvie - I have so much to say, though.

Mr WINTER - I bet you do, but space is very important, Ms Ogilvie. Largely, the amendment brings this back into line with previous years. We have not seen the Budget we are going to scrutinise yet, so it is hard to know exactly what we want. We are being asked to provide the information before we have seen the Budget. We do this as best we can, but it is absolutely certain that we are going to need this additional time for the Health portfolio. It is absolutely certain that we will need this additional time to scrutinise this Premier.

Ms O'Connor - You might even ask a question about COVID-19.

Mr WINTER - These matters are critically important. I also want to mention the Tourism portfolio which has been dropped down to only 30 minutes.

I am glad Ms O'Connor interjected about COVID-19 because it reminded me of this. The tourism industry has been the most impacted by COVID-19 over the past few years and, as shadow tourism minister and Leader, Ms White will have a huge number of questions to ask in relation to that portfolio, yet it is proposed to be reduced in the amount of time available to scrutinise it.

I am disappointed that the first we have seen of this new proposed timetable was when it was laid on the table this morning. We could have had a longer discussion. I am not sure that we need to deal with this today; in fact we could deal with it presumably next Tuesday - we still have a week before Estimates - at least this component of it.

It is critical that we are able to drill into the Estimates and the important issues that Tasmanians are asking us about. If we are not given adequate time to do that, we are not doing our job. I desperately want enough time to ask the questions. I do not like moving motions, by the way, that reduce time for any portfolio. I would like more time if we could. Presumably that is not on offer, although I note that there are a couple of hours extra from last year.

I ask the Leader of the House to consider working with us and accepting the amendment as I have proposed it.

[12.38 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I have only now just seen the Opposition's amendment and I understand that things happen on the fly. I have not had a chance to talk to Dr Woodruff about this as yet, so I cannot say whether we could support this amendment. I remind Mr Winter that we got the draft Estimates schedule more than a week ago.

Mr Winter - It is different today.

Ms O'CONNOR - I know, but there was an opportunity to have a conversation with the Leader of the House about it.

Mr Winter - We did that.

Ms O'CONNOR - You and I spoke to each other, Mr Winter, and talked about what the Greens would have liked to have seen more time allocated to. I understood that you wanted more time allocated for portfolios of particular interest to the Opposition. I am surprised that there has not been more of a conversation between Mr Winter and Mr Street. I guess that is where part of the issue is.

Mr Winter - Are you going to support the Government again?

Ms O'CONNOR - No, I am trying to work out what you are doing here.

Ms Butler - Seeking to scrutinise the Premier and Minister for Health in appropriate amounts of time.

Ms O'CONNOR - It is a fact that significantly less time is allocated to the Premier's portfolio this year, than it has been in previous years. I recall a year when Mr Hodgman was premier, where we had six hours on the Premier's portfolio. That is my recollection.

It is a fact that there should be more time allocated to Health and Mental Health. Mental Health is now reduced to one hour. There are a couple of things on the health issue.

I remind Labor that we have been back here all year yet you have not asked a single question about the Government's woeful response to COVID-19. You have not asked a single question on behalf of the now 71 Tasmanian families who have lost someone to COVID-19. I do not recall health questions from you. Maybe I have forgotten something. Today was an exception - I was pleased to see that you were talking about the commission of inquiry. There has been a lot of politics in the questions that you have asked - a very narrow focus on politics from Labor this year. It is unarguable. I have sat here in question time after question time waiting for you to ask a question about the biggest health failure this island has ever seen - that is the COVID-19 response. Nothing from you.

Members interjecting.

Ms O'CONNOR - Honestly, I know you will take my advice with a grain of salt, but I hope you will think about what happened to Tasmanian Labor on Saturday; it did not reflect very well on any of you. It did not reflect very well on you, Ms White. Maybe Tasmanians want to hear more from Labor about the things that really matter to them.

From my count, there are 33 portfolios being shared amongst the ministry. We have a premier who has five portfolios, which is why the day is being squeezed and not enough time is allocated to Health, or Mental Health or the Premier's portfolio.

There is more time allocated to the frightfully important Minister for Infrastructure and Transport than there is to the Premier. In contrast, initially there was one hour in total allocated to climate and environment. This is not an Estimates schedule that reflects the reality of the big issues of our time in any way, shape or form. It is ridiculous. Every minister has more than three portfolios. Most ministers have four and some have five. It is unsustainable and it does not do justice to the portfolios. It does not do justice to the people who put us in here, but it sure does make hay for the advisers.

Having listened to Mr Winter talk to his amendment, I hope that Labor will support our in-principle motion to restore this House because we are seeing, in this place, every single day, evidence of what a travesty it is. Perhaps, when the debate is had tomorrow, people could think beyond their political self-interest and look at the reality - three cabinet ministers gone this year. Every minister has a minimum of three portfolios, most of them have four. Some of them, including the Premier have five, and that includes the most weighty portfolio in government - the Health portfolio.

I will have a chat to Dr Woodruff about Mr Winter's amendment. I am not going to make any commitment on it now. I was going to thank Mr Street for the initial collaborative approach to this Estimates schedule. It certainly felt like we were treated with more respect this year than we have been by Mr Ferguson in any previous year in negotiating the Estimates schedule. I am very pleased that we have been able to secure some extra time for Climate and the Environment and for Parks. These are issues and portfolios that really matter to people. We saw on Saturday, that climate matters very much to the Australian people, particularly to young people.

In closing, I cannot ask you questions, Mr Speaker, but I would like to understand what the COVID-19 safety arrangements will be for the Estimates committees. Will the Long Room and Committee Room 1 be ventilated? Will there be air filtration in those rooms? Will it be a requirement of advisers and other observers who come into those committee rooms to wear masks? I remind the House that we are still in the grip of raging community transmission. Today, as an example, there are 913 reported COVID-19 cases in the community, 159 000 so far and 71 Tasmanians no longer here because of COVID-19. This means 58 Tasmanians have died since we opened the border on 15 December 2021.

There are new mutations or subvariants on the way that are bubbling up overseas. We cannot be complacent. I certainly do not, having being as careful as I have been, since the border opened, want to walk into that committee room and find myself and others in a COVID-unsafe environment because we have entered a state of delusion about the pandemic being over. I do not like walking into this Chamber and seeing the filters off. They were bought for a purpose. I appreciate that members in this place are wearing masks. That is a good thing, it is rational and it is sensible. I know that a number of members of this place have been infected. I am sure they do not want to be reinfected. There is no guarantee you cannot be reinfected, and if you are reinfected you potentially get sicker then you were the first time.

We need to make sure that the Estimates process is COVID safe for everyone who is in those rooms, particularly staff who do not have any choice but to be in those rooms. I ask that you are mindful of that and that we have good protocols in place to keep our Estimates process as safe as it can possibly be. A lot of talking happens at the Estimates table and that elevates the risk to everyone.

I will get back to the House about how we feel about this amendment, once I have talked to my friend and colleague, Dr Woodruff.

[12.47 p.m.]

Ms JOHNSTON (Clark) - Mr Speaker, I have only just had an opportunity to look at the amendments proposed by Mr Winter. At the outset I want to encourage that there is further scrutiny of the Budget and to recognise that Mr Winter has made some very valid points, particularly about the Health portfolio. My concern was that the time allocated to scrutinise the Health portfolio had been reduced so I welcome the amendments proposed by Mr Winter and I will be supporting them on that basis.

I acknowledge that the Leader of the House responded to my email asking about questions arrangements, but I note that the motion before us has 'the ratio of questions will be three to the Opposition, one to the Greens and one to the Government. I reiterate Mr Winter's points about how frustrating it can be to sit in that committee and to hear the Government member read out a question and the minister respond by reading out the answer that they have pre-prepared. It is frustrating for the Opposition, the crossbench and members of the public to hear.

I recognise that I, as the independent member for Clark, and the independent member for Franklin, as per the Standing Orders, has not been included in the ratio of questions. Point 3 says that:

Other members who are not members of the Committee can ask questions, but no more than two in succession, can participate.

Dr Woodruff - We are stuck on the old two-party system; it is out of date now.

Ms JOHNSTON - That is correct.

Also, I want to express my frustrations that when we have the time allocated for portfolios that sometimes end up only being half an hour or an hour, by the time we go through the ratio, three Opposition questions, one Greens and one Government question, it leaves very little time for an Independent member to ask their questions. Sometimes that does not occur. My experience from last year was that on occasions it would take 50 minutes to go through the rotation before being given an opportunity.

I seek assurance from the Leader of the House that the chairs of those committees will take into consideration, particularly when time allocated for portfolios is between half an hour or an hour, Independent members of the crossbench who want the opportunity to participate in good faith, in the spirit of collaboration or in the Estimates process and have their questions heard and recognised. That is an important mechanism for accountability that the community expects each member of the House to be able to participate in.

I will seek some clarification on that from the Leader of the House in relation to any directions that might be given to the Chair in discussing how the committees will operate in that regard.

[12.50 p.m.]

Mr O'BYRNE (Franklin) - Mr Speaker, at the outset, I acknowledge that the Leader of the House did communicate early on the proposal for the schedule and I appreciate that. My response to him was effectively that this is a matter for the parties to work out and the crossbenchers will find a way through. Having said that, where we are today, with the points made by the Leader of Opposition Business with regard to the time allocated to Health, which is a significant portfolio area, and the time allocated to the Premier more broadly, is probably not consistent with previous years in how that allocation has been determined.

On that basis, I will be supporting the amendment from the Opposition in trying to seek a greater balance in the ability for the Opposition and crossbench to cross-examine and go through the Budget in those two particular areas.

[12.51 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, to add some remarks, I also acknowledge that the Leader of the House reached out early with a draft timetable, to which we provided a response over the weekend. It was my understanding that you would be very difficult to contact between then and now. In fact, the final copy was only placed on the table before question time today. You have not provided a final copy before now.

Mr Street - My mobile number has been the same since 1999 and you all have it.

Ms WHITE - I understand that attempts were made to use that and were unsuccessful.

Mr Street - That is absolutely untrue.

Ms WHITE - Well, others can speak to that, but I would like to -

Mr Street - Yes, you have been lied to.

Ms WHITE - Do not shout. Mr Speaker, one of the things I remember very clearly the Leader of the House said when he came into this position and stood at this lectern was that he wanted to work more collaboratively. Leaving a copy of this on the table of members before question time is not collaborative at all, when we made it very clear in our correspondence back to the Government over the weekend that we did not agree that shortening the hours of scrutiny for Health and the Premier were appropriate.

I understand that the Premier has a very big workload. We did not expect him to stay for an entire day because that would mean he was here until 10 o'clock at night. That is why we have suggested a return on Friday. You can make it a Thursday or Wednesday, depending on what suits his schedule best, but the recommendation we put back to the Government was that we needed sufficient time to scrutinise those particular outputs. How you put it together would have been up to you.

You did not do it. You did not listen and you did not come back to us and try to negotiate. You just sat your final copy of what you expected to be able to do on the table this morning before question time, which cut the hours of scrutiny for Health, cut the hours for scrutiny for Tourism and cut the hours for scrutiny for Premier, to make it shorter than the time we have to look at what is going on in Infrastructure, Mr Ferguson's portfolio.

They are the facts of what occurred. We want to scrutinise Health and the Premier's portfolio for the time that we would ordinarily have. It is not our fault that the Premier has decided to take on the Health portfolio. It is not our responsibility to try to figure out how you manage that, but we want to be able to work to achieve an outcome where the people of Tasmania, through us as their representatives, get to ask those questions. We should not have to deal with less time to scrutinise Health and the Premier because you cannot manage your business.

We have suggested that you come back on Friday, expecting that is the day when the Premier is going to be most free. I understand he has to provide time to the upper House as well. If you think it is better for him to come back on the Wednesday or the Thursday to do that half-day, or on the Monday, if he wants to work until 10 o'clock at night, we will work until 10 o'clock at night.

Because we did not hear back from the Government when we put to them that we thought that this was unreasonable, we have been left with no other option but to come to the parliament today with an amendment to make sure at least that the Health and Premier portfolios get proper scrutiny.

We have acknowledged that we are not going to be able to do that and not take time from other portfolios, so we have proposed an amendment that will take time away from some of Ms Ogilvie's outputs. I wish we could have all of the time to do all of those things. If the Government wants to offer that time that is something that we would be very grateful to see happen. We could increase the time for scrutiny of Estimates and not change this timetable at all and just add some extra time in, either Monday night for the Premier or on Friday as we have proposed, but I do not think that is likely. We have suggested the shortening of scrutiny for those other output groups as proposed in our amendment so that we can have a proper

debate, a proper scrutiny of Health and of Premier in particular, but of course the Tourism portfolio too.

I noted today the Premier got up on a Dorothy Dixier and said in response to a question about the tourism industry, 'without doubt this has been the most challenging and disruptive time they may have ever experienced'. The Premier as a Tourism minister acknowledged that. How much time is there allocated for Tourism in the Estimates process? Thirty minutes, but the Premier said, 'without doubt this might be the most disruptive time they have ever experienced but I don't want to talk about it so I'm only going to give you 30 minutes'. Increase that back to an hour in the very least. Increase the allocation for Health and Mental Health and Wellbeing so that we can have a proper discussion about what is going on in the biggest area of budget expenditure, and increase the allocation for Premier to four hours so that at least we can talk to the Premier more than we are talking to the wannabe premier.

[12.57 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, for the House's knowledge, I did write to both Mr Winter and Ms O'Connor. Mr Winter responded with a comment that he thought we ought to have more time for scrutiny of the Premier. Let us be clear about something: at no stage were the reductions in time for any of these portfolios suggested in the correspondence back to me. The only thing that was suggested was that you wanted more time for the Premier.

Mr Winter - 'If the Government would consider this, I would be happy to discuss where the time could be taken away from other portfolios.'

Mr SPEAKER - Order, Mr Winter.

Mr STREET - There was also the comment made that the other House asked for the same. I have talked to the chair of Committee A in the Legislative Council and they have withdrawn that request as they see it is unreasonable to ask for the Premier to come back for a second day. We will not be agreeing to the Premier coming back for a second day. He is up for 10 hours of scrutiny.

Ms White - The people of Tasmania expect it.

Mr SPEAKER - Order.

Mr STREET - Let us be clear about something: for every year dating back to 2013 there has been six hours for Health except for last year. There was six hours in 2019 and six hours in 2020.

Ms White - How many years have there been pandemics?

Ms O'Connor - How many questions have you asked about it?

Mr SPEAKER - Order.

Mr STREET - Exactly. Before 2020 I think Mental Health and Health were one portfolio and received six hours. Last year they received eight hours. We have gone back to the normal six hours. As to the complaints about the Department of Premier and Cabinet

scrutiny time, the last time Labor was in government for an Estimates sitting was 2013. Ms Giddings did 7.5 hours in total for Premier, Treasurer and her other portfolios. Two and a half hours. Please do not come in here and act like you have been duded when you are getting three hours on Premier when your last premier only gave 2.5 hours for scrutiny.

Ms O'Connor made two specific requests to me in terms of extensions of time on two portfolios which I met, not for the total amount of time she asked for but I met them. If you had come back to me with specific requests on reduction of time -

Opposition members interjecting.

Mr STREET - There is no possible way in the world that we are agreeing to the Premier appearing for a second day. It is an unacceptable request. Anybody who thinks -

Ms Finlay - The arrogance.

Mr STREET - If that is your opinion, Ms Finlay, that is fine. I will just have to live with your opinion of me being that. We will not be agreeing to the amendment as has been put by Labor. We are comfortable that we have done the right thing by both the Opposition and in terms of the schedule we have put forward and I support the motion as circulated and not the amendment proposed.

Mr SPEAKER - The question is that the amendment be agreed to.

The House divided -

AYES 11

Dr Broad
Ms Butler
Ms Dow (Teller)
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff

NOES 11

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker
Mr Wood

PAIRS

Ms O'Byrne

Mr Ellis

Mr SPEAKER - The result of the division is Ayes 11 and Noes 11, therefore in accordance with standing order 257, I cast my vote with the Noes.

Amendment negatived.

Sitting suspended from 1.06 p.m. to 2.30 p.m.

MOTION

Government Business - Appropriation Bills 2022 and Schedule of Estimates Committee Hearings

Resumed from above.

[2.30 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I thank the Greens and the crossbench for supporting our attempt to get back to where we were last year regarding the level of scrutiny on the Health and Premier portfolios. We appreciate the support of those to ensure that we have the same level of scrutiny as we had in previous years.

To clarify, I want to put on the record what occurred. I have the email in front of me. I appreciate the Leader of the House engaging with us early and on 12 May offered us the opportunity to comment. Mr Street even provided me with an extension of time to provide my feedback by the next Monday morning, which I did on the Sunday night before. In the email I sent to him, I said, among other things:

Our suggestion is that the Premier appears for an additional half day to ensure his portfolios are properly scrutinised with the 2021-time allocations restored. If the Government would consider this, I would be happy to discuss where time could be taken away from other portfolios.

My suggestion was that we could reconstitute the level of scrutiny on those important portfolios and in exchange would be happy to discuss the reduction of other portfolio times, understanding at that stage that we were to keep it to 60.5 hours, although it has now been increased to 63 hours.

That was the request we made. We did not hear back from the Leader until we saw what was on the table this morning. That further exchange would have been much better as we would be able to agree on the timetable today as opposed to spending large amounts of time discussing what should or should not be scrutinised.

This timetable is the product of the workload of the Premier and Health minister. It is not the product of an adequate carve-up of time relative to budget expenditure. As I said, one third of budget expenditure goes into the Health portfolio. If one third of the budget goes into the Health portfolio I would have expected us to be able to properly scrutinise such a large level of government expenditure.

I am quite sure that the former shadow health minister has never run out of questions to ask during that portfolio scrutiny. It is an incredibly large part of the budget and part of the Government's responsibilities and yet the time to scrutinise it is being cut by the Government because the Premier has a very large workload. The way they have dealt with this is to increase time for other portfolios under more junior ministers later in the week. We would have been happy to see a small decrease in the level of scrutiny for those while maintaining the level of scrutiny for some of those other portfolios.

Mr Speaker, we will support the motion because we want to see Estimates take place. We are not going to stand here and vote against having Estimates at all. We are here to scrutinise the Budget as best we can. We are here to scrutinise it because that is our job. If we

do not have adequate time to scrutinise the largest portfolio and the Premier's portfolio then we cannot do our job properly. I hope the Government, in particular the backbench members, reflect on their responsibility to allow adequate time for this to happen.

There is going to be nothing worse than in a period that is already reduced, when we have important questions to ask, not just on behalf of ourselves but on behalf of Tasmanians who are one of the 10 000 people on an elective surgery waiting list, one of the 50 000 people waiting to see a specialist, when we are asking questions on behalf of them, we expect to have adequate time. If we are listening to Dorothy Dixers from backbenchers instead of getting the time we need to properly scrutinise on behalf of Tasmanians, that is going to reflect very badly on the Government.

[2.36 p.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I thank the Manager of Opposition Business for his contribution. I am not the greatest person at saying I have done something wrong, but I will concede that yesterday afternoon I should have sent a copy of the schedule as it was tabled this morning. That was a mistake of mine and an oversight.

I hope that everybody in this place understands that the Estimates schedule is not just about this House. Every change we make to the schedule for this House has consequential effects to the schedules for the Legislative Council because of the way the sittings are structured with ministers one day after the other. We were still making amendments to this schedule on Saturday to accommodate changes the Legislative Council asked for regarding the order of portfolios and department clashes for ministers to be able to have the staff they want at the tables to adequately answer questions.

I accept that I should have sent the schedule around as tabled last night. I do not think the schedule is unfair, or does not allow the Opposition to do its job. There has been only one year where Health has had more than six hours scrutiny. That was last year. We have gone back to the normal amount of time for Health and mental health combined. That has been in place for the past 10 years or more. You are getting more time with the Premier than the Liberal opposition received with the last Labor premier back in 2013.

I accept there are changes to the schedule from last year, but I do not accept that we have been unfair or non-collaborative, except for the concession I make that I should have sent the schedule out last night. I appreciate that you want Estimates to go ahead.

As far back as I could find, Estimates has been 63 hours. That is what I worked to. I sent the initial schedule around with 60.5 hours to give us some leeway so that we could accommodate a couple of changes, which I did. The Greens made specific requests that we were able to accommodate. The Government was never going to agree to have the Premier back for a second day. He is doing 19 hours of scrutiny between both Houses on the Monday and the Tuesday, which I think is adequate for the parliament to be able to do its job of scrutinising the budget.

Motion agreed to.

MOTION

Attendance of Legislative Council Members at Budget Speech and Legislative Council Minister to attend House of Assembly Estimates Committee Hearings

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

That the House of Assembly requests that:

- (1) All Members of the Legislative Council attend in the House of Assembly Chamber following the First reading of the Appropriation Bills (No. 1 and No. 2) 2022 for the purpose of listening to the speech by the Treasurer in relation to the Tasmanian Budget 2022-23.
- (2) The Legislative Council give leave to the Honourable the Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women to appear before and give evidence to, the relevant Estimates Committee of the House of Assembly in relation to the Budget Estimates and related documents.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

Ambulance Response Times

[2.40 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I move that the House take note of the following matter: ambulance response times.

It is difficult to know where to start when you look at our ambulance service and at emergency care across Tasmania because it is in very bad shape at the moment. It saddens me to hear the tragic stories of ambulances not reaching Tasmanians in time and, sadly, Tasmanians dying while waiting for an ambulance. It also saddens me when I hear the stories of our paramedics and volunteers right across the state, with whom I have taken the time to meet since we were last in this place, to understand better the current pressures they are experiencing.

It is not good enough that Tasmania has the worst ambulance response times in the country. It is all very well for the Premier to sit in the back of an ambulance in the back of a station talking about his Government's investment in emergency care in the state, but that is not translating to better care for Tasmanians. It is also not translating to better resources and support, particularly mental health and wellbeing support, for our paramedics and volunteer ambulance officers.

We have seen a couple of announcements from the Government in recent weeks that were in relation to elections and have now passed, but they did not increase resources at ambulance stations in Sorell and in the Huon. They replaced volunteers. I know the volunteers were pretty upset by the way that was announced and that they were not consulted as part of that process. I have had feedback directly from volunteer ambulance officers across the state about their willingness and want to work more closely and be better supported by the state Government, but the fact is there was no consultation with those volunteer ambulance officers at the time that the announcement was made.

I spoke earlier about our paramedics. This House may be familiar with Simone Haigh, who was successful in getting a senate inquiry into the mental health and wellbeing of our first responders in 2019. There were 14 recommendations from that comprehensive review. To date, none have been implemented by the federal government and one has been implemented by the state government. Simone recently wrote to the Premier and she has given me permission to read parts of the letter into *Hansard*.

This letter was delivered as part of the wonderful journey of Dakota Wolf and Coda who were part of the Saddle Up for Life initiative which rode from Latrobe to Parliament Lawns to deliver letters from our paramedics across the state, sharing their concerns about the state of things as they are right now in Tasmania. I hope you have some time to read Simone's correspondence, Premier, because some of the things she makes reference to are quite startling. Simone says that she believes that recommendations 5, 6, 7, 12 and 14 could be implemented right now by the state Government.

We have been calling now for a number of months for the Government to, in the upcoming state budget, deliver more funding and resources for our ambulance services, for our paramedics, but most importantly deliver better mental health and wellbeing support to our paramedics.

This letter clearly outlines the things that could be done right now in Tasmania to better support our paramedics, but also better support first responders who are no longer able to work within the system but still have ongoing trauma from the work and their experience of being involved in providing emergency care across Tasmania. She makes a very good point about there needing to be ongoing support for them as well.

In speaking to the Volunteer Ambulance Association, they too want to see more support for volunteer ambulance officers across the state. It would come as a bit of a surprise to volunteer ambulance officers working at both Sorell and in the Huon Valley when they found out through the media that there would be changes at their station.

We should be recognising, rewarding and acknowledging them for their service. They go above and beyond every day as volunteers in their local community with no compensation or payment for the work that they do. It is incredible that we rely on them to provide those services and they do an outstanding job. I suspect it would have come as quite a shock to them to learn that they were being replaced, there not having been consultation with them prior to an announcement being made.

We want to see a strong commitment from this Government to better invest and to better support our paramedics and our volunteer ambulance officers across Tasmania. The ambulance response times are appalling. Tasmanians are suffering and our paramedics are suffering. They

are always there for us in our time of need. This Government needs to be there for them in their time of need by providing better support and wellbeing programs as part of their ongoing support across Ambulance Tasmania.

We have mentioned before in this place the shocking result of the resilience scan. Over the weekend we had the chief executive of Ambulance Tasmania talking about the things that he sees wrong with the system and his dedication to try to fix them. It is interesting and quite unusual that he would be doing that, rather than the responsible minister, who happens to be the premier of the day.

It was said in this place before about culture leadership starting from the top. We want to see this Government demonstrate leadership and improve the culture across the ambulance service across Tasmania and improve outcomes for Tasmanians. Ambulance response times and ramping has increased significantly since 2014 and this Government has failed to do anything about it.

We want better support for our paramedics and our volunteer ambulance officers and we want to see money in the Budget for more resources right across the health system; in particular for paramedics and, most importantly, to address the issues with ramping across the state. It is systemic and having dire consequences for our paramedics and for Tasmanians who seek emergency care in their time of need.

[2.47 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, this is a really important matter. I asked a question of the Health minister earlier today. I started by saying it is really hard to put into words the incredibly dire state of the ambulance service at the moment - 'catastrophic' or 'crisis' do not actually speak to the human trauma happening every day. People wait for ambulances for too long. In certain instances, as was reported in the *Mercury* only last month, a man waited seven hours and sadly died at home. It was clarified that an ambulance in the north had been called at 8.30 p.m. but did not arrive until 3 a.m. We do not know the circumstances of the man's death but we do know that was an unjustifiable, unsupportable length of time for a person not to be attended to.

It is not only the experiences of Tasmanians who are waiting when they are desperate for an ambulance to arrive, what has changed profoundly is the everyday lived experience of paramedics. I have had many conversations with ambulance volunteers and paramedics over my time as an MP. I have to record, and I look at you minister and let you know, the real change in the language and the conversations that I am having with paramedics, paramedic graduates and volunteer ambulance workers about the changed circumstances for them at the moment in Tasmania.

One of the very large issues which has changed is the casualisation of much of the paramedic graduate workforce. That has had a terrible cost for the brightest, best and most passionate young people who train to become paramedics. Then, instead of being put onto permanent contracts when they are accepted, after three months they are put on a casual contract. They are being moved around the state like chess pieces on a board to try to plug the hole in the rosters. What we regularly have on Friday and Saturday nights now are rosters not being filled and whole stations unstaffed, especially in the southern region. It is also happening in places across the north, but particularly in southern Tasmania.

On a Friday and Saturday night, particularly in the Huon Valley, New Norfolk and Sorell, nobody is there. No-one turns up. There is a cumulative culture of exhaustion and real inability to deal with the Friday and Saturday night experiences because of the trauma for our paramedic staff and volunteers who have to turn up with increasingly fewer people on the road. There is more pressure on them and more time spent ramping when they know there are people in the community who are on the phone desperately in need and they cannot get to them. That is a terrible burden on them.

What is especially terrible is that because the Government has not put the resourcing into more paramedics and more volunteer support, they do not have any time to process the highly traumatic things they are dealing with every single day on these highly charged Friday and Saturday night shifts. People are cleaning up peoples' body parts from road deaths and then dealing with a child who dies. These are experiences that these people move between. Yes, they are trained to deal with trauma, but they are not trained to deal with that sort of experience without the time to process and understand the emotional impact, to get the support they need and to have the down time.

Fundamentally, what Ambulance Tasmania is missing at the moment is a culture of support for their staff. That means you cannot move people around like chess pieces on a board. When beautiful young graduates, and older graduates, come out of training, they have put their heart and soul into it and are prepared to give their everything to one of the hardest jobs in Tasmania. They get nothing from Ambulance Tasmania in terms of security of employment. They cannot save to buy a house. There is absolutely no security for them on casualised contracts. It is disrespectful to the people who are hardest working, and for everyone else who has to watch their collective fatigue and feel incapable of doing anything.

The Premier and Health minister is capable of doing things, and we can make these changes. It is not impossible. I know there are a lot of burdens on the Budget, but the Greens did this last year in our alternative budget. We prioritised the funding required that the Paramedics Association has asked for in terms of the extra hundreds of paramedics, the extra stations and the extra fleet vehicles.

This can be done in a balanced budget and that is the Government's challenge. They have to do it because at the moment we have excellent graduates disappearing out of the state in droves. It is tragic, but that is what is happening. Fewer experienced people are there for us in our time of need. This is something that the Health minister can fix and we really look forward to hearing some solutions.

Time expired.

[2.54 p.m.]

Mr ROCKLIFF (Braddon - Minister for Health) - Mr Deputy Speaker, I thank members for their contributions on the matter of public importance today focusing on ambulance response times, and the very good and hardworking paramedics who we all value. I acknowledge the extraordinary hardworking staff and volunteers we have working in our hospitals and Ambulance Tasmania.

We know that there can be periods of significant demand and that is why we have appropriate patient demand protocols in place to ensure that our health services can call in additional resourcing when it is required. We understand that people in the community are

concerned about the demand on our health system and we have clinically operated triage systems in place to ensure members of the community who need emergency care receive the care they need.

There are many factors that can impact on emergency response times. Tasmania has a very decentralised population which means a greater proportion of people live in rural and remote areas, which means longer distances for ambulances to travel. While the statewide median emergency response time has increased, it has done so in the context of total responses also significantly increasing. I detailed some figures this morning in question time addressing that fact. Between 2019-20 and 2020-21, the total number of ambulance responses increased by 10.5 per cent while response times increased by 2.17 per cent from 13.8 minutes to 14.1 minutes in that same period. Notably, in the most recent AMA Report Card, Tasmania recorded one of the nation's highest proportions of patients transferred from ambulance to hospital at 79.6 per cent within 30 minutes, second only after New South Wales, as I detailed this morning.

We are delivering more paramedics. We committed to that at the last election; some 48 paramedics was our commitment and 44 of those paramedics are now in place. We have already announced further investment with an additional 11 paramedics for Sorell and Huonville who will be funded through the 2022-23 state Budget.

To ensure ambulances are saved for emergencies, Ambulance Tasmania has successfully rolled out a secondary triage program, which I briefly mentioned again this morning, diverting low acuity care to available services in the community, and that commenced in February last year. Since that time, some 2120 triple-zero calls have been successfully diverted from the emergency ambulance response as at 26 April this year.

Similarly, our Police, Ambulance and Clinical Early Response, or PACER, teams, which commenced in January this year, have been converting mental health emergency callouts to mental health care in the community. It is an innovative model of paramedics, police and mental health clinicians working together. I might have mentioned the figure of 300. I wanted to be conservative, given I did not have the figure in front of me, but the callouts to mental health care in the community rather than hospital admission have been assessed at a total of 459 cases up to 15 May this year. That means 459 cases who otherwise would have presented at an emergency department are now being cared for in the community with that triage and model of police, paramedic and mental health clinicians. That is a very good and innovative solution and the kind of solution we need to invest in and improve our systems if we are truly able to cater for what is an increasing demand, not only in the mental health of Tasmanians which is challenging, particularly after the disruption of the pandemic, but more broadly in terms of the demand on our health system.

Investment in ambulances is only one part of the solution. We are investing heavily into our hospitals and the Department of Health has already commenced a multi-year access and patient flow program across the state to deliver a range of projects to reduce access block and ramping delays at our major hospitals. We are also investing extensively into new and redeveloped hospital infrastructure at the Royal Hobart Hospital, for example. We have previously announced a super-sizing of the emergency department to ensure the number of beds and treatment points in the expanded ED can support staff to respond to the increased level of demand being experienced. This includes a purpose-built short stay unit for patients

requiring hospital stays of less than 24 hours. In October 2021 the Government approved an increase in the medical staff of the ED at the Royal of at least 15 per cent.

This equates to an additional 10.5 fulltime equivalent of doctors in the ED. It included the recruitment of emergency specialists, registrars and resident medical officers. In the north we are planning to expand and re-design the LGH emergency department, and the ambulance and patient drop-off zone. In the northwest, we have plans to build a new mental health precinct and expand ward capacity at the North West Regional Hospital, which will improve hospital access and flow. Recruitment and retaining our health staff across our state is crucial to ensure our hospitals and health facilities are well equipped to deliver better health services in our community.

Between July 2020 and June 2021, we saw an increase of 655 paid FTE across the department. We have increased that FTE overall by 604 this financial year. That is a total of 1259 new Health FTE, from July 2020 to the end of March of 2022. A considerable proportion of the FTE growth in the Department of Health is in direct frontline patient care such as nurses, doctors, paramedics and allied health professionals. We value the mental health and support we provide for our paramedics. That is why we did the resilience scan.

Joe Acker, our chief executive, is demonstrating incredible leadership. I am backing him all the way. I made the commitment in the last Budget of \$5 million to improve the culture across our health system. We need to listen to our health professionals, our paramedics and respond at the same time. It starts with things like the resilience scan and other ways that we can listen, communicate and act.

[3.02 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, this matter of public importance was brought on by the shadow minister for health, Ms Anita Dow. I know how hard our paramedics and volunteer ambulance officers are working and I acknowledge them today. I want to thank our volunteer ambulance officers, our paramedics and staff at Ambulance Tasmania for the incredible work they do, and also acknowledge the incredible pressure they are facing.

I understand from the conversations I have had with some of our volunteer ambulance officers and paramedics how difficult it is for them to meet the demand of the community, to do the job that they desperately love and want to do well, yet feeling like they are being torn because they do not have the resources to respond as they wish. This is something the Government needs to address in the upcoming budget.

In the Premier's remarks, towards the end of his contribution, he started to talk about stuff that we need to talk more about, not just the shopping list of what the Government has funded. Clearly it is not enough. The culture needs to change. This is why my colleague, Ms Dow, spoke about the Senate inquiry and the recommendations that still have not been addressed by this Government.

I join with the Premier in acknowledging the work of Joe Acker. I hope the leadership he offers is able to help direct and change the culture of the organisation to better support its employees. The resilience scan, as informative as it must have been to the Government, has not seen the Government do anything since that time. The Government is well aware of the challenges that are confronting Ambulance Tasmania. In this Budget you must do something

about it. This Budget is the test for this Government as to whether they can walk the walk and not just talk the talk.

Doing a resilience scan to understand cultural problems at Ambulance Tasmania highlighted very significant challenges. That is an important document. It cannot just sit on a shelf like the Senate report sits on a shelf somewhere and those findings and recommendations not be actioned. It is critical that the Government does more to support the work of our Ambulance Tasmania employees and volunteers.

I also thank Dakota for the work he has done raising awareness of mental ill health among ambulance paramedics and volunteer ambulance officers with his ride on his beautiful horse Coda, starting at Latrobe and finishing in Hobart on Parliament House lawns. Dakota, his partner Tahnee, and beautiful horse Coda were part of something much bigger than themselves. This was very personal for Dakota after his experience with ambulance services and he wanted to give back. He rode from Latrobe to Hobart on Coda, collecting letters on the way from people who either interacted with the ambulance service or from paramedics themselves.

I was pleased to meet them when they arrived in Hobart and on behalf of the Government accept those letters because unfortunately no one from the Government turned up. There were ministers or staff members who could have been there to receive those letters but nobody did. I was pleased to hand-deliver those to the Premier this week. I hope he has taken the time to read the correspondence that people provided to the Premier in his role as Health minister, to share the concerns that they have.

I do not know what those letters said as I did not open them. They were not addressed to me; I just passed them on to the Premier. I know from conversations I had, and conversations with Dakota, that people want the Government to understand the pressure the ambulance service is facing. They want to understand why something they value so much is not valued equally by the Government.

Dakota shared stories with me from people he had met along the way who were uncertain about whether to provide correspondence because of fear of retribution. It concerned me that there were employees in Tasmania's health service who wanted to share direct insights with the Premier about the work they do, but they did not want to put their name to it because they were worried about what that might mean for their job security. I am worried by that because we need to hear what they have to say. We desperately need to understand how we can better support them. The only way we can do that is if we listen to them.

I understand how challenging it must be for people to do a job like that because the people I know who are in that service have enormous hearts. They care very deeply. That is why they go into the caring profession. The vicarious trauma they experience from attending the incidents they respond to must take its toll over time. That is what the senate report identified. That is why it is dispiriting for those who work in the service to not see those recommendations actioned. They tried to share some of what happened to them and the Government did nothing about it.

Not only do we need to see the Government better support and resource ambulance services in the budget, we also need to see better support for the entire system of health in Tasmania. The Premier started to talk about some of the cultural challenges. It is important that we address those as much as we properly fund the employees who work in our health

service and resource them so they can do their job. If they do not feel safe to go to work, if they are not supported in the job that they do, then we are letting them down.

We need to also make sure that we have a good health system in Tasmania so that people can access primary care when they need it, so they can access treatment soon and close to where they live, rather than becoming sicker and needing to call an ambulance because they have run out of other options, because they cannot get into to see a GP, because they cannot get the healthcare they need because they are stuck on a waiting list with 10 000 others waiting for elective surgery, or 60 000 others waiting for an outpatient appointment.

Time expired.

[3.09 p.m.]

Mrs ALEXANDER (Bass) - Mr Deputy Speaker, I am pleased to be able to talk on this matter of public importance, about ambulance response times and the difficulties that paramedics are facing. It is not a light matter. It is widely acknowledged that it involves people. Our response and the support we provide is an important part of our health system.

I also acknowledge and thank the hardworking staff we have working in our hospitals and in Ambulance Tasmania.

I point out that we heard the Premier outline earlier the increases we are seeing in demand for ambulance services, which is why this Government is providing the necessary investment. The Government is definitely focused on delivering what matters most to the Tasmanian community, as has been made very clear.

In addition to the number of increased FTEs for ambulance officers, a total 243 FTE since January 2022, it is also recognised that investments have been made in Ambulance Tasmania right across the state. Specifically in the electorate of Bass, I would like to refer to the 12 new paramedic positions in Launceston, which has also seen the implementation of a new 24-hour crew for the city as well as the equipment and vehicles necessary to support them, and additionally an increase in the paramedic numbers for the north-west of the state.

Looking at the discussions that have taken place around response times and the emotional, mental health and the culture issues that have been discussed around Ambulance Tasmania, it is very important to highlight the fact that the Government has committed to commissioning a review of ambulance service demand across the state. The outcome of this review will definitely help guide future investments and how we approach some of these items that have been discussed and some of the issues that have been raised today.

We know that Ambulance Tasmania has also committed to overhauling its workplace culture and, according to statements made by CEO Joe Acker following the feedback they received from the workplace, the executive team has undertaken to meet with staff to hold workshops to look at the ways to improve culture, processes and leadership.

When we talk about workplaces and acknowledging how Ambulance Tasmania operates with the expectations that the community has, it is a workplace and we need to consider that, as with any workplace, some benefit and space needs to be given to the CEO and executive team in allowing them to at least start to consider this process of consultation, which they have committed to do, which has the benefit of underpinning further discussions in that space. The

review the state Government has committed to would also be able to consider the impact of our investments into hospital and ambulance avoidance programs. We know the PACER and the secondary triage programs are proving beneficial in how the 000 calls are being handled.

Used extensively interstate and overseas, secondary triage sees paramedics and nurses providing clinical advice to 000 callers, which includes connecting them to other health services where appropriate. We know that not every call to Ambulance Tasmania requires a paramedic-led emergency response and secondary triage is ensuring that patients receive the appropriate care but also means that ambulances and paramedics are in fact reserved for genuine emergency situations.

It is important to highlight that the PACER initiative, which came into effect at the end of January 2022, is a mental health co-response service staffed by medical health clinicians, paramedics and police officers, and has proven very beneficial with triaging those specific calls to the triple zero number. One of the chief objectives of PACER is to significantly reduce avoidable mental health presentation to the emergency department and improve the linkages with community-based mental health supports, which proves the long-term benefit of being able to reach back to those people who have called triple zero. Then they can continue to receive that support at community level, which is critical.

The ambulance avoidance programs are assisting in taking the pressure off both our emergency departments and emergency ambulances, therefore ensuring, as much as possible, that Ambulance Tasmania is able to respond to calls in as adequate a manner as possible.

For those who do not need to attend hospital, whether by self-presenting or via an ambulance, the Government is investing in several hospital-based strategies to facilitate emergency department throughput patient admission and discharge processes and pre-hospital care strategies. We note the introduction of the patient flow manager electronic information system and the creation of the integrated operation centres in the major hospitals.

In addition, at the Launceston General Hospital - obviously I am referring to Bass here - we are delivering additional staff and beds to address the demand.

Time expired.

Matter noted.

DUTIES AMENDMENT BILL 2022 (No. 18)

Second Reading

[3.16 p.m.]

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

That the bill be now read the second time.

The Duties Amendment Bill 2022 amends the Duties Act 2001 to clarify the scope and operation of the Foreign Investor Duty Surcharge and to recognise and ensure that non-interest-based property transactions, such as those undertaken by members of the Islamic community, are not subject to double duty.

In 2018 this Government introduced the Foreign Investor Duty Surcharge on foreign acquisitions of residential and primary production land in Tasmania. To ensure that the application of the surcharge is clear and there is administrative effectiveness and certainty for taxpayers, several amendments to the surcharge are proposed in this bill.

Feedback from industry stakeholders has suggested that there is uncertainty in the application of the surcharge to self-managed superannuation funds and the treatment of property purchases by testamentary estates.

To remove this uncertainty the bill amends the Duties Act 2001 to clarify that for the purposes of the surcharge, members of self-managed superannuation funds have a beneficial interest in the capital of the fund, and that beneficiaries of testamentary estates have a beneficial interest in the capital of the trust. This will make it simpler for those holding land in a self-managed super fund or testamentary trust to demonstrate their foreign status for the purposes of the surcharge.

The intent of the surcharge was that only genuine residential properties are captured. Feedback from industry stakeholders has suggested that the current surcharge provisions could create ambiguity for certain commercial properties. To rectify this, the bill clarifies that commercial residential properties that could be considered residential, such as hotels, boarding houses, housing provided by or on behalf of certain education institutions, residential care services and retirement villages, are not subject to the surcharge.

The self-managed superannuation fund and testamentary trust amendments, and the amendments clarifying the application of the surcharge to commercial residential properties, will apply retrospectively from 1 July 2018, the date on which the surcharge commenced.

This bill introduces surcharge relief for foreign-owned Tasmanian-based developers that make a significant contribution to the state's housing stock. This relief will ensure that the surcharge does not discourage foreign investment in residential property construction.

The Duties Act 2001 does not cater for non-interest-based purchases of property such as those undertaken in Islamic finance arrangements for the purpose of conveyance duty. Non-interest-based purchases of property typically result in two transfers of the property: one, when the property is initially purchased, and another at the end of the relationship between purchaser and lender. This often means two dutiable transactions are made before the individual eventually takes full ownership of the property. This bill recognises these arrangements and will impose duty only once.

Mr Deputy Speaker, I commend this bill to the House.

[3.20 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I rise to comment on the Duties Amendment Bill 2022. Labor will be supporting this bill and I thank the minister and his office for arranging a briefing at short notice. Not being here, I did not see these tabled at the last sitting but thank you for the briefing. I really appreciated it.

The three bills we will be discussing this afternoon are of a similar nature. The first one is dealing with duties: when a property is purchased or sold duties are payable. It is a bit of an omnibus bill which is trying to fix up a few problems that are, I gather, mainly, potential

problems rather than actual problems. For example, can the minister confirm that no-one has been impacted by double duties payable on Islamic finance arrangements? That is something that is there just in case anyone is using Islamic financing arrangements and under this act considered to be a foreign investor. Also, please clarify residential properties such as hotel boarding houses housing and so on - housing provided by educational institutions. I imagine that is like some of the accommodation the university has. Residential aged care services, retirement villages and so on, are not subject to this foreign investor duty surcharge. Can the minister also confirm that no-one is impacted by this so far? It is made retrospective. If I am wrong, and people have been impacted, what is the amount of duty that would have to be retrospectively paid back? Does the minister have an indication of how big this problem may be or is it, again, a 'just-in-case' clause?

'Removing the uncertainty regarding the application of Foreign Investor Duty Surcharge (FIDS) to manage superannuation funds and the treatment of property purchases by testamentary estates' is to clarify that self-managed super funds do have a beneficial interest under the Duties Act and therefore is the first step to being considered as to whether they have to pay the foreign investor duty surcharge.

It seems like this part of the bill is to bring people in to having to pay. The uncertainty is whether maybe people could argue that they do not necessarily have a beneficial interest under superannuation laws. This clarifies that they do have a beneficial interest and therefore will be considered whether they are foreign investors. It also provides certainty that if you are involved in a self-managed superannuation fund, or have a beneficial interest in assets of a fund, then you will have to consider the foreign investment duty surcharge if there is an element of foreign investment. Again, this is retrospective. Have there been people who would then be considered retrospectively to have to pay this foreign investor duty surcharge?

It is an interesting component of relief for Tasmanian-based foreign developers that significantly add to the state's housing supply is the building of at least 50 residential dwellings in a 12-month period. In the scheme of things, 50 residential dwellings in a 12-month period in Tasmania is quite a lot of housing being built by one entity. Obviously, that is something we would not want to discourage. From what I gather, this level of 50 residential buildings in a 12-month period has come from similar arrangements in other states. This was raised by the Law Society.

However, I am wondering what are the levels that other states set their exemptions at? Is it also 50 houses, or is it more or less? It would be good to get an idea of other states' arrangements. Building 50 residential houses in Sydney or Melbourne by one entity, relatively speaking, would be more achievable than building 50 residential dwellings in a 12-month period in Tasmania, so what would be the relative exemptions set in other states?

The commissioner has the ability to reassess people who have paid foreign investor duty surcharge in the past and that flows on into the next bill, dealing with land tax. Apart from the questions that I have just put on the record, this is basically fixing up uncertainties in a policy that has been in place since 2018. We definitely will not be standing in the way of this. However, is there any estimate over the forward Estimates of how much the Government is assuming this will bring into the government coffers? From what I gather, from the land-tax assessment, it is not a hell of a lot of money. If the minister could give an indication of the expected revenue from the foreign investor duty surcharge and, as I have suggested, if this impacted anybody, how much is going to be retrospectively paid back?

I doubt this is going to be a big revenue raiser for the state, but we do not really want to put off investment. However, foreign investor duty surcharge is government policy and this fixes up a number of problems that have arisen and a number of uncertainties, so it is more of a machinery of government-type bill. As a result, we will be supporting it.

[3.28 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, the Greens do not oppose the Duties Amendment Bill 2022, but we do have a few observations to make and questions to ask on the way through. The Greens supported the original legislation that established the foreign investor duty surcharge. We believe foreign investors should pay a higher duty for homes and primary production lands that they buy on this island. It is unarguable that interstate and foreign buyers have helped to drive up the price and reduce the supply of affordable houses and land for Tasmanians. Tasmanians, as the Greens have long said, are being priced out of their own paradise by cashed-up investors who recognise the true value of Tasmanian real estate in an overcrowded, polluted, increasingly parched, and overheating world.

Over the past decade, Tasmanian house and land prices have been beyond the reach of everyday Tasmanians. As a few examples, if you look a realestate.com there are weatherboard homes in fairly ordinary condition on the Brooker Highway going for more than half a million dollars; a three-bedroom brick home in Nubeena going for more than \$800 000; and two little two-bedroom workers cottages in New Norfolk are on the market for prices in the vicinity of \$400 000. These are very large price tags on an island which has historically been economically left behind the other states and territories, and particularly for people on low-to-moderate incomes.

It is not all about cashed-up investors, whether they be from the mainland or another part of the world. We have had a government that for years failed to increase the number of affordable homes and to this day refuses to rein in ballooning short-stay accommodation, and we know there are investors who have eight, nine or 10 homes within their Airbnb portfolio operating here in Hobart.

The Government continues to put some restraint on soaring rents. All of these are a factor in the difficulty many Tasmanians have finding a place that is affordable and secure to live. This is now impacting on decisions that Tasmanians are making about where they will live and people are going to the mainland to find a home. There are professionals who are coming down here to work - for example, Mr Deputy Speaker, in your electorate in St Helens - who come down for a good job in St Helens that would benefit the community and cannot find a good home to live in.

A huge problem with affordability is the failure at a federal level to rein in the tax perks of capital gains tax and negative gearing which massively benefit property investors and people who are buying their fourth, fifth or sixth property at the expense of young people trying to buy their first. These tax perks for investors are supported by both the Liberal and Labor parties.

Locally cashed-up buyers from beyond Bass Strait have helped to drive up prices to unaffordable levels and to reduce supply, so we should find ways to disincentivise property speculators, but the kind of foreign investor duty surcharges we are talking about are no disincentive at all and nor is the modest top-up we require of foreign buyers on land tax. However a duty surcharge is a small step in that direction.

We have some questions on the legislation, particularly given Dr Broad's observations that there has not been a compelling case put by any affected group or class of people that the current framework is causing financial harm or is unfair. I am very interested to know which stakeholders have lobbied for these changes. I assume the Real Estate Institute is one of them and the Property Board is another.

I listened to what Dr Broad said about accommodation. There is this carve-out in the amendments for accommodation that relates to student accommodation or hostels or something like that, and Dr Broad talked about the accommodation the university has, but I did not know that the university was a foreign investor.

There may be an example in the proposed development at Kangaroo Bay which is owned by Chinese petrochemical company Shandong Chambroad, which would be a skills institute, as I understand it, although this piece of land, which was effectively gifted to this developer five or six years ago, remains undeveloped to this day.

I wonder if the minister could explain where the number 50 came from for homes that would be built in a 12-month period? It seems pretty arbitrary to me. Can the minister tell the House how much revenue has been raised by the foreign investor duty surcharge to date, since the legislation came into effect, and the number of properties that have been subject to the surcharge for residential and primary production land? If you go to the FIRB, the Foreign Investment Review Board's most recent data set, which is the sales of residential real estate 2018-19, it would not appear it is a huge issue here on the data.

If you have a look at the breakdown of purchase transactions by state or territory, in the 2018-19 year, Tasmania had 107 transactions, and fewer than five of those were valued at greater than \$1 million. If you break it down by property type, on new dwellings Tasmania had 13 transactions valued at \$6.2 million, which seems very modest to me; on vacant land Tasmania had 23 transactions valued at \$4.7 million. Established dwellings is interesting. While FIRB technically requires a foreign investor to seek approval for purchasing established dwellings, Tasmania had 71 transactions valued at \$34.4 million for established dwellings, which are homes that have already been built.

If you break down the sale transactions by state or territory, South Australia and Tasmania each had fewer than five sale transactions with fewer than five valued greater than \$1 million, but that is not the most recent data. We are interested in understanding what the most recent data is. You can see even in that data there is a relatively high interest in established dwellings from foreign buyers in Tasmania, so that is homes that have been built for some time. When you have a look at the latest FIRB guidance note number 1, which was updated on 31 July last year, it states:

Under Australia's foreign investment framework, foreign persons generally need to apply for foreign investment approval before purchasing residential real estate in Australia.

The Government's policy is to channel foreign investment into new dwellings as this creates additional jobs in the construction industry and helps support economic growth. It can also increase government reviews in the form of stamp duties and other taxes and from the overall higher economic growth that flows from the additional investment.

It goes on:

Foreign investment applications are therefore generally considered in light of the overarching principle that the proposed investment should increase Australia's housing stock (by creating at least one new additional dwelling).

Consistent with this aim, different factors apply depending on whether the type of property being acquired will increase the housing stock or whether it is an established dwelling.

From the conversations I have with people who work in the real estate sector, there is sustained interest from foreign buyers in established residential Tasmanian properties. Has that changed since the most recent data came in from 2018-19, which points to only 71 purchases of established homes with a value of around \$35 million? Has that changed in the past three years? I am quite interested in understanding that.

I am also very interested, and I think many Tasmanians are very interested, in the minister elaborating on how much primary production land has been purchased since the surcharge came into effect? Can the minister access that data? What has been the revenue to the state of that? The most recent information I have seen points to the fact that more than 20 per cent, in the vicinity of perhaps 24 per cent, of Tasmania's primary production land is foreign owned. We know, for example, that Forico is a foreign company which has vast tracts of land under plantation, and there will be a whole range of agricultural companies which come from all over the place who are buying our fertile lands. However, I am quite interested, and Tasmanians are too, in understanding the level of foreign ownership that the minister knows of, of primary production land in Tasmania, and what revenue this has brought to the Government through the foreign investor duty surcharge.

We will not be opposing this legislation but these matters are of interest to everyday Tasmanians, particularly people who cannot afford a home, people who are leaving for the mainland because they cannot find a home, and Tasmanians who want to have a reasonable picture of the level of foreign ownership of our primary production land.

Mr FERGUSON (Bass - Treasurer) - Mr Deputy Speaker, from the outset, I thank Dr Broad, on behalf of the Opposition, and Ms O'Connor, on behalf of the Greens, for their support for the legislation and their questions, which I shall work through in order, noting that there was some commonality among some of the questions. As I was taking advice, if I missed any of your questions, Ms O'Connor, I would be happy to have them restated for me. I believe I have captured the questions that were being asked, particularly the latter part around payments or revenue collected to-date, including primary production land.

With Dr Broad's questions, I believe I can capture them in total. In relation to the double duty question: have any double duty instances occurred that are remedied or clarified for the bill? The answer, from my advisers, is that no, that has not happened at this time.

Have any residential instances occurred around commercial residential facilities like accommodation, boarding houses, or aged care? My advice, again, is that no, that has not occurred, but that stakeholders, including organisations like the Law Society of Tasmania, have raised these issues. The Government felt that it was reasonable to clarify the matter. My latest advice is none.

In relation to self-managed super funds and testamentary estates, the answer is also the same, but the clarity was sought. If we take those together, my advice is that there is no current expectation of any reimbursements -

Dr Broad - Via interjection, then the retrospective nature was added just in case somebody pops up in the next few days?

Mr FERGUSON - Precisely. The State Revenue Office is able to retrospectively apply a transaction or dutiable surcharge that needs to be paid and capture when, historically, a transfer might have occurred but the necessary tax not paid, or perhaps the foreign nature of the purchaser may not have been identified. It is a catchall to make sure those matters are retroactive. The current advice is that there is no expectation that any surcharges or duties have been paid that would require reimbursement.

It was following consultation with the Law Society that certain provisions of the Duties Act 2000 relating to the foreign investor duty surcharge, which I may refer to as FIDS, will be amended to clarify these matters. This clarification was being sought relating to those surcharges based on recommendations from the Law Society of Tasmania. I have no doubt that the members of the society, in giving advice to their clients, have identified the lack of clarity and have sought that through their society. The society approached the Government with several recommendations which we are acting on today.

Ms O'Connor - Is the society's advice to Government, or proposal to Government, a public document? The draft specific legislation?

Mr FERGUSON - I understand that the submission, or the correspondence, is not publicly available. There would be nothing stopping you, Ms O'Connor, from asking the Law Society yourself. I would have no difficulty in them providing it to you. My advice further is that it was correspondence or a submission through a consultation phase of developing legislation.

Ms O'Connor - So a consultation, but none of the submissions have been made public?

Mr FERGUSON - That is my advice.

Ms O'Connor - That is interesting. That is quite unusual.

Mr FERGUSON - I do not know if that is unusual, but if the Law Society would like to provide it to you I have no difficulty with that.

Deeming members of self-managed super funds and beneficiaries of testamentary trusts to have a beneficial interest in the capital of the fund or trust will help to avoid doubt in relation to the operation of the Duties Act to these types of trusts.

The advice that I have had is that both self-managed super funds and testamentary trusts are different. Trust beneficiaries of those trusts, may be considered by the law to not have a beneficial interest in the capital of the fund. This would mean that even if they are foreign persons they would have a surcharge to be paid. Members would agree that that ought to have been identified.

For the purposes of the surcharge this difficulty in determining whether the trust should be considered a foreign trust under the act is beneficial for us. The amendment will deem such beneficiaries to have a beneficial interest in the capital of the trust, meaning it will be simpler for self-managed super funds and those trusts to determine whether they are foreign or non-foreign trusts. Again, it is about establishing that link and then allowing the determination to be made: foreign or non-foreign.

In relation to developers, this is something I am very keen to discuss and respond to further. In our residential construction sector, we have at least one construction firm that has met the definition of foreign-owned because of the level of foreign ownership that they may have. The question has arisen about the role that the foreign investor duty surcharge would have on property that is purchased. If I can put it this way, if a developer of that scale - and we have chosen the number 50 which I will come back to and answer how we arrived at 50 - is purchasing large tracts of land, if it is a foreign-owned entity or meets the definition of foreign-owned then the foreign investor duty surcharge is going to apply without these amendments.

On the one hand you might say that is fair enough, but if the developer is a serious residential construction developer the intention is not to maintain that as an investment of land. The intention is to turn it over with a house or a block of flats on it and to sell it on to other customers in the Tasmanian residential market. The intention of the surcharge was never to disincentivise a volume builder buying vacant land and turning it over for development, returning it back to the market place for sale, including through house and land packages. This is exactly what it may do if we do not resolve it.

We have designed it with a three-year term on it. This is intended to ensure that the concession provided in the bill is not abused. We do not want to see the surcharge being forgiven in circumstances where the land is being banked. The intention is to keep that land only in temporary ownership of the volume builder in order to return it to the market again. If we did not do this we are putting an increase on the price and value of the land that the developer would be seeking to recover when it returns it to the market again.

Ms O'Connor - By interjection, for the developer of Cambria Green, given that the intention is to build residential, aged care and to do some farming, how do you think this surcharge might apply on multiple titles?

Mr FERGUSON - If a volume builder is purchasing land with the intention to build upon it and then to return it back to the market and only have it for less than three years, then the foreign investor duty surcharge should not apply. If they were to hold it for longer than three years, you could argue that that is land banking, and it should be dutiable. I do not want to pick up that particular scenario -

Ms O'Connor - That is all right. That explains it.

Mr FERGUSON - I have not thought about that particular example. To meet the criteria, you have to be delivering 50 homes per year. You have to be able to demonstrate that you are a serious volume builder in Tasmania that is foreign owned.

The only reason that parliament is being asked to not apply the foreign investor duty surcharge is in circumstances where it is very clear that the intention is to only temporarily hold that land for the purposes of returning it to the market with a house on it.

I hope the developer does not mind me bringing them in, but Wilson Homes is a well-known Tasmanian builder in Tasmania. I make full disclosure; I have discussed the matter with them. It is foreign owned, under the definition of our foreign investor laws. It is clearly making a major contribution to the delivery of housing stock in Tasmania. Were it not to be the case that we address this issue today, we would be putting up the price of their housing and it would actually disproportionately affect their prices of their product compared to other volume builders in Tasmania, so it would distort our housing market in Tasmania.

Dr Broad - By interjection, but this is actually a refund of the duty. They know they have to pay it up front.

Mr FERGUSON - Correct. They have to pay it up front first, but they know they will be able to recover it if they do hold faithful to their intention not only to be holding the land for no more than three years, but also to be delivering more than 50 homes per year. The point I do not wish to be lost on the House is that were we not to do this, you would see, for example, Wilson Homes' product having a higher cost for the developer compared to others. It would have the effect of putting up the price of the house they then sell to other people in the market.

It is intentionally quite a limited provision. If there was a foreign investor, even if they are a volume builder, if they are holding land for more than three years, they are clearly not buying it with the intention of releasing it quickly with a house on it.

If you do not mind, I will take Cambria Green on notice but we are not doing this for one over another. We are not doing it for Wilson Homes. We are doing it to make sure that it is fair for all and importantly not providing a disincentive for these builders to buy land with the intention of putting a house on it.

Dr Broad - They already own it, so they have already paid duty.

Ms O'Connor - And have owned it for some years.

Mr FERGUSON - Correct, but this will apply to land that is captured under these laws, which was commenced in 2018.

Dr Broad - They have had Cambria Green since before 2018, haven't they?

Ms O'Connor - Not long before.

Mr FERGUSON - Maybe that is not relevant but I do not want to commit here today.

Ms O'Connor - Thank you for answering my interjected question.

Mr FERGUSON - Have I answered it adequately?

Ms O'Connor - Yes, I think you have.

Dr Broad - Fifty houses?

Mr FERGUSON - Yes, thank you Dr Broad, for the reminder.

You asked me about how we arrived at 50. We had a good look around other jurisdictions in the country. It is a good question because I would not like the House to think that 50 is arbitrary. It is a number and you have to settle somewhere. The intention here is to identify a developer that meets a fair and reasonable test that this House might apply as to what is a volume builder.

Briefly looking at some of the other states, we noted that there are different models. Each state has done this slightly differently. Some provide exemptions and others provide refunds. Victoria has gone with 50. Queensland has also recognised 50. Queensland does it by ex-gratia relief. We are not doing it that way. It is interesting how different states have chosen slightly different ways. I will not go into New South Wales because it is a completely different model altogether. I am happy to provide you the information, Dr Broad, but it is not directly comparable with the way that we are approaching this. Western Australia has gone with 10 or more. In South Australia they have gone for 20 or more.

My advice from Treasury and Finance is to note that the threshold varies from jurisdiction to jurisdiction based on the form of the relief that is provided. Not all states have done it the way that we have, even those who have gone for 50 as the number they have indicated for defining volume builders.

The threshold of 50 residential dwellings is consistent with Victoria and Queensland and reflects what the Government considers to be a significant contribution to housing supply. Other jurisdictions with similar measures provide relief in the different ways I discussed for foreign-owned but locally based property developers where the commercial activities of the developer are considered to 'significantly' add to the supply of housing stock.

There were also some questions from Dr Broad and Ms O'Connor which I can answer together as there is some commonality.

First, Treasury is not aware of any instances where the amendments will require a reassessment of the foreign investor duty surcharge in relation to self-managed super funds or testamentary trusts.

Both speakers asked me about revenue. Revenue from foreign investor duty surcharge collections are as follows. This is quite a long answer. Foreign investor duty surcharge has been assessed on 858 transactions since its commencement up until 31 March this year. I can break that down: 732 related solely to residential land; 124 related solely to primary production land; and two related to both residential and primary production land.

A different way to look at the data is: 755 were wholly liable for foreign investor duty surcharge; and 103 were only partially liable for the surcharge. Also, if it is of interest: 645 related to individuals; 106 related to trusts; and 107 related to corporations.

I can also provide for the House a summary of the number of transfers assessed and the revenue. I will do it this way: in 2018-19, 250 transactions led to \$2.6 million of revenue; in 2019-20, 303 transactions led to \$5.1 million of revenue; in 2020-21, 159 transactions led to \$4.2 million of revenue.

I have the data for this financial year but only to 31 March, so for three-quarters of the year: to 31 March 22, 146 transactions have currently led to \$5.1 million of revenue. That is how we get the total of 858 transactions which I spoke about earlier. A total of \$16.9 million has come to the state for us to spend in our budgets.

I do not think I was asked this but I will advise the House that residential properties acquired since the foreign investor duty surcharge was introduced have had a total dutiable value of \$275.9 million, although the dutiable value of primary production properties, subject of the surcharge, is approximately double that of residential property at \$537.6 million. Primary production properties make up approximately 23.7 per cent of the foreign investor duty surcharge revenue due to the lower surcharge rate on primary production properties.

I was also asked about forecasts. I am not able to provide that. Forecasts over the forward Estimates are not currently available. Treasury is not aware of any instances of where these amendments will require the reassessment of the surcharge. The expected revenue collections as a direct result of these amendments today are negligible. I understand the reason for the question: what would the forecast be? I do not have that information to hand. If there was a question for the Estimates committee perhaps I could be prepared to try to have something further on that.

I hope I have answered all the questions and I thank the House for the discussion.

Bill read the second time.

Bill read the third time.

LAND TAX AMENDMENT (FOREIGN INVESTORS) BILL 2022 (No. 17)

Second Reading

[4.00 p.m.]

Mr FERGUSON (Bass - Treasurer) - Mr Speaker, I am currently going to move that the Land Tax Amendment (Foreign Investors) Bill 2022 be read a second time. I am in the hands of the House, but we have two bills that are side by side. The second one which we will move later is the land tax rating amendment legislation. I am advised that we must do them as separate bills, but I am happy if it is a cognate debate. I am in the hands of the House.

Mr Speaker, I move -

That the bill be now read the second time.

The Government welcomes foreign investment in Tasmania and recognises its importance to our economy. However, the Government also believes that it is essential that foreign investors pay their fair share when owning residential properties in Tasmania and contribute to the essential services and infrastructure our growing state needs. That is why in the leadup to the 2021 state election the Government announced that it would introduce a foreign investor land tax surcharge on foreign-owned residential properties in Tasmania.

This bill, in conjunction with the Land Tax Rating Amendment (Foreign Investors) Bill 2022, delivers on the Government's election commitment. In line with other states that have implemented similar surcharges, the foreign investor land tax surcharge will be set at 2 per cent. The surcharge will commence on 1 July 2022 and will apply to residential land that is acquired by foreign persons, including foreign companies and trusts, on or after that date. It will also apply to residential land held by companies and trusts that become foreign owned after 1 July 2022.

Importantly, the surcharge will not apply to those using land for primary production or as a principal place of residence. It will also not apply to commercial properties, including commercial properties that could be considered residential, such as hotels, boarding houses, housing provided or on behalf of certain educational institutions, residential care services and retirement villages.

In order to support the supply of affordable housing in Tasmania, foreign-owned Tasmania-based property developers that add significantly to housing stock in the state will be able to apply for a reassessment of any surcharge paid. This relief for foreign-owned Tasmania-based developers will help promote the timely development of residential housing in Tasmania.

This bill, in conjunction with the Land Tax Rating Amendment (Foreign Investors) Bill, gives effect to the Government's election commitment to introduce a foreign investor land tax surcharge. The surcharge will complement the Foreign Investor Duty Surcharge introduced in 2018 and will ensure that foreign investors pay their fair share.

Mr Speaker, I commend this bill to the House.

[4.03 p.m.]

Dr BROAD (Braddon) - Mr Speaker, I rise to comment on the Land Tax Amendment (Foreign Investors) Bill 2022. This is implementing the Government's commitment to put land tax on certain properties owned by foreign investors. It is a little bit different from the previous bill in terms of duties where duties apply more generally, whereas this is actually reasonably specific.

Also, because it only applies to land purchased after 1 July 2022, that means in effect any foreign owner who purchased property before 1 July 2022 is grandfathered, meaning that the department does not have to go back and try to identify properties back in history that are foreign owned. That is my understanding at least. Hopefully the minister can confirm that in effect it is grandfathering, so any foreign entity that owns a property before 1 July 2022 will not have to pay this land tax surcharge, unless there is a subsequent transaction or some sort of applicable change in the ownership structure.

As a result of the carve-outs, from what I gather from my briefing, we are not actually talking about a lot of money, initially at least, but we will see a cumulative effect over time, provided that foreign investment remains in Tasmania.

From the briefing this year, because of the way that land tax is applied, the amount of income will be negligible: in 2023-24 it has been predicted to be around \$100 000, in 2024-25 it is predicted to be about \$400 000, and in 2025-26 it is predicted to be about \$600 000 and only really apply to 60 properties. When you compare that to the quantum of money you described in your previous contribution to the Duties Act debate where you were talking about

\$5.2 million of income and \$4.2 million to \$5.1 million from duties, we are not seeing that flow on to what is then going to be getting this land tax surcharge from now on. That indicates that most of the land is being used for primary production, which is carved out, and primary residences, so the owner may be foreign but if they are using it as a primary residence they are carved out and commercial property if it is being used for commercial purposes is carved out as well.

Basically, this only applies to non-commercial land such as shacks, residential land in terms of land that is being used for rent or those sorts of purposes, and also land that is potentially zoned commercial and is not lawfully capable of being residential land. So there is quite a narrow subset of foreign investment in the state and, as a result, the income is going to be not very big in the scheme of things. It does apply to shacks, so I suppose it is a shack tax for foreigners, not that I am complaining.

I am very glad that primary production was carved out. I must remind the House that the Government's initial intention was to slug foreign-owned primary production land with a land tax surcharge, which would have basically made Tasmania uncompetitive in terms of foreign investment for agricultural land. I ran a campaign on that so I am very happy that the Government, in its wisdom, eventually backflipped after a lot of pressure, including a front-page article in the *Circular Head Chronicle* that finally made then-treasurer, Peter Gutwein, backflip on that, which is a good move. The last thing we would want is to have perverse outcomes from ideas like this and we know that in Tasmania foreign investment in primary production land is growing and that is resulting in large investments in infrastructure, creating jobs along the way, especially in the supply chain.

That was a bad idea to put it on primary production land, so I am glad that that has been excluded. I also believe it would be unreasonable to put it onto primary residences because that could have a big impact on people, but the carve-outs mean that, in effect, we are not talking about a lot of money.

If a property is owned by more than one owner, in terms of an identifiable owner, not owners of a company, but if they are individual owners then you get a pro rata. If, for example, a property is owned by two individuals who, for the intent of this bill, are classified as being foreign, they will only pay a pro rata rate for the owner who is a resident, an Australian citizen, and the same for businesses. That is good but if one entity owns it, then it is black or white - either 50.1 per cent you are in, or 49.9 per cent you are out.

It will be interesting to see how the projections for the income change over time, given its cumulative nature. That might give us an idea over time how foreign investment is tracking. I do not have any problems or any other questions. There is some ability for the commissioner to reassess if the situation changes but, apart from the grandfathering, which I understand is because it would be very difficult to go back in time to try to figure out exactly who is foreign. That is reasonable but apart from that, I do not have any other questions. I will leave it at that.

Ms O'Connor - Did we agree we are debating the two together?

Mr Ferguson - I am happy to do it together. I am happy to have a cognate debate, if you are.

[4.11 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, the Greens have no major issue with the Land Tax Amendment (Foreign Investors) Bill 2022. As Dr Broad has pointed out, it is a bill that is very narrowly targeted at foreign-owned residential properties that are not a principal place of residence, so potentially holiday homes that are owned by foreign persons.

I am interested to know why the bill is so narrowly targeted. I guess it is because, as a general principle, if you do not pay land tax on your principal place of residence, then the only way you can secure revenue from a foreign person who owns a residential property through land tax is for it not to be their principal place of residence. So, it is fair in that way. However, I do not think a 2 per cent surcharge on land tax for a foreign investor is going to make a big impact at all.

Dr Broad - They have already paid the duty.

Ms O'CONNOR - They have already paid the duty, sure. Again, it is buying into a market in which, for a very long time Tasmanians could aspire to own their own home. It has been a really big part of Tasmania's culture, to have a family shack. Now when you look at the real estate webpages you can see that this dream is disappearing. In fact, the price of what we might loosely call 'shacks' or holiday homes is now so high that if you are a Tasmanian family on a medium or a lower income, a working family who has had a shack in the family for a long time, it would be very tempting to sell it and put it towards your superannuation and then it is over. I believe this is happening more and more. We are seeing the prices of shacks absolutely go through the roof. Some of these fibro shacks are going for in the vicinity of \$400 000 to \$500 000.

I am interested to talk about Cambria Green. Of the properties that were purchased by Cambria Green Agriculture Development Pty Ltd on one title is the Cambria Estate. I know that that is a residential dwelling. As I understand it, there is at the very least a caretaker living within that heritage property.

Dr Broad - His grandfather. They won't have to pay.

Ms O'CONNOR - Yes, this applies from 1 July 2022 so there is no impact on that. That is arguably a holiday home for at least one of the persons who represents the developers but I gather there is no land tax surcharge there, which I believe is somewhat regrettable.

I thought I might take the opportunity to remind the House about a land deal that the Tasmanian Government and, in fact, both Liberal and Labor parties supported, which has ended up before the Australian Federal Police. There have been a couple of great pieces written in *The Examiner* newspaper by Nick Clark about this.

Before I was elected, I was invited to have a look at this extraordinary parcel of land at Musselroe Bay by one of the developers or someone who is working with the developers, Mr John Dingemanse who is probably quite well known, particularly to people in Bass. It is a stunning, vast and beautiful part of Tasmania with a huge homestead on it. When we visited it was in a state of disrepair. The original plan was to strata title that parcel of land at Musselroe Bay. This deal was championed by the then Labor government. Later, when the Liberals came in, promises were made during election campaigns, as I understand it, to further this development, which has turned out to be a massive money laundering scheme.

I will read a bit from Nick Clark's piece. I guess this is a cautionary tale around foreign investment. Nick Clark's article from Friday 29 April this year:

A Musselroe Bay property, once earmarked for \$185 million eco-tourism development, has been conditionally sold to a Melbourne firm, despite its seizure by Australian Federal Police in 2019, County Court of Victoria documents show. The 1473-hectare property was part of a \$17.3 million worth of property seized by the AFP in October 2019.

... the property known as Icena Estate has been sold by Resort Development Tasmania to a Chinese-born Melbourne businessman Zhiwei Huang under an arrangement overseen by the court.

A spokesperson for Mr Huang's company, DCF Musselroe Bay Pty Limited, has spoken positively about the development, which the firm claims has a perpetual development application from the Dorset Council.

That is interesting, isn't it? A perpetual development application over a large part of arable land.

Dr Broad - There is no such thing.

Ms O'CONNOR - I am very interested to know what a perpetual DA is, but according to the developer, that is what they have.

The Australian Federal Police Criminal Assets Confiscation Taskforce seized Icena and several Melbourne properties, alleging they were bought by Chinese nationals laundering the proceeds of crime. The AFP investigation - titled Operation Gethen - followed a 2017 request from the Chinese Ministry of Public Security for assistance to identify the two Chinese nationals.

The interesting extension to that article is the role that the Tasmanian Government played in giving visas to money launderers. The following day, 30 April, Nick Clark writes in *The Examiner*:

Chinese-born nationals associated with a \$5 million Tasmanian property were helped in their bid to get permanent residency visas by the Tasmanian Government before the Australian Federal Police seized the property over alleged money laundering.

It talks about the property again and then the quote from the AFP media release says:

The AFP alleges that the two Chinese nationals moved about \$23 million of fraudulently-obtained funds from China since late 2012 with the proceeds of crime used to purchase or redevelop properties in Melbourne and Tasmania.

Back to Nick Clark:

It is understood some of the Chinese-born nationals associated with RDT received authorised Australian visas despite a proposed \$185 million development at Icena Estate never going ahead.

These visas are the Australian Business Talent visas that allow people to establish a new, or develop an existing, business in Australia, stay in Australia permanently and bring family members with them. The applicant must have assets of Australian \$1.5 million, be nominated by an Australian state or territory government and be invited to apply for the visa.

In 2014 - what do you know, the Hodgman Liberal government - the Tasmanian Government representatives met Chinese-born people associated with \$185 million development proposed for Icena Estate in the north-east. While the development never proceeded, it is almost certain that people associated with the development were among the 40 Chinese nationals nominated between 2014 and 2019 - and, of course, Mr Speaker, that would have been through the Department of State Growth and the Office of the Coordinator-General.

Again, we are suckers. We show ourselves again and again to be suckers for a bit of money and big promises. Here you have the Tasmanian Government with egg all over its face for giving golden ticket visas to money launderers who are now the subject of investigation by the Australian Federal Police.

What that tells us is that there is almost zero rigour in the process of recommending people for golden ticket visas by the Department of State Growth. All they have to do, apparently, is point to the potential for some money, somewhere - millions, \$1.5 million that they have to their name. It turns out that this was a mighty scam identified by the Chinese Government, so you had criminals buying vast tracts of Tasmanian land and being given recommendations for a golden ticket visa - so, recommended by the Tasmanian Government - and the visas granted by the federal government.

We really need to have some self-respect as a state, and not just think that because some businessman comes in with bells and whistles and promises that they should be eligible for a golden ticket visa, and also not to sell ourselves so damn cheap. We do it all the time, Mr Speaker. We have done it for a very long time.

Tasmanian land, Tasmanian owned, is premium real estate. It is many things as well as that. It is one of the most beautiful wild and unspoilt places and safest places on Earth, and it is premium real estate in an overcrowded and overheating world. There will be more and more pressure on our primary production land, potential residential land and on established residential properties from foreign buyers from all over the place who are looking for somewhere safe to settle, potentially - but also to park their money.

We do not want to send out the message that the Tasmanian Government is a sucker for a sweet promise of development, but that is the message that we have sent out with recommending criminals for golden ticket visas and ending up with sticky egg all over our collective faces.

Sitting Times

Mr STREET (Franklin - Leader of the House) - Mr Speaker, pursuant to sessional order 18A, I move -

That for this day's sitting, the House not stand adjourned at 6 o'clock and that the House continue to sit past 6 o'clock.

Motion agreed to.

[4.23 p.m.]

Mr FERGUSON (Bass - Treasurer) - Mr Speaker, I thank Ms O'Connor and Dr Broad for their contributions and support for the legislation and the issues they raised. I will respond as follows.

The question about revenue: my advice is consistent with Dr Broad's that he read into the House. Expected revenue from the surcharge is expected to be small. Upfront, it will be applied only to relevant residential properties acquired by a foreign person from the land tax assessment date, 1 July 2022. Revenue from the surcharge will grow each year from 2022-23 as the pool of properties acquired by foreign persons from 1 July 2022 accumulates.

Based on Treasury modelling conducted on foreign investor duty surcharge data, it is anticipated - so this is an estimate only - that based, on average, about 60 properties per year may become liable for the surcharge. The initial estimate is that, by 2025-26, we would see revenue of \$1.093 million in that time and, obviously, compounding as you see further housing stock being collected and transferred in future years.

As to what circumstances the surcharge will apply to, the approach we have adopted is consistent with other jurisdictions. Key industry stakeholders have previously raised concerns about getting this model just right.

The non-application of the surcharge to commercial residential properties is consistent with the foreign investor duty surcharge. The policy intent of the foreign investor duty surcharge was not to discourage foreign investment in the commercial sector. Legislation is currently before parliament to clarify the relevant provisions of the duties act, which is now going to the other place.

Proposed provisions are consistent with those in this bill. This will ensure properties such as residential aged care homes, school boarding houses and university residential colleges are not subject to the surcharge. It is also consistent with the operation of the Land Tax Act, as land tax is not applied to principal residences or primary production land.

Finally, the question about how we selected the date 1 July 2022. I will be necessarily brief here. If you would consider the entirety of property that is currently owned in Tasmania, it would be entirely unreasonable for the State Revenue Office to then contact every property owner and ask them to prove that they are an Australian or not an Australian. Therefore, we have selected a future-looking date of 1 July 2022, which is obviously rapidly approaching. This was also supported by key stakeholder groups. A number of organisations and people

gave us advice in relation to this matter. Applying the surcharge to properties acquired after 1 July 2022 allows information on both foreign status and land use to be collected by the State Revenue Office as part of the assessment process for dutiable transactions.

I do not want to make too fine a point about this, but I would not choose the word 'grandfathering'. The reason we have adopted this particular date is not to protect all previous transactions, but to be pragmatic in the approach going forward, because government simply does not have information on land use and foreign versus non-foreign criteria on the database of landholders recorded for the purposes of land tax in Tasmania.

With those comments, I thank Ms O'Connor and shadow treasurer Dr Broad for their contributions on this bill, and now commend the bill to the House.

Bill read the second time.

Bill read the third time.

LAND TAX RATING AMENDMENT (FOREIGN INVESTORS) BILL 2022 (No. 16)

Second Reading

[4.28 p.m.]

Mr FERGUSON (Bass - Treasurer) - Mr Speaker, this bill in conjunction with the Land Tax Amendment (Foreign Investors) Bill 2022 (No. 17) delivers on the Government's election commitment to introduce a foreign investor land tax surcharge by setting the surcharge at a rate of 2 per cent.

I commend the bill to the House.

Bill read the second time.

Bill read the third time.

POLICE OFFENCES AMENDMENT (WORKPLACE PROTECTION) BILL 2022 (No. 15)

Second Reading

Continued from 5 May 2022 (page 108).

Mr O'BYRNE (Franklin) - Mr Speaker, I rise to provide my contribution to the bill. It is important at the outset that I say that given my work and political history over many years in Tasmania, the right to protest and the right to, as we say now, speak truth to power is very important. It is in many instances enshrined in law and respected across many statutes, across many forums, in many places. This issue has been well traversed and well debated in this House. This Government's approach to dealing with this particular matter has a bit of history. It has been before the High Court. It has had a number of attempts.

Speakers before me have talked about the politicisation of this issue. That has been the most disappointing thing about dealing with such a serious issue. It is crucially important that, within the debate, we acknowledge that lawmakers have to find a balance between a right of protest and the right for workers to have safe workplaces. Unfortunately, this Government, over a number of years, has used this issue to politicise that debate and that important discussion in the community.

We have seen this Government time and time again cynically use this issue in the lead-up to elections - upper House elections, lower House elections - to divide and drive a wedge into the community and not to think about the best interests of working people or attempt to resolve what is a very complex and contested policy space in Tasmania, but to play base politics. The industries mentioned in this debate have already felt used as political pawns.

There are always opportunities for government to take the high road and the low road. On this issue, the Government continues to take the low road. We saw the extended sitting in the debate in the last parliament, where we were here until the wee-small hours of the morning arguing about this matter and the issue of protesting in workplaces. We were told it had to be debated into the night as it was a matter of urgency, and then it was a matter of months before we saw progress of this bill in the upper House. The upper House duly, when it was eventually brought to debate, made its views clear and rejected the bill. It was the second attempt after the High Court threw the law out and sent the Government at the time a message that it did not heed and so it continued on.

It is important to put the politics aside and look at the issue on its merits. I appreciate that in this latest attempt to try to deal with the matter, the Government has used recommendations from the legal fraternity that the way of dealing with this complex matter would be appropriately dealt with through the Police Offences Bill.

The Government has learned from last time and taken the suggestions from people that there is a better way to resolve this. They have taken those recommendations and used this method to try to deal with this matter.

I understand there are amendments to be moved from the Labor Opposition and the crossbenches. They will no doubt be debated as we head into Committee. Unfortunately, there are still some concerns with the nature of the bill.

Workers have a right to a safe workplace. Some of the protests we have seen and some of the tactics that are being applied in a political way mean that, sadly, working people and workers in workplaces are at the frontline of this. Some of the tactics that are being used are unreasonable, are putting workers and workplaces in circumstances which are clearly dangerous, and which are clearly unacceptable. They have long-reaching and lasting ramifications for those individual workers if something were to go wrong.

I have been a representative of working people for many years and trauma or workplace incidents, accidents, however they are triggered, have profound impacts on those working people. We need to ensure that workplaces are safe. It is not just about making sure the machinery is safe. It is not just about making sure that appropriate occupational health and safety standards are applied in workplaces. We must acknowledge that when there are trespassers and protesters using tactics in workplaces which create the environment where

workers could be injured, either psychologically or physically, that is a problem. That needs to stop. That is something that is unacceptable to me.

There is no doubt that people have a right to protest. It is important that we get the balance right to ensure that protest is done within appropriate environments, in an appropriate way to get the political message and the political voice heard. At times, it is okay to cause disruption within reason. My concern is that, in trying to resolve those workplace trespasses, which on a number of occasions, in a number of incidences, create a potential for significant danger, this bill is reaching too far yet again.

We talked about the history of the politics, but the industries that are being impacted by some of these protests have a right to ensure that they can conduct their business and their workers are safe. They have an expectation that parliaments will respond to ensure that they are protected.

There is an extension within this proposed bill - and I acknowledge there are amendments to be moved by the Opposition; I have not seen the final versions of them. I am assuming that the Tasmanian Greens have some amendments. If they do they will circulate them.

The bill as it stands is creating difficulties for a number of people. The right to protest in a modern democracy is something we should protect. It has been fought for, for many years. It is something that is a normal part of a democratic society and it should be allowed to occur. I have engaged personally in a number of incidences of protest, simple as marching down the street, holding a placard outside a workplace, handing out leaflets informing the community about something that I feel strongly about, predominantly in industrial campaigns.

I am probably one of the only members in this House that has had action taken against them under the Police Offences Amendment Act for protesting. As a young union organiser back in 1997 I worked for a union that represented the Bruny Island ferry workers. Those ferry workers were being sacked and the ferry was to be privatised. We were negotiating with the state Liberal-Greens minority government to try to save the jobs and the service.

Those negotiations did not come to a happy end until we made the decision to tie the boat up and to take lawful industrial action in support of those workers and in support of the public service. Over the seven days of industrial action, the workers on the boat, community members on Bruny Island and on mainland Tasmania, workers and union officials, such as me, undertook picket lines and acts of civil disobedience protesting against that government decision. I was one of about 30 people who were arrested and charged under the existing Police Offences Act because we were on a public thoroughfare and we were impeding traffic. I was the union organiser tasked with negotiating with the Tasmanian Police about how we conducted ourselves to ensure that we did not put anyone in danger, but our political voice and industrial voice was heard. I and a number of people were charged. At the end of that seven days of industrial action the negotiations came to the point where the government changed its mind, moved its position. Those workers won job security in the new service and the community won concessions around the operation of the service to ensure that this vital service to the island was maintained.

At the time, I did not contemplate what the fine would be. I did not contemplate beyond what I thought was a just act in support of working people and the island. The charges were eventually withdrawn because the government of the day considered it was an industrial

dispute. Whilst there were charges laid against a number of people - including workers - it was quite rightfully resolved through the normal industrial relations process and the charges were dropped. That is an example of a safe and reasonable way that two very polarised views about the future of that service and those workers were resolved. Under those laws, the police could act to ensure people were safe and the protesters and the union involved ensured that their actions were safe and not putting anyone at risk. It was quite a well-managed protest, and it was a successful outcome for those working people.

That is my experience with the Police Offences Act back then, and the bill, and my act of protest. We know the process of people making a decision to protest and to undertake acts of civil disobedience is not done lightly. Time and time again, we see protesters, if they are sitting in the middle of the street being moved on under our existing laws. They are managed. Sometimes it can be annoying, but that is the reason we have protests; that is the reason we have a democracy. People are not getting shot in streets, they are not being hosed, they are not being beaten as we see in some regimes across the world -

Dr Woodruff - It is okay to annoy motorists but not workers at Artec; they are just beyond the pale for annoying.

Mr O'BYRNE - No, I am making a difference between protesters in a workplace that endanger other people by their actions and protests in public thoroughfares. I believe there is a difference. Unions Tasmania has made it clear that whilst they are concerned about any law that impinges people's broader right to protest -

Ms O'Connor - As long as it is targeting the Greens, they will be fine with it.

Mr SPEAKER - Order.

Mr O'BYRNE - No, it could be any form of protest in workplaces. It is not only environmental. There are potentially protests going into workplaces and endangering other people's safety.

I do not really care what they are protesting, but if they are endangering workers in their workplace by their actions, then that needs to be responded to in an even-handed and reasonable way to ensure that workplaces are safe. Unfortunately, the history of this Government using these kinds of laws and this kind of rhetoric has politicised this to the point where we find it difficult to have a reasonable discussion about how we respond to what is a very serious issue.

In terms of workplaces, regardless of the nature of the cause for the protests, I am sympathetic to the cause around occupational health and safety. However, I am very concerned about the extension and the increase in penalties being applied to settle protesting on the streets and in public thoroughfares, and also in the extension of the argument from the workplace, which is the origin of this issue into the streets, footpaths and public areas of Tasmania. I feel that it may trigger another referral to the High Court, costing the state money and unnecessarily having to test these laws to have them thrown out of the High Court.

I have a real concern about some of the wording of the legislation. I am sympathetic and supportive of safe workplaces, regardless of the origins of the protests. Hopefully, some of the proposed amendments will go some way to providing some protections for workers and for the

unions taking actions in their workplace but also to ensure that the penalty is commensurate with the action that has been taken.

There was a full-page advertisement in the paper today. I join with and share the concerns with a number of significant organisations from civil society: Equality Tasmania, TasCOSS, Australian Lawyers for Human Rights, the Australian Democracy Network, Amnesty International, Community Legal Centres and Anglicare Tasmania. A number of organisations have signed an open letter to this parliament raising their concerns.

If it was one or two you could potentially work through some of those issues and sit down. When such a broad coalition of community groups is raising concerns with this legislation, that is a very strong message to me as a legislator in this place that this does not have the broad support of the community. What it is trying to do, in trying to protect workers in their workplace, is not going to achieve an outcome. I echo their concerns in the debate today.

As a unionist, as someone who feels strongly about workplace rights and having spoken to workers who have been involved, either physically or psychologically, in workplace injury and illnesses, regardless of the origin, the impact is profound. To dismiss that in this debate would be disrespectful of this place. I respect those views and I support the aspects of the bill that go some way to protecting workers in their workplace as they go about their work.

There are so many ways for people who feel strongly about government policy or who feel strongly about the actions of an industry to have their voice heard. There are so many ways they can express a view to change public opinion or to shine a light on what they view are either negative or harmful practices. I cannot support actions that go into harming other people either physically or psychologically.

Dr Woodruff - Where is the evidence? It is just rubbish. Have you seen the footage from the other day?

Mr SPEAKER - Order, the Greens member for Franklin.

Mr O'BYRNE - I think it is true. To say it is rubbish is dismissive of workers' rights.

Dr Woodruff - Well, tell us what it is. You cannot make this stuff up.

Mr SPEAKER - Order.

Mr O'BYRNE - I think it is important. In any definition, any act in a workplace which brings potential or real harm to other workers is a real concern to me. I sympathise with those of us who are trying to ensure that we get the balance right, that the pendulum swings to the point where protests are allowed to occur.

Ms O'Connor - You cannot be that way. Geez, you have slipped.

Mr O'BYRNE - I have not. I have been arrested -

Ms O'Connor - It is irrelevant.

Mr O'BYRNE - in my protesting life. I have done a fair bit of it over the journey. Never have I consciously thought about putting myself in a position where I know I could potentially injure or hurt somebody else. Never would I do that.

Dr Woodruff - They are not. That is a furphy.

Mr O'BYRNE - No, I disagree.

Dr Woodruff - You are just speaking the talking lines of minister Barnett.

Mr SPEAKER - Order. Greens member for Franklin, this could be a long debate and I cannot allow one member to speak over the other. We will have different views in this room. Allow each individual member to put their views. You will have a chance to put your views. Please do not interrupt the members when they are on their feet.

Mr O'BYRNE - To make it clear, I support the right to protest and I will continue to fight to ensure it is done in an appropriate manner.

In my working career, we always looked at ways where the lawyers said, 'Well, you cannot do that, but you might be able to do that', or 'You are essentially breaking the law'. In the Bruny Island ferry example, I knew I was breaking the law. I was not putting anyone in danger, but I knew I was breaking the law, and I did it purposefully and consciously to send a message that I thought that what was happening was wrong.

That can still happen under the existing laws, even without this amendment bill, but I was hoping this bill would deal with the issue at hand, which is safe workplaces.

However, I am really concerned that, without amendment, this is overreach in two areas. The increase in penalties is a message from the parliament to the judiciary that we see this act as more serious than other similar acts. I am concerned about how that might be interpreted by those people we tasked with the job - Tasmania Police and others - of governing public spaces, and what that inadvertently may or may not do to people who are not protesting, who may be just sleeping rough, who may not be mentally well, and who find themselves in the wrong place at the wrong time. I am concerned about the increase in fines, and with the reach from the workplace into the public domain, because I think there are current laws that deal with that. As I have said a couple of times during this contribution, I have been in that position.

To be honest, there are some people who, regardless of the penalties, if they feel strongly about an issue, are going to protest anyway. They are going to sit in the middle of the street and they will cop whatever comes. There may very well be an argument put forward that you can triple the fines, quadruple the fines, in terms of public streets and public thoroughfares, and people are just going to ignore you.

I find it very hard to support the bill as it currently stands. I understand there are some amendments and I look forward to hearing the debate about those, and the Government's response, and how we might work our way through those amendments if they are to be agreeable. I will be interested in the response from the minister. In its current form, I would struggle to support this bill.

I understand that the Labor Opposition is not only moving amendments, but seeking to do some of their work in the upper House. I do not have the benefit of having anyone in the upper House I can rely on to run more amendments or arguments or vote against the bill. I have one opportunity to make my point clear on this, so I will foreshadow that if the bill goes through, I would struggle to support the bill in the form that it is presented to the House.

I will listen to the amendments, but at this stage, I feel this bill goes too far and I do not think it should not be supported by this House.

[4.54 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I will make my substantive contribution in my second reading speech later, but I will speak now on the amendment, which is to seek to appoint a select committee with powers to send for people and records and to inquire into and report upon the Police Offences Amendment Workplace Amendment (Workplace Protection) Bill 2022 (No. 15) that we have before us and to report by November this year.

The Greens' position is very clear. It was enunciated in the open letter in the *Mercury* newspaper today. All members of parliament would have seen it; if they have not, they should go online and read it. For the benefit of *Hansard* and for people who will read the transcript at a later time, I am going to read it into the House. It is titled, 'Protect our right to protest before it is too late'.

To the Parliament of Tasmania.

Tasmanians have a long and proud history of peaceful protest.

From decriminalising homosexuality, protecting the Franklin River or fighting for better working conditions, peaceful protests have shaped the lutruwita Tasmania we have today.

But right now the State Government is putting our rights and freedoms at risk.

The State Government's proposed anti-protest laws are undemocratic and unnecessary. These laws, if passed, will silence communities from having their voices heard.

In fact, the legislation is so broad that people experiencing homelessness could be prosecuted for sleeping rough.

The laws criminalise peaceful protest by targeting protesters with disproportionate and excessive penalties, making non-violent protest equivalent to a serious criminal offence. Under these laws, simply having your say would be treated the same as trespass with a gun.

Without the right to peaceful public protest there would have been no Royal Commission into Aboriginal Deaths in Custody and no reforms to our best-practice anti-discrimination laws.

The Tasmanian Government's claim that it will not put in place anything that will limit lawful protesting is simply not true when these anti-democratic, anti-protest laws do just that.

We urge the Rockliff Government to withdraw the legislation, and we urge all members of the Tasmanian Parliament to reject the legislation.

Protect our right to protest - before it is too late.

That very moving plea to all of us here today was signed by Anglicare; The Bob Brown Foundation; the Community Legal Centres of Tasmania; Equality Tasmania; Robin Banks, former Tasmanian Anti-Discrimination Commissioner; TasCOSS; Women's Health Tasmania; Amnesty International; Australian Democracy Network; Australian Lawyers for Human Rights; Human Rights Law Centre; and The Australian Institute of Tasmania.

That letter stands for itself, and on the basis of it having been published I am personally shocked that this bill is before us again today.

I cannot believe that after the election result on the weekend, and after everything that Premier Rockliff has alleged he stands for - the Government he has been on record as saying he will lead for bringing Tasmanians together, for ending divisive politics - I cannot believe that the bill is here before us today. I really cannot believe that the Premier has closed his ears to those good bodies that have signed onto that letter.

They represent people who are at the coalface, working for some of the poorest and most disadvantaged and vulnerable Tasmanians - TasCOSS, Anglicare. They represent the people who are at the coalface protecting our forests and protecting our wild places from being destroyed, from being burned, and protecting the carbon stores that are essential to maintaining our safe climate.

They represent people who have spent their lives defending democracy, who understand that the right to protest is the critical pigeon pair in democracy. You cannot have a functioning democracy unless we continue to enshrine the right for peaceful assembly, the right to protest - the right to voice your opinion however uncomfortable that may be, wherever it may be uncomfortable for people to hear it.

That is our right as Australians. That is the implied right under the Constitution, and that is what this Government has twice had a go at dismantling and twice failed. It got taken last time to the High Court and Bob Brown won that fight on behalf of Tasmanians.

It will be taken again, because the bill has unconstitutional elements. The bill is disproportionate. It singles out groups. It has totally unreasonable penalties and fundamentally it seeks to have a chilling effect on people's right to do what every Australian ought to have, to speak out when they think great crimes are being committed.

Ray Yoshida, a democracy campaigner from Australian Democracy Network, wrote to all members of parliament when the bill was listed before us for the first time, on 5 May. The letter was signed by the majority of the signatories who put their name to the newspaper full-page advertisement today in the *Mercury*, and included the Tasmanian Aboriginal Centre. The view of that body of organisations and some individuals is that the bill should be withdrawn.

They said, at the very least, we should urge the Tasmanian Government to refer the Police Offences Amendment Bill to a committee for further consideration with a view to implementing the sorts of amendments that a number of these organisations felt might be able to ameliorate the clearly unconstitutional, disproportionate attacks on particular groups.

On behalf of those organisations we have called for this bill to be taken to a select committee. It is obviously the case that this bill has been cooked up as a way of virtue signalling to particular parts of the electorate where the Liberals want to stoke the divisions amongst those communities, instead of doing what Premier Rockliff 's stated intention of finding opportunities for better understanding; look to futures where workers can transition so that communities that are reliant on native forest logging can transition in short order to finding meaningful long-term sustainable work that benefits our environment.

In a decade of ecosystem restoration, this is the opportunity that is beholden on us to take, as a parliament and as the liberals in Government to find opportunities to restore nature, to protect the ecosystems that protect us, to provide opportunities to protect communities from the increasing threat of bushfires and extreme natural disasters, flooding particularly.

We have many skilled people working in industries in regional communities around Tasmania who can and ought to be redeployed, retrained, upskilled and given meaningful work. This is the sort of direction the Government could be going in, but instead they are seeking to go backwards.

If it was not clear before the federal election result it should be abundantly clear now that this is a losing strategy. Going down this path is what Scott Morrison tried to do. He tried to win an election using hate. He tried to win an election by being a bulldozer. He tried to talk over the top of communities that wanted meaningful climate action. He is a climate denier and he gambled the Liberal Party's future on his divisive, hateful form of politics and he lost.

The Australian community has comprehensively rejected this. Even Clive Palmer, the numbers are not out yet; \$80 million of investment. What a failed investment. What a hiding to nothing he has got and how much he richly deserves it. Despite the once great power of the Murdoch media to strangle Australian thought and to stop people talking about the issues that matter, even that great dark spectre has been comprehensively proven to be a thing of the past. He is now a dinosaur along with some of the dinosaurs in this place who will go nowhere because they have no support any longer because a federal election was an election that showed that Australians refused to pretend that we are living in anything other than a climate which is rapidly changing and is affecting all of us.

There are too many people now who have been personally affected, who have lost their houses, not once but three times to floods, who have had their whole community decimated by extreme fires, who have been appalled and sickened and absolutely heart saddened by the three billion animals that were incinerated in the 2020 bushfires. We cannot comprehend the scale of what is happening around us but we all know, well at least people in the Greens and, I assume, the Labor Party know that, walking around the streets on Sunday morning and yesterday and today, people are happy. People are coming up to me and just smiling and talking about feeling happy. They finally feel hope, they feel as though they are being listened to, they are being understood and that their government, finally, will stand up for the issues that matter.

This Government is lagging. As we so often do in Tasmania, we kick and scream and we want to avoid anything that we have not created ourselves. We have a terrible parochialism and small mindedness on some things. This is the opportunity that Premier Rockliff has, he has to end the ludicrous continual logging and incineration of native forests emitting vast amounts of carbon dioxide. He has to understand that the very people he seeks to vilify and lock up and silence in this bill are doing the work for us only because the Government is failing.

They are peaceful protesters. There has been not a scintilla of evidence ever presented - Mr O'Byrne and everybody who beats up hate against peaceful protests - there has been nothing presented about the damage to workers in workplaces in Tasmania, never shown. Instead what we have is just a recent record, another record, this time on film of a forestry employee. I do not know the employment status of that person pushing over a young, peaceful protester. A young woman just pushed her over, whacked her out of the way, caught on film: a purposeful bulldozing of a young woman who was protesting because of the uncomfortable words that were coming out of her mouth.

These young peaceful protesters, some of whom who are sitting in the House with us today, put their lives on the line every day. They do the uncomfortable things. If it was not for them then we would not have the understanding in the Australian community about the devastating and serious level of heating on the planet. We would not understand the destruction happening in Tasmania's wet native forests. Those moist native forests keep our regional communities safer when they are left standing. It is the best protection for communities in a heating climate, not a clear-felled, incinerated regrowth forest, a woolly, highly vegetated forest which is an increasing threat under warmer climate.

We have to listen to the young people. We have to elevate them and thank them for the work that they are doing. Instead, this bill seeks to vilify them and lock them up. You cannot lock up enough people on this issue because people will not be silenced.

Instead of defending the big corporates, the Government should defend these peaceful protesters. We fundamentally reject this bill. In the absence of any understanding from the Government of doing that, at the very least the bill needs to be withdrawn and taken to a select committee for full public hearings about the impact and the so-called evidence, which has never been produced, of any harm to workers in the workplace from peaceful protesters.

[5.12 p.m.]

Mrs ALEXANDER (Bass) - Mr Speaker, I will add my thoughts regarding the bill. There have been some interesting points and I enjoyed the debate. I enjoyed listening to the discussions because it all hinges around people's democratic right to express an opinion, to be able to put forward their thoughts, without any oppression or suppression. That is paramount for us to exist as a society and we should encourage that.

From my previous experience prior to coming into politics, work health and safety was critical to the workplaces I worked in. We did a lot of training. I undertook a lot of training around PCBU, or a person conducting a business or undertaking. I knew that as a person responsible for that workplace there were penalties. Changes were made in recent years to the WHS legislation imposing safety obligations on any person who is engaged in that workplace, regardless of their role, title or legal relationship with that business. The PCBU penalties are quite harsh. They can be anywhere between \$600 000 and five years' imprisonment; for a body corporate in the Commonwealth up to \$3 million. Even a PCBU who is an individual can be

asked to pay \$300 000 if they have been found not to have satisfied and looked after the workplace, the employees and caused damage.

There is a raft of measures that impose a lot of penalties on people who run a business or even individuals in the workplace. If it happens that somebody enters a workplace and something results in an accident, damage or mental health or anxiety, whatever results of that unlawful entering in a business, how did that reconcile with the penalties that we seek to apply on a PCBU when an outside act may potentially happen?

This legislation is trying to address that situation when somebody moves away from a normal strike or a peaceful protest and enters a business and may potentially cause injury to workers or other people who happen to be in that workplace. I was listening to discussions previous to that. I have been involved in a number of negotiations with unions and it has always happened in a very orderly fashion. They have applied for the right of entry, have come on site and that is fine because it is regulated, it is legislated and it happens.

What do we do for those instances when somebody decides that they do not want to follow the normal process, they do not want to do what everybody else does, which is a peaceful protest, they decide -

Ms O'Connor - But they are peaceful protests. They are peaceful.

Mr SPEAKER - Order.

Mrs ALEXANDER - What if somebody decides to take it in their own hands, what do we do then?

Ms O'Connor - Charge them with trespass or whatever the law is.

Mr SPEAKER - Order, we are not in Committee.

Mrs ALEXANDER - That is the question we need to ask ourselves. Last year when there were riots in other parts of the world I was wondering what happened with workplaces in those instances. We have been very lucky in Australia and in Tasmania, but how do we ensure we have protection measures to satisfy that? Once we put obligations on the PCBU we also ensure that those workplaces are protected from the outside as well, not only from within.

That is why I am speaking in support of the legislation.

Mr SPEAKER - The question is that the amendment be agreed to.

The House divided -

AYES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

NOES 18

Mrs Alexander (Teller)
Ms Archer
Mr Barnett
Dr Broad
Ms Butler

Ms Dow
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Wood

Amendment negatived.

[5.26 p.m.]

Ms O'CONNOR - Mr Speaker, that was a genuinely surprising vote. We have representatives from across civil society on this island, and indeed, the mainland asking this House to send this draconian, odious piece of legislation to a select committee so, at the very least, it can be examined. What are you afraid of? Are you afraid of hearing from everyday Tasmanians about this bill? Why would you not at the very least, support its referral to a committee?

These organisations represent the broadest possible cross-section of our society. They represent civil society, and I will go through them again: Anglicare Tasmania; TasCOSS; Australian Democracy Network; Bob Brown Foundation; Robin Banks, former anti-discrimination commissioner; Australian Lawyers for Human Rights; Women's Health Tasmania; Community Legal Centres Tasmania; Equality Tasmania; the Human Rights Law Centre; Amnesty International; and The Australian Institute. The Tasmanian Aboriginal Centre also signed on to the letter to you, Mr Speaker, asking this House to refer the police offences amendment bill to a select committee.

But no, it is baffling. We have had handwringing again from Labor on this legislation. We have had handwringing from the Labor independent member for Franklin, Mr O'Byrne. This party, which has been the beneficiary over its entire existence of the right to peaceful protest in this country, has just walked away from civil society saying, 'Hey, stop, whoa, let's have a better look at this'. I would say unbelievable but on current form, it is entirely believable.

On Saturday night, this country smashed the political duopoly. If members of the old parties in this place cannot see what happened on Saturday, then they deserve their fate. We had a teal wave, in inner urban seats in Melbourne and Sydney. We have had a Greens wave, in my old home state of Queensland. We have had the Australian people say it is time for change. The number one issue they want us to tackle is this heating planet that is causing bushfires the likes of which we have never seen in this country, just a few short years ago. Floods over and over again, in northern New South Wales and Queensland. Increasingly, Australians understand the duopoly is not equipped to tackle the greatest existential threat humanity and life on Earth faces.

The Liberal Party of Scott Morrison will never recover. They are now a rubble on the mainland. The Liberal Party will never get back those inner-city seats that have been taken from them by teal independents calling for climate action and integrity - and by us, the Greens. Everything has changed politically. Yes, we have a new government and thank God for that, but it is a narrow-majority Labor Government, in a chamber that now has climate advocates solidly lodged in it - and they are there to stay.

This legislation is the last gasp of corporatist politics that bows down to the forces of destruction and greed. You cannot keep doing this. 'Business as usual' has got us where we are. There is no way any government comprised of Liberal and Labor members is going to be able to arrest its way out of a climate and biodiversity crisis.

Mr Speaker, we had the most wonderful party on Saturday night. It was the best election night party I have ever been to. Do you know what made it so great? It was the kids. There were so many young people at the Greens election night party. These are young people who went out and doorknocked for us, engaged with voters, were there on our street actions, uplifted us, gave us strength, gave us hope. And the joy - I cannot put it into words. The joy and the relief that they felt after the Australian people rejected a coal-kissing Morrison government. They elected a Labor Prime Minister who has at least made some notional nod to climate action and, critically, put people in the parliament who will fight for real climate action and fight for their future.

I listened very carefully to the member for Bass in her contribution a short time ago, and it was quite nuanced, actually. I was expecting something that had been written in the minister's office and more of the same pap we get so often when Government members are given a written speech to prop up a bill. However, I believe there is a misunderstanding that you can make the law more draconian - you can increase penalties and jail terms - and that will somehow fix a problem. But it will not stop people from fighting to defend our forests. It just will not.

For decades, Tasmanians of all demographics, from all walks of life, have stood up for these beautiful carbon-rich forests. At the strike for climate here on the lawns the other day, the well-known and very successful Tasmanian businessman, Anthony Houston, made an extremely powerful speech about his granddaughter, and why he took himself into the Tarkine to bodily defend one of the most beautiful, exquisite, rare places in the universe. Anthony Houston is more than 70 years old, and he was there with the young people demanding change. If Labor rolls over and somehow helps this odious piece of legislation go through the Legislative Council, I guarantee they will feel a bit dirty inside, because they will have betrayed their principles - but also that it will not work.

It will not stop Anthony Houston, or the Forest Defenders from the Bob Brown Foundation, or the Wilderness Society, or Extinction Rebellion because, let us face it, we have nothing to lose anymore. Higher penalties? Whatever. More time in jail? Fine. The planet is cooking and young people know this is urgent. They have nothing left to lose except their future, and they are going to stand up and fight for it, and there will be fundraising. If this odious legislation gets through, because Labor helps it get through, and penalties go up, people will pay those fines. Young people who know that the planet is cooking around them will do time in jail, and that is the issue here. This legislation will not change anything. It will not, Mr Speaker.

Like so many conservationists I am sick and tired of hearing the lies about peaceful, non-violent, direct action. That is exactly what it is. Forest Defenders are rigorously trained in peaceful, non-violent action. I defy any member in this place outside of Dr Woodruff, Ms Johnston and I to come up with an example. It is a lie. It is the same lie we hear when conservationists are accused of tree-spiking. The only cases of tree-spiking that have ever been recorded anywhere have been by loggers. You want to talk about harm to people? As Dr Woodruff pointed out, it is angry, male loggers who have caused harm to conservationists, and violence towards peaceful, non-violent protesters who are all that stands between those incredible forests, and the life that they sustain, and the bulldozers.

Mr Speaker, it simply will not work. If Labor thinks you can amend this bill to fix it they are more deluded than I often think they are.

I will just go back to The Australia Institute's submission - no, I will leave that to my contribution in Committee. I am telling the House this is not going to work. You cannot arrest your way out of a climate and biodiversity crisis.

[5.38 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I rise to make a contribution to the Police Offences Amendment (Workplace Protection) Bill 2022.

To start, I acknowledge the contribution by my colleague, Michelle O'Byrne, when she spoke on this bill a couple of weeks ago and the Labor Party's concerns about this bill, but also in support of workers being able to go to work safely, being safe from risks in their workplace, and their need for the government to do much more to ensure that happens all the time, not just when a workplace is facing the risk of protest activity - which is of course the reason for this bill that we are looking at today.

The history around this issue has gone on for about six to eight years now, with this Government trying to force through legislation. It previously had success in that because of their use of numbers in this place and the other place, but of course that was challenged in the High Court and rejected.

We have seen other iterations over time, usually coming to this place ahead of an election, usually an upper House election to try to use it as a political wedge.

They do not really care about protecting workers. It has never been about supporting those workers to be safe, and to protect them to go to work and be safe at work. If it was, we would have seen reasonable amendments progressed by this Government well before now to achieve those objectives, but we have not.

What we do have before us is a piece of legislation that is a massive backflip by the Liberals from the political piece of legislation they tried to ram through in the past. It has been rejected by the High Court and rejected by us on every occasion, because it went too far. It would have captured people who were protesting for any reason, not just because they were in a work site, locked onto machinery and putting workers at risk. The Government backflip is in acknowledgement of the fact that those previous iterations went too far.

This bill is essentially in a couple of parts. The part that deals primarily with making sure people can be safe at work has our support. We want workers to be safe in their place of

work. We want to make sure that they are able to go home to their families at the end of the day.

The concern that we have is clause 4, in particular. This is the section of the bill that civil society groups have raised concerns about. It goes to the broad reach of this Government. Going too far, capturing those people who are protesting or who might even just be standing on a street. Perhaps a rough sleeper could be captured in this bill. That is why we have concerns and why those civil society groups have concerns. We have repeatedly made this point to the Government in the discussions that we have had. My colleagues in the briefing also raised concerns about clause 4 and our opposition to it.

It is unnecessary for the Government to continue to progress this clause in order to give effect to the intent of the bill; what we understand the intent to be. I reflect on an interjection made by the Attorney-General when my colleague, Michelle O'Byrne, was giving her second reading speech. The Attorney-General said, 'This is about protesters'. We understand this to be about keeping workers safe. That is why we support the amendment that has been moved as part of the police offences amendment bill, not a new bill devised by this Government which repeatedly tried to put it through this House. It did not have our support.

The amendment before us to the Police Offences Act is to make sure that workers can be safe at work and protected against the risk of somebody locking onto their machinery, for instance. The Labor Party supports that. What we do not think is necessary is clause 4 of this bill, which is the public annoyance provision. It is not necessary for the Government to continue to pursue this section of the bill in order to give effect to the other changes that we do support.

My colleague also flagged an amendment that we will be moving, which is to ensure that any industrial activity undertaken by a union is not captured in this bill, whether it is protected or otherwise. We think that is vitally important. It was again raised with the minister in his office in the briefings, and also something that was previously provided for in the iteration of the bill parliament has debated in the past, where there was a specific carve-out for industrial activity undertaken by unions.

We are surprised to see that it is no longer identified in this bill. We have drafted an amendment. I am sure the minister has seen it because it went through OPC. That goes through you, Mr Speaker. We hope it can make very clear that any activity undertaken by unions, protected or otherwise, will not be captured by this bill.

Other laws deal with those types of activities. It is appropriate that they remain dealt with in that way and not within this bill. When we get to the Committee stage we will be moving that amendment. We do not support clause 4 of this bill. We do not think it is necessary because we are concerned about the broad reach that it could have and the unintended consequences. We have not been provided with satisfactory responses from the Government that it will not be used in a way that we are not intending it to be. Perhaps we would have more faith that it would not be used in that way if we had not had the argument about this bill go on for six or seven or eight years now.

Because it has dragged on, and the intention from the Government has always been particularly punitive and they have failed to listen to reason, we are right to be sceptical. We have every right to be hesitant to think that it will not be used in a way that could be detrimental

to people who are peacefully protesting in the street or people who might be blocking a business because they are on a footpath. That is why it is not necessary. If it is the Government's intention is to keep workers safe, then this clause is not required.

A number of submissions were made. My observation of this process is that the Government did not listen to those submissions particularly well. A draft bill was let out for public consultation. Submissions were invited on that. Submissions were received. Within a couple of days of receiving those submissions, this bill was tabled in this House.

I would have thought that lessons would have been learned by this Government that they would at least give the appearance of listening to the feedback provided through such a process and make adjustments to the bill based on the submissions received.

Unfortunately, that did not happen. Maybe the minister can explain why that process was so quick. There is no urgency from the Government to get the bill progressed through this House. It beggars belief that it was needed to be done so fast. I understand that we will not get into the Committee stages of the bill today.

My understanding is the Government will adjourn at the end of contributions made on the second reading, which means, given it is Budget week this week and then we go into the budget processes over the course of the next few weeks, we may not deal with this bill before the winter recess. Why was there such urgency to table a bill after you had only had the submissions for a couple of days?

One of those submissions was from Unions Tasmania. My colleague, Michelle O'Byrne, has spoken about this in her contribution. I reiterate the two broad comments they made about this legislation after identifying that they will always maintain the position that they -

do not support protest activity that endangers the lives or safety of our members at work, either because they stand to be injured themselves or they risk injuring someone else because of a dangerous protest activity. All workers deserve a safe workplace.

The two broad comments about this legislation they also made in their submission which my colleague has already spoken about are that amendments to section 13 to create an offence of public annoyance do not appear to target protest activity or workplace safety and therefore they consider it unnecessary. They would like the specific exemption to trade union activity provided in this bill as it was in previous iterations.

We will be moving an amendment to give effect to that. I have already outlined that we do not support clause 4.

Other submissions the Government was able to accommodate more swiftly. The letter from Unions Tasmania was sent on 13 April. I note the Police Association wrote to the minister later than that - I think it was 2 May. Some of the issues they identified were incorporated in the final draft of the bill, so it is surprising that the Unions Tasmania submission does not appear to be considered, particularly when this bill was supposedly about safety of workers in their workplace. I would have thought that unions, which represent those workers, would have been considered by this Government if they really are true about the intent of such legislation.

Further to that I have also spoken to some of the major employers in Tasmania, some of those major industries that are feeling concerned about protest activity that is occurring in their workplaces and the impact that is having on their employees and the safety of their workforce. They welcome the fact that the Government has finally come to this parliament with something that might actually work. They welcome the fact that the Government has listened to them and has stopped politicising an issue as serious as workers' safety. They are very keen to see the Government finally do something to support them and workers who are working in those industries that are under attack some of the time by people who are very reckless in their activity, locking on to machinery, putting themselves and workers at risk.

There are other things the Government could also be doing to protect those workers and that is properly resourcing WorkSafe Tasmania to make sure that they can follow up on concerns that are raised either by workers or by employers about incidents that occur in the workplace. That is something we have raised in the past many times. Worksafe Tasmania needs to have better resourcing because they are not able to respond to all the notifications that they receive.

To wrap up, one of the things I would like to say goes to the comments made by Mr O'Byrne. It is true that we will continue to progress these amendments in the upper House if we are unsuccessful here. From talking to colleagues in the upper House, our view is that the Government will not have support for clause 4 in that place. The Government will struggle to progress a bill of this nature unless it negotiates and compromises. I hope that after so many failed attempts by this Government to progress protections for workers, to keep them safe at work, that they will see sense and come back to the table to work with us to get an effective outcome. I know the industry desperately wants to see that outcome achieved. We want that outcome achieved to protect workers so that they are safe in their place of work.

I respect that all members in this House might have to have a bit of faith that we can achieve that outcome. I am confident that we will be able to achieve that outcome. I am confident that we will be able to achieve that because, at the end of the day, I think all of us can agree that if someone goes to work, they deserve to go home safely. It should be a fundamental right. We need to be able to finally get legislation through this place that helps achieve that outcome but that in of itself is not enough. That is where WorkSafe Tasmania resourcing becomes critical in the support for the endeavours of this Government; secure work so that workers are not stressed in casualised employment, unable to speak up about workplace risks that they see because they are fearful of ongoing employment being maintained. Secure jobs become fundamental, as well as making sure that we see other provisions progressed by this Government if they are serious about protecting worker safety, such as industrial manslaughter legislation.

Let us make sure we do everything we can to protect workers to be safe at work, not just bits and pieces like this. It really has been a political agenda driven by this Government which they have used to wedge political parties. It has never been about protecting the interests of workers. If they really are serious about getting the job done, come to the table, negotiate with us around the amendments that we are proposing, and the concerns that we have to remove those issues so we can keep workers safe at work.

[5.55 p.m.]

Dr BROAD (Braddon) - Mr Speaker, I rise to comment on the Police Offences Amendment (Workplace Protection) Bill 2022. This is a rather different beast than we have

seen in this parliament time and time again: a piece of legislation that is designed purely for political purposes - a wedge, as my colleague, Ms White, has just outlined - rather than something that does what it pretends to set out to do, which is workplace protection.

The only place in this bill where protesters are mentioned is right at the end on page 11 where the Workplace (Protection from Protesters) Act 2014 is repealed.

What we are dealing with here is, first, a massive backflip. It is a concession. It had been proven to be an unconstitutional act and instead of trying to resuscitate it with dodgy political amendments, it has finally been thrown out, which is what should have been done in the first place. What we are dealing with here is not protests themselves, but the actions of people who may or may not be protesting.

We heard Dr Woodruff and Ms O'Connor talk about 'peaceful protests', but I believe Dr Woodruff belled the cat in her contribution when, only half an hour ago, she talked of 'protesters putting their lives on the line'. That is exactly the issue that we need to be addressing here. We do not want protesters putting their lives on the line. We do not want protesters putting workers in danger either,

Dr Woodruff - What do you think federal government decisions about climate inaction are doing? They are putting all of our lives on the line.

Mr SPEAKER - Order.

Dr BROAD - A lot of the issues in this bill have already been canvassed by my colleagues Ms White and Ms O'Byrne so I will not go over them.

I would like to talk about clause 5(2AB):

Despite subsections (2), (2A) and (2AA), if the court that convicts a natural person of an offence under this section is satisfied that the person, by or while committing the offence -

- (a) caused, directly or indirectly, a serious risk to the safety of the person or another person; or
- (b) took an action that caused, directly or indirectly, a serious risk to the safety of the person or another person -

the person is -

- (c) liable to a penalty not exceeding 75 penalty units or imprisonment for a term not exceeding 18 months; or
- (d) if the person has previously been convicted of an offence to which this subsection applies ...

That is, putting somebody or themselves at risk, then they are:

... liable to a penalty not exceeding 125 penalty units or imprisonment for a term not exceeding 30 months

Again, there is a provision for body corporates that are similar. This is about putting people at risk.

We have heard that these are peaceful protests. What possible harm could come to workers? For a start, if workers are involved in trying to, and this includes police, remove people who have chained themselves to various things or in tree-sits or have locked onto machinery, that is inherently dangerous. Also, what are the potential mental health impacts of a worker, stressed, witnessing people running into a workplace and undertaking something that is inherently dangerous?

I will give some examples. I have had direct discussions with workers who have told me about these incidents that have absolutely stressed them. I find it remarkable that we have not seen a protester seriously injured or killed from doing things like running into Ta Ann and locking onto the rotary peeler. The operator of rotary peeler had to dive for the off switch, otherwise there could have been a potentially catastrophic injury to that protester. Imagine the worker who has gone to work to earn a day's pay at a place like Ta Ann, maybe he is a young guy with a young family, and suddenly sees a protester being caught up in a rotary peeler. He managed to hit the kill switch and we did not see a catastrophic incident. Then the protesters locked on and then had to be removed. Imagine if that had gone in a different way. If someone had suffered a catastrophic injury, imagine the impact on that worker, not only immediately, but for the rest of their lives. Imagine thinking, 'If only I had got to that switch a few seconds earlier, that person would not have died'.

There are other instances that I have been informed of, and indeed, have spoken directly with people about their experiences - such as an excavator operator swinging a boom and finding that people have run out of the bush and jumped onto the moving excavator and locked on. What if they had not seen that protester in time and hit them with the excavator, or they became crushed in a pinch point between an excavator and a log - or who knows what else could happen? Pretending that is harmless? Well, that is putting people at serious risk.

I also heard of a particular instance where a fully laden truck and trailer - a semi and a trailer - were going down Helilog Road and saw a protester jumping out onto the road to stop that truck. The truck driver locked up the truck. We are talking about a semi-trailer with a trailer locking up on a dirt road. This driver did whatever they could and did not run over that protester - but from all accounts it was close - only to see the protester go in between the trailer and the truck and lock on. Imagine if that road was just a little bit slipperier and the protester went under a truck. Imagine the mental health impact on that truck driver. That truck driver was impacted by that incident. He was very stressed by it. He felt like he had almost killed someone that day. This is not something that is peaceful. This is not a peaceful act.

I have talked in the past about seeing pictures of protesters in tree-sits on lone trees in the middle of a logging coupe, knowing that tree does not have the protection of trees around it and is very vulnerable. Root systems in trees like that are not extensive. If a gust of wind comes along, that tree can come over. I have seen it myself in logging coupes where areas have been logged: trees that are unprotected by other trees fall over after a gust of wind. I have seen that happen on our farm. Imagine this photo with the protester sitting proudly in a tree-

sit having an unexpected gust of wind blow that tree over. That is inherently dangerous. They should not do stuff like that.

We have even seen members of this House doing acts that are inherently dangerous - unfurling banners, standing on top of loose log piles. If you go to a logging coupe and put on high-visibility gear - the helmet and all the gear these protesters a lot of the time do not wear - you are instructed to remain some distance from log piles because they are unsecure. Those log piles can move. People can get crushed. Yet we are constantly seeing even members of this House, Ms O'Connor, on a log pile unfurling a banner. That is inherently dangerous.

The last thing we want is for workers to go to a worksite and have to put themselves at risk - and this includes the police - to remove people putting themselves in a dangerous situation or indeed, people putting themselves in a dangerous situation.

This section is important because it will stop the likes of this inherently dangerous activity that Dr Woodruff and Ms O'Connor are keen to defend. Indeed, calling it out: protesters are putting their lives on the line. We do not want to see that. We do not want to see them putting their lives on the line. We do not want them putting workers' lives on the line. We do not want workers to have to witness what could be horrific accidents.

This legislation is much improved on the previous political attempts to wedge, or to fix up something that should have been binned.

When you have legislation that the High Court throws out, you think you would want to start again instead of making political attempts to resurrect it.

Indeed, the timing - which has been discussed in the past - of the last iteration, the last time it was tried to be amended, we sat late because it was an emergency. We had to suspend standing orders to debate the bill. We debated late into the evening - and then they sat on it for nearly 12 months and only brought it back into the upper House a couple of days before the last election was called.

The industries affected by this, and that are wanting to see action on workplace protection, saw through it as well. The politics was obvious to everybody. It was obvious to the logging industry, to the mining industry, to people like the TMEC, that the Government was simply using this as a political wedge, instead of trying to work with us and solve a problem.

We said all along that the Government needs to work with us. We suggested things like aggravated trespass, as other states have done, and this bill reflects those suggestions. At last, after years of petty politicking and wedge politics, the Government has actually listened. Rather than creating something new, they are better off amending something that exists - the Police Offences Act - which this does. Police know their Police Offences Act, they know how to operate it. So rather than having something sitting outside the Police Offences Act, it is much more sensible to amend the Police Offences Act, which the Government has done. Thank you for listening, but it is typical of this Government that they have only listened after they have exhausted every other avenue - but the industry wants to see this.

I will also comment briefly on how this also brings in mineral tenements, which are not necessarily considered to be private land, and so will not be subject to trespass laws. Bringing

in mineral tenements will make it very clear that if people are invading mineral tenements or mining operations - again, putting themselves in danger - they will not be able to argue that they are not trespassing because it is public land, or some other tenure. It is good that mineral tenements are also brought into this to make that clarification, as if someone was trespassing on private land. That is a good move.

We have to be clear what is actually happening with some of the protest action in Tasmania. It is a lot to do with fund-raising, and with ignoring Tasmania's amazing efforts in being a jurisdiction in which half our state is in reservation - where we are net zero carbon emitters and we are powered by renewable energy.

We have those three big ticks, and yet we hear constantly that Tasmania is woeful when it comes to our environmental performance; woeful when it comes to our position on carbon emissions, as if we are laggards. We are not. We are ahead of just about every jurisdiction in the world. We should be getting credit for that. The Greens should be shouting from the clouds that you should be coming to Tasmania to invest because half our state is in reservation, and we are net zero carbon emitters powered by renewable energy. This should be a place on the map where greens the world over are pointing to and saying 'Invest there'. Instead, what we hear is the rhetoric in Melbourne and Sydney as though the last tree is about to be cut down, like the last piece of ground is about to be turned over, when that could not be further from the truth.

In fact, I would argue if greens of the world were pointing to Tasmania and saying invest there, and the greens of the world were trying to make Tasmania the tiger economy of the renewable world, then that would push other jurisdictions to do exactly what we have done to be net zero carbon emitters to protect large swathes of our state. That would drive change. Instead, the last tree is about to be cut down. The last piece of dirt is about to be turned over. It is further from the truth. Our environmental performance in Tasmania on just about any measure outstrips other jurisdictions. We should be proud of that, not ashamed of it.

If people want to protest, they can do it in a way that does not put themselves in danger, and does not potentially impact workers and workplaces.

Given the qualifications that Ms White and Ms O'Byrne have already highlighted, the rest of this bill does actually make workplaces safer. I think this is a move forward, and I only wish that we had been here some years ago.

[6.10 p.m.]

Ms JOHNSTON (Clark) - Mr Deputy Speaker, like many of us in the room tonight, over the weekend we spent some time reflecting on what the federal election result meant. As an Independent, I took great joy to see the number of Independents elected to the parliament for the first time. The crossbench more than doubled in size. Reflecting on why that might be, I looked at their campaigns and considered the importance of community voice, particularly for those in the teal independent seats and in the Greens landslide in Queensland where some commentators talked about the very local issues that those Greens candidates responded to.

For me it was about the power of community voice and participation in democratic processes. It is with sadness that I see today, following a great outcome on the weekend where we saw the dismissal of the Morrison Liberal government and hopefully the rise of

independents and a more collaborative approach to politics, we are debating a bill which curtails that community voice and limits people's participation in political debate.

I am yet to meet a person who wants to get their point across by causing someone harm. My experience of those protesting is that they are taking action to protect something, rather than wanting to cause harm. They are wanting to protect people, places or environments. There are already laws in place to deal with the occasions where there might be violent protest or where harm is caused.

With this bill, the politics of the issue are being beaten up to create a problem where there is none. It suits the parties to create an environment of us and them. We have already heard a number of members talking about the wedging of Government and Opposition around this issue, trying to get gotcha moments. We are seeing the politicisation of this issue to the detriment of the community, in particular, the most vulnerable in the community.

This is bad law. It is so incredibly broad in nature. I have a range of concerns and they come down to four basic categories. They particularly relate to clause 5 of the bill about public annoyance, but also the other sections regarding trespass. I am particularly concerned about the impact of the right to protest. I will refer a bit later in my contribution to some of the examples of protests that could potentially be captured by this draconian bill. I am particularly concerned about the impact on vulnerable people, particularly those who are homeless and who occupy public space. I will draw on some examples of that from people who have contributed discussion on this bill. I am concerned about the impact on young people who frequent public places and their vulnerability in those public places where they gather to socialise or participate in activities.

I had the pleasure of participating last week in a forum ahead of the National Planning Conference where we talked about the use and activation of public spaces to create opportunities for engagement for liveable communities. When I was on the panel and contributing, it crossed my mind that this particular bill could have an impact on creating liveable and engaging communities, as well. It will potentially impact on what I call guerrilla activation of public spaces, those high living impromptu activations where community comes together to express themselves in public spaces, where community groups can claim public spaces for communities. We are talking about things like flash mobs, pop-up ventures and things like that; occupations of public space to create a common good.

These could be captured by section 5 of the bill and the creation of public annoyance. There is no comfort for me in some generic assurances that the law will not be implemented literally. I want to talk about some of the concerns I have about some of the language.

I firmly believe it is unreasonable for a person not to know if their conduct is unlawful. This bill creates uncertainty about people's legitimate activities in public spaces, activities that we may even want to encourage and promote in public spaces, that people will be frightened off from participating.

I want to take a moment to read some of the contributions of those who have made submissions on the draft bill.

The first one I will refer to is a submission from the Australian Lawyers Alliance. I want to read it into *Hansard* because it is important that future generations reflect upon some of the discussions and concerns people had at the time. The alliance said -

The inclusion of paragraph (ea) ...

which is the creation of a new category or class of nuisance, public annoyance -

... would, however, introduce the open concept of unreasonableness in the obstruction.

Where conduct is "unreasonable" is typically interpreted by courts to involve a value judgment requiring consideration of all the relevant circumstances of the case.

It is undesirable for a person not to know whether or not their intended conduct amounts to an offence until after they are charged and a court has reached a decision about the "reasonableness" of conduct.

TasCOSS's submission talks about the broad nature of what these provisions will provide. They talk about the use of public spaces and the concern about a restriction of uses of public spaces. They talk about the proposed amendments to section 13. For example, they say:

... this subsection could be used to criminalise the use of public spaces such as footpaths by people experiencing homelessness or sleeping rough.

Although the fact sheet states that the new offence does not "prevent permitted activities on the streets", we are concerned about the potential for broad interpretation of the provision.

Again, uncertainty is created and people who are in the most vulnerable situations may find themselves inadvertently in breach of the law.

The contribution and submission from Community Legal Centres Tasmania talks about the broadness of this bill and how it could have a chilling effect on the right to peaceful protest. It says:

In our opinion, the proposed amendment is likely to have a chilling effect on the right to peaceful protest, particularly spontaneous protests that occur without a police permit, with some members of the community unlikely to protest for fear of being charged.

Later in the submission they say:

It is likely that a protester handing out leaflets outside a bottle shop or supermarket, calling for a boycott of Russian vodka/caviar will be captured by the proposed amendment; or a person or group of people protesting outside a business that has been underpaying employees or has unsafe work conditions. Both of these examples are likely to meet the dictionary

definition of 'interrupt, make difficult or oppose the passage, progress, course et cetera'.

They also agree with TasCOSS -

... the broad wording of a proposed offence may lead to unintended consequences, including a risk that the homeless are charged with begging or sleeping rough.

If we cast our thoughts back to the way the federal election was conducted and the campaign over the past six weeks, the number of people who were out on the streets wanting to talk and engage in politics, engage in discussion and democracy, handing out pamphlets and information are the kinds of activities we want to encourage. We want to encourage people to engage in the political process and to think about the issues of the day. This bill potentially captures them and could be in the future used to prevent that kind of activity.

The submission from The Australian Institute, again, also highlights the generic, very broad nature of the bill. It says:

In the new type of public annoyance, the phrase 'unreasonably and obstruct' and 'obstructing the use of any street' means that police will have broad discretion to arrest protesters for conduct as innocuous as holding up a placard at Salamanca Market. In creating a new aggravated type of trespass, the word 'indirectly' means that protesters could be held responsible for a broad array of conduct which is a cause to a risk to another's safety no matter how remote.

Again, I raise concerns that this bill will create the potential for people to find themselves foul of the law for conduct that they cannot possibly or reasonably, have known would be unlawful. That causes me great concern.

I note that some people in this House have contributed and referred to the advertisement in today's paper. I believe it is informative that there are so many great organisations that represent some of the most vulnerable people in our community, from the most vulnerable places and environments in our community, who stand up for those people and that they felt the need to take out a full-page ad in today's paper in response to this bill.

I note that the Speaker received a letter dated Thursday 5 May from those organisations. I will read them out because it is important for *Hansard*: the Human Rights Law Centre, the Tasmanian Council of Social Services, The Australian Institute, the Tasmanian Aboriginal Centre, Community Legal Centre Tasmania and the Australian Democracy Network have all come together to express grave concern about the overreach of this bill.

It should be a massive red flag to people in this place that those highly respected organisations have taken such efforts to raise their concerns. Not only have they made submissions to the draft bill, they have written to every member of this House. They have taken out a full-page ad in today's *Mercury* because they are so concerned. I will read out the contribution because it is important as a moment in history and I fear how this debate might go. I want future generations to see that some of us in this place have heard those concerns. They write:

Dear Members of the Tasmanian House of Assembly,

The undersigned organisations write to express our serious concern that the Police Offences Amendment (Workplace Protections) Bill 2022 (POA) bill now before the Tasmanian Parliament.

We note that the current version of the POA bill is an improvement on prior iterations and acknowledges some of the concerns previously raised by civil society have been addressed.

However, we remain deeply troubled by aspects of the draft law. The POA bill is an unnecessary piece of legislation. The issues sought to be addressed by this draft law are already adequately dealt with by existing offences and police powers. The increase in penalties and the harsh aggravated offences are disproportionate and unjustified by any clear and expiated need.

We are particularly concerned by the potential chilling affect these provisions if enacted will have on the fundamental democratic freedom to protest. Any laws that threaten to chill that freedom must be necessary, proportionate and subject to sufficient safeguards and oversight.

The POA bill does not meet this criteria. The vagueness of the proposed new public nuisance offence, for example, will deter peaceful protestors across a range of issues, especially given the more than three-fold increase in penalties. It will also have unintended consequences, including, by potentially criminalising homelessness.

The people of Tasmania and Australia more generally have a long and proud history of using protest to drive enduring social change. Some of the most significant reforms of the past century that we hold dear today have come about as a result of protest activity. The Salamanca protest that resulted in decriminalisation of homosexuality and the Franklin River protest that protected what is now an iconic tourist drawcard to the state are two examples of activity that could be outlawed if this bill became law.

Earlier this year, union members took to the streets in Launceston to protest insecure labour conditions at the local Centrelink office, something that might have constituted an unreasonable obstruction and hence been unlawful under the POA bill.

We also note that public protest is critical to the advance made by the Aboriginal community in the last half century. Without public protest there would have been no Royal Commission into Aboriginal deaths in custody, and no reforms of Tasmanian law to remove discriminatory provisions. And for a community without easy access to public media, public protest is one Tasmanian Aboriginal communities' very few avenues for seeking law reform to protect their interests.

It is disingenuous for the Tasmanian Government to claim that it will not put in place anything that will limit lawful protesting. This POA bill does just that.

The High Court struck down a previous Tasmanian anti-protest law on the grounds that it breached the implied constitutional of freedom of political communication.

Without further amendments there is a very real risk that this bill might face the same fate. In our view the POA bill should be withdrawn. At the very least, we urge the Tasmanian Government to refer the POA bill to Committee for further consideration with a view to implementing amendments that would address these concerns.

Kind regards, the afore mentioned organisations.

We have already seen an attempt to refer this bill to Committee, be defeated, sadly, by this House. Surely, we can see that these concerns raised by these organisations are valid. They are real. They are there standing up once again, to defend some of the most vulnerable people, places and environments in our community.

I understand that there will be a number of amendments, but I we cannot amend this bill enough. It is a bad bill. It needs to be rejected outright.

We have a job to do here, and I do not want to see members of this place leave it to the Legislative Council, to clean up our mess. We can sort this out right here, right now, by rejecting this bad bill, this bill that has potential to cause harm, ensuring that people who are most vulnerable in our community face the risk of being charged for occupying public spaces, for people to be engaging in what they think is lawful conduct, only then later on find out that it is not lawful conduct. We have a responsibility. I do not want to see us abrogate that responsibility and leave it to the Legislative Council, as has occurred previously, to try and sort out a mess. We can do that now by rejecting this bill.

I thank the organisations that have spoken out to protect vulnerable Tasmanians, places and environments. I hope that what they have said does not fall on deaf ears.

[6.28 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, in 2014 the Liberal Government came to office and it started its attack on the rights of citizens to represent their community and their views through peaceful protest. It was their first attack on democracy in Tasmania. What is really tragic, is this fourth attempt by the Liberals in government to shut down peaceful protest in Tasmania, and, in this, its fourth attempt, it has Labor supporting it.

That is really very tragic for people who hold a flag to Labor's history of standing up for the right to protest. Many people who are members of or who vote for the Greens once voted Labor. This would have been one of the many core issues that people may have believed was a rock-solid principle that Labor would never back away from.

Their support through special carve-outs that they are seeking in this bill for certain types of workers, and certain types of places does so much harm - and even more harm to themselves as a party.

I note Labor has struggled terribly in Tasmania, and the evidence in the election on the weekend speaks for itself. The Greens had a swing in every seat across the state, and that is because what this federal election showed Australians, and Tasmanians, is that the Greens and the teal independents were the only people who were speaking for meaningful climate action. We are the only members of the federal parliament who will demand an ICAC. We are the only members of federal parliament who will make sure that equality is real, and not just a talking point in a federal election media event.

The Greens here today understand what the cultural context for this bill is. People who are watching need to understand the history of this bill. This is the fourth time. In 2014, when the first attempt was made, it was an offence to hinder or obstruct the carrying out of business activity on a business premises or a business access area. That bill was found to be far too great a burden on the right to political communication and the right to free association that our Australian Constitution provides us. It was struck down by the High Court in the case that Bob Brown and Jessica Hoyt took on behalf of not just Tasmanians, but all Australians who want to have the right to protest.

In 2019 the Government had another go. It was more of the same, with some slight variations, and that was rushed through as the very last bill before Christmas in 2019. The then premier, Will Hodgman, made the argument for gagging substantive debate on the bill in the committee stage - his reason being that it was an incredibly urgent bill and it had to be pushed through parliament.

It did not get past the upper House. It did not get onto the books in the upper House, because the Liberals up there made sure it did not see the light of the day. It had already served its purpose. Its purpose was to do what this bill is seeking to do. It was to signal to members of the community who want to be confident that the Liberals in government are still standing up for relentless clear-felling and burning of our native forests. They want to make sure that this Liberal Government - especially its Braddon members - are still standing up for Chinese-owned MMG in their attempts to expand a toxic tailings dam into the beautiful incredibly world-outstanding temperate rainforest of Tarkine, a place that has masked owls and Huon Pine reserves that have just recently been discovered, and other animals and plants that are critically endangered or threatened.

The people this bill speaks to would love to continue to support this destructive proposed mining operation because they are fed a lie, by the Liberals in government, that it is required - that it is going to generate wealth for Tasmanians, and that this sort of destruction that is being imposed on our natural places can somehow just be fixed up. The word 'remediated' is a euphemism for unalterable damage to natural places. You cannot put back a Huon Pine stand and the other Gondwana relics in those areas that have been there for thousands of years. You cannot just put them back together again.

This Government is happy to sacrifice our natural places, our Gondwanan wilderness areas, for virtue signalling to people in the northern electorates - to people in Tasmania who are comfortable with seeing people who stand up for wild places as dangerous, and threatening. Look at those left in the Chamber - there are a couple of them left; the others have gone to have

a break, and fair enough, because it is getting late in the evening. They are doing the job every single day of defending our wild places. Most of those people are young - often, young women.

Looking back at the history of some of the people who have stood up and been arrested in Tasmania, they are young people who have put their lives and their hearts on the line to look after places that cannot be replaced - treasures that will never be seen again if they are mowed down, turned into woodchips, put on the back of a trailer, shipped overseas and turned into pulp. These priceless treasures cannot be replaced.

Some of the people I want to talk about are those like Miranda Gibson, who helped save the Tyenna forests, which culminated in World Heritage protection for that incredible area. She spent 449 days up the top of a tree, by herself. It was the longest tree sit in Australia. Miranda Gibson was in her early twenties, a woman. She did not grow up protesting in forests. She had not been into a forest until not long before. When she finally did see the old-growth forest she decided it was so important that she was prepared to spend 449 days up the top of a tree. Her choice, Dr Broad, her choice to make about whether she puts her life in that position.

The Weld Angel - young Allanna Beltran, also 22 years old, who successfully blocked access to the Weld area and stood on a five-metre-high tripod. I spent time up there and she created an image of the Weld Angel that went right around the world, and right into people's hearts. It was the beauty of a young woman dressed as an angel in the forest that spoke to people about how special these places are, these carbon-rich irreplaceable forests - moist, wet, forests that we need now more than ever in a rapidly heating climate world.

I also pay my respects to the people who have gone back into forests when they have not been saved. It is not all good news stories. Without the relentless leadership of Jenny Weber, who is sitting here in the Chamber, we would not have had the endless defence of the Tarkine. In May - this time last year - the forests had been defended against the MMG Company by 300 defenders at that point, for 142 days. That camp and the positive, peaceful, respectful energy of people in that camp was under the leadership of people like Jenny Weber and Scott Jordan - great Tarkine defenders, great Tasmanian defenders of wild places.

There have been so many others around the state, and there will continue to be others, because they are building on a history of people in Tasmania, and around Australia, who understand why peaceful protest has to be defended. Those people include anybody who protested against the Vietnam War. We still have some in our communities today, and I walked with some of them at the Anzac ceremony earlier this year who are so damaged from that war. We had protests that were more than intemperate, definitely risky. People put their lives on the line to try to stop that war. They did it then and they will do it again.

If it was not for protests, we would not have the beautiful Franklin wilderness. We would not have saved Wesley Vale from a pulp mill or Ralphs Bay from a marina. We would not have the Westbury Reserve, which ought to go back to being a permanently protected conservation area like it should have been in the first place instead of being the site for a northern prison.

Forest defenders have saved forests in the Styx and the Weld in the Florentine and the takayna. Fisher folk and forest defenders together have protested against the Liberal attempts to privatise and excise parts of the World Heritage Area like Halls Island in Lake Malbena. They went there and will continue to go there. People who were on the *Sea Shepherd*:

wonderful people have taken to the seas defending marine environments, wild creatures from illegal whaling and illegal fishing.

We celebrated the 50th anniversary of the decriminalisation of homosexuality only two weeks ago and remembered the protests in Salamanca where gay men protested against the stigmatisation and the attacks and the criminalisation of LGBTI people. They will do it again, just as people have stood up peacefully against the vile divisive campaign of people who seek to demonise trans Tasmanians and trans Australians.

This bill was rejected by the High Court in 2014. It was widely understood to be unconstitutional in the second version in 2019. The third version, which the Liberals brought out in 2021, was also widely considered to have even more broad powers of arrest and harsher penalties. There are no surprises that it is not the bill we are debating here today.

Instead, the Liberals have taken an approach that Mr Fabiano Cangelosi, a member of the Labor Party, has also suggested to carve out special protections for certain sorts of workers, unions in sanctified, comfortable, nice little protests with placards that maybe do not make people feel very uncomfortable. Organisations like the Bob Brown Foundation, or organisation networks like Extinction Rebellion understand what we are up against. They understand the urgency of change that is required. They understand the severity of not acting strongly now.

If we have any opportunity to wind back the accelerating climate heating that is happening, it requires us to get uncomfortable. It requires us to do things that we do not feel comfortable doing and that others do not necessarily want to hear. That means shaking things up a little bit. Shaking things up a little bit is by its very nature, making people feel uncomfortable. That is the price we pay because bills like this are trying to make people go away, we are trying to criminalise people who are making legitimate statements about reality. We have to retain our native forests. We cannot continue to chop them down. There is no discussion about this anymore.

Ms O'Connor - Not for the scientists or young people.

Dr WOODRUFF - Exactly, because the science is abundantly clear. We only have a negative carbon emissions because of the Tasmanian Forestry Agreement. It was written in a lot of detail in a paper by Mackay and Lindenmayer only a couple of weeks ago. We knew it to be the case because we can see the reducing emissions from Tasmania after the forestry agreement was signed. The scientists have the evidence and that is very clear.

Ms O'Connor - After decades of peaceful protests to protect the forests.

Dr WOODRUFF - Thank you, Ms O'Connor. We have no discussion about ending native forest logging if you look at the climate science or biodiversity and the need to retain habitat for critically endangered, threatened, and rare species that cannot live anywhere else. We must have the connectivity of our forests, our woodlands, grasslands. These are places that need to be protected and connected. That is what peaceful protesters in forests are seeking to do.

I want to make some comments about Dr Broad's words earlier. He is perpetuating the lies, false claims and exaggerations that the Liberals have used to justify bringing this bill into the Chamber today. That is the false claims that protesters are causing harm and putting people

at risk in the workplace. That is not true. There has never been any evidence presented for that falsehood. Dr Broad should come in here because he has misled the House. He told the story of a protester who locked onto machinery while a peeler was running. He told the mistruth that the machine operator was required to shut down the machinery after the person had locked on, and it caused them a great deal of harm and emotional trauma as a result of that. That is a complete falsehood.

The peeler machine was shut down before the protester locked onto the machinery. Standard practice for all peaceful protesters is that machinery is stationary and shut down before anyone gets on it. People are careful and take mitigated risks. It is a person's right to make a decision about the risks they take every day. We all do that.

Everyone in this Chamber will get in a car and drive home. A person died just yesterday in a car accident. We have one of Australia's worst rates of car accidents at the moment. Every single person in this Chamber gets in a car. Getting in a car is probably the most dangerous thing we will all do in our lives, yet we keep doing it. It is our right to make a decision about how we manage ourselves and the sort of risks that we take.

Dr Broad is repeating the falsehood that there is evidence of harm to workers. Nothing has been presented and there is no evidence of harm because peaceful protesters make a great virtue and are very serious about non-violent protest. It is a core principle of the Bob Brown Foundation and the other organisations that non-violence must be the way that protest is conducted. It is the only way that protest can be conducted because it sends a powerful message that violence can be done by others - by corporations to the planet and you cannot meet that violence that has been done to the planet with violence yourself so peaceful protest is the core principle.

Dr Broad needs to come in here because he has misled the House and he said that protesters are inherently dangerous. Native forest logging is inherently dangerous. Native forest logging is heating the atmosphere by releasing carbon and by the burning of the forests the incineration that occurs after the logging occurs so that is inherently dangerous. They are the sorts of activities that we need to focus our attention on. We need to think about the future for our children and think about the world that we are creating by the policies that we have.

I want to finish with a reminder to the Chamber that this bill that we have before us has not been supported by the most significant peak bodies in Tasmania. They are not a little bit uncomfortable with it and they are not just a little bit unhappy with the details. They utterly reject the bill. They think it sucks. It is an appalling bill. There has never been a more disgusting bill and I cannot remember when I have seen this group of peak bodies put their energy and money and very limited resources into a full-page *Mercury* ad. It is not what they do, and they do not speak out that way about legislation.

How Labor can pretend to themselves that the carve-out that they are doing is going to satisfy the concerns that these organisations have, I have no idea because the organisations were extremely clear that it is much more than the simple matters that Ms White referred to that they are concerned about. It is the general right to protest which is being curtailed by this bill. TasCOSS in their submission notes that:

... the bill seeks to introduce particularly harsh penalties for offences which are poorly defined and could potentially be applied to encompass a wide range of activities and circumstances.

Many stakeholders, including TasCOSS have already raised concerns about the potential chilling effect of this type of legislation which could easily result in confusion and concern about whether legitimate protest activities are lawful.

Let no one in Labor kid themselves. These community organisations do not support the bill and they do not support the clauses which Labor has not flagged having any problems with. In fact, they are quite clear that there ought to be community consultation about the supposed real underlying concerns that this bill seeks to address. It is abundantly clear from the unclear language and the extremely disproportionate penalties that this bill is actually a bill to rein in the Bob Brown Foundation. That is really what it is. It should be called the 'Rein in Bob Bill' instead of the protection for workplace protesters. This is actually about Bob Brown and their foundation and the forest offenders who are utterly effective at holding this Government and its activities to account, and in standing up and looking after our wild places.

Organisations like the Bob Brown Foundation have catalysed young and old people: catalysed people who are otherwise riven with climate anxiety and solastalgia. It has given those people a focus. Their organisation channels people's anxiety and depression into meaningful and hopeful action.

It is hopeful to have the support of the majority of Australians behind us in our fight to protect Tasmania's wild places. It is abundantly clear from the federal election, that this Liberal Government's - backed by Labor - continued push against peaceful protesters is on a hiding to nothing. Australians have spoken. They want meaningful climate action. That means an end to native forest logging. It means protection for bio-diverse systems that are special, that exist nowhere else on Earth, and that have natural systems that we have to retain to keep our climate safe, and to keep those animals and plants with us for the next thousands of years, if that is possible.

[6.56 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Deputy Speaker, I thank all members for their contributions on this very important bill, to provide protection in the workplace for workers, and their right to work, and for businesses to operate free from unlawful interference and disruption.

I will respond to the various contributions that have been made in the time available, but note upfront, as I have shared before, both in this place, and elsewhere, that the Government has been elected three times with policies designed to protect workers and their right to work, and to deter unlawful interference in workplaces. It is very clear that the community is jack of it: jack of the unlawful and inappropriate interference in the workplace, the workplace invasions. They are jack of workers not being entitled to work, to go to work, earn a living, come home and look after and feed their family.

On this side of the House, we are very resolute about that. As I have said, publicly and privately, we have very strong support from, not just the community at three elections, but the Tasmanian Forest Products Association, the Tasmanian Minerals and Energy Council, the Tasmanian Farmers and Graziers Association, the Tasmanian Chamber of Commerce and

Industry, the Tasmanian Small Business Council, the Tasmanian Seafood Industry Council, the Tasmanian Salmon Growers Association, and many others. It is absolutely important to emphasise the strong support that we have in the community for this legislation.

Having said that, I will now address the many contributions that have been made, and as I say, acknowledged. I accept that there are different views around this Chamber, but I would like to address those.

In the bill that is being presented, I want to make it very clear that we have listened. We have listened to the needs of the stakeholders in the community, and we have responded to that, as references during the debate to the public consultation period, and then the Government's response. This bill has attempted to respond to those comments and feedback, and I want to thank all those who have made submissions, for their contributions.

I want to make it clear that the bill is not about prohibiting or impeding in any way free speech or the right to protest. We support the right to protest. It is a very healthy part of our democracy. On this side of the House we support it; the Premier, Mr Rockliff, said that clearly just a few days ago. He has made clear our strong support for that.

What we do not support is the impeding of workers and an impeding of businesses, small, medium or large and the unlawful interference and destruction to those businesses. The new bill has been informed by public submissions and feedback. We have listened and that has been acknowledged at least in part by a number of those that have made contributions.

We have actually simplified the approach to ensure that everyday Tasmanians can go to work and operate their business free from threats and disruption while also maintaining every Tasmanians right to protest lawfully. We are doing this through the existing Police Offences Act to ensure that our police are able to better protect workers and business. We did take into account the Police Association of Tasmania's submission and we have responded to that - I will say more about that shortly - the right of police to have a clear understanding of the law and how it is to be implemented. We believe it is a considerable improvement and I thank the Police Association for its submission.

We have used the existing framework of the Police Offences Act. The focus is on the penalties that are capable of serving as a proper deterrent. The bill does not increase police powers and it does not limit lawful protest and free speech.

I will start by, firstly, addressing a number of the queries from the member for Bass some weeks ago. In that contribution the member for Bass raised concerns surrounding sponsors to work health and safety although tangential to the bill we are debating it is important to correct a number of falsehoods.

First, the Government supports the Work Health and Safety Regulator and the national harmonised framework to ensure that the health and safety of workers is a priority. It is a priority of our Government and it remains so. Our Government continues to invest in strategies to lift the capability of the inspectorate to engage with and educate industry and workers as well as monitor and enforce compliance with the Work Health and Safety Act 2012.

In the 2019-20 state budget, for example, the Government demonstrated this commitment by ensuring the health and safety of workers by investing the permanent recruitment of an

additional five inspectors to be deployed statewide thus increasing the number of permanent field active authorised inspectors to 45. In early 2021, our Government funded a further fixed term inspectors to focus on COVID-19 safe workplaces for the next 12 months increasing the number of field active authorised inspectors to 51.

In January this year, the fixed term inspector positions were converted to permanent to assist in stabilising the WorkSafe structure. Recruiting for these positions is nearing completion. Moving on to the Boland Report referred to by the member for Bass, the review of the model work health and safety laws final report was published on 25 February 2019 and it is the first major review of the model laws. The report made a number of important recommendations for consideration by commonwealth state and territory ministers with responsibility for work health and safety. A consultation regulation impact statement on the review recommendations and options for implementation was published for public comment in 2019 and the subsequent analysis of feedback informed the decision regulation impact statement which was provided to the work health and safety ministers from all jurisdictions. They considered the review recommendations together with the options identified in the decision regulation impact statement.

I can confirm that work health and safety ministers were able to reach agreement on the matters that were put to them. For example, recognising that psychological injury posed a significant risk in Australian workplaces. Ministers decided to amend the model work health and safety regulations to deal with psychological injury. Tasmania will continue to work with all other jurisdictions to implement the response to the Boland review.

The proposal for an industrial manslaughter offence did not gain the required two thirds of majority support for work health and safety ministers and will not be included in the model work health and safety laws. However, federal and state ministers unanimously agree to introduce gross negligence or equivalent as a fault element in category one offence of the model work health and safety act. Ministers unanimously agree that conduct involving gross negligence should attract more severe penalties under the model laws.

It is expected that this will improve prosecution to category one offences. Tasmanian workplace deaths may currently result in a person being charged with a crime of manslaughter as this crime is already provided in the Tasmanian Criminal Code Act with a potential for imprisonment upon conviction as determined on a case-by-case basis. Importantly, unlike industrial manslaughter, these charges will be able to be brought for the most serious offences whether or not a death occurs. Duty holders who do the wrong thing to such an extent that it constitutes gross negligence that exposes a person to a risk of death or serious injury or illness will be able to be brought to account.

I now move to some of the other issues regarding the content of the bill, and specifically clause 4 of section 13 amendments. It has been suggested that the section 13(1) amendment is unnecessary because it is already an offence under existing legislation. Of course, it is not unusual to have offences for similar conduct in different legislation. For example, the offence of assault is an offence under the Police Offences Act but it exists under the Criminal Code as well, because it is appropriate to have an avenue to deal with more serious examples of the offence.

The member for Bass referred to the Union's Tasmanian submission, which criticised the amendment to section 13 on the basis that it is not specific to protest activity. That is a

deliberate decision as this provision has the built-in safeguard of requiring the obstruction to be unreasonable, similar to other road safety offences. There is no reason why someone protesting should be subject to criminal liability for unreasonably obstructing a street, but someone not protesting should not be. That is a matter of equality before the law, which the bill respects similar to other existing road offences.

The effect of the amendment to section 13 is to increase the penalty applicable to existing conduct under section 13 which is titled the 'Public Annoyance Offence' and clarify that unreasonable street obstruction is part of the offence. This is in addition to existing conduct such as disturbing the peace, disorderly conduct, and nuisance under which street obstruction is already charged. The penalty increase was adopted after considering existing penalties and comparing to other jurisdictions, and I will speak to that in a moment. Section 13(1) covers a range of conduct of varying degrees of seriousness, so it is only appropriate that the magistrates have a wider discretion and flexibility in terms of penalty.

We do not expect courts to increase penalties at the lower end of the scale for itinerant behaviour. The increase only takes the maximum fine to \$1730. The maximum period of imprisonment remains unchanged at three months. The corresponding offence, for example in the Northern Territory called offensive conduct, is punishable by a fine of up to \$2000 and six months imprisonment. In Queensland, the corresponding offence is public nuisance, punishable by a fine of up to \$1378 or six months imprisonment.

The bill is not a disproportionate increase. There is also the high threshold in the amendments that the conduct must be unreasonable and a significant obstruction of vehicles or pedestrians. The amendment does not unreasonably impact public activities. There is already a commonly used permit process in the Police Offences Act to conduct activities that obstruct streets such as demonstrations, races, and processions. For routine road safety purposes, the Road Rules 2019 provides a similar offence. However, for conduct that is of the kind already addressed by section 13 of significant public disruption, the amendment will provide the appropriate maximum penalty and clarify the scope.

For example, if people do not disperse on police direction, there can be arrests made where necessary under existing powers in the Police Offences Act. The member for Bass referred to blockades on remote roads leading to forestry and mining sites. I can confirm that is one of the scenarios this amendment seeks to address, but serious road obstruction and risks from trespassing can strike closer to home.

I will read part of a police statement to illustrate how the law strengthened by this bill would respond to unreasonable obstruction of road and risky trespasses while not impinging on the right to protest. A police media statement 2016 said:

Two people have been arrested and charged following a protest by Animal Liberation Tasmania on the Tasman Bridge about 8 a.m. this morning. The two people allegedly climbed into the gantry on top of the Tasman Bridge and hooked themselves onto the bridge.

Acting Inspector Philippa Burk said that the two people voluntarily removed themselves from the bridge, following police negotiation.

Tasmania Police appreciates that people have the democratic right to protest but actions such as what occurred this morning, will not be tolerated.

Peak hour traffic was thrown into chaos. The safety of the two protesters on the gantry of the bridge was a risk and the actions of the protesters could have resulted in a traffic crash on the bridge.

There were approximately 20 to 30 protesters on the walkway of the bridge from the same group waving placards. They were allowed to remain on the bridge.

It perfectly demonstrates that a higher penalty discretion for courts is a necessary response to address such massive disruption to community workers and business. An example such as this makes it clear that police have a continuing respect for democratic rights to protest. In this case, only two people obstructing the road had to go and ultimately were convicted of a nuisance under section 13 while the 20 to 30 people were free to conduct their protest on the walkway.

Dr Broad in his contribution talked about Helilog Road, which is access to the MMG site at Rosebery, in regard to their lawful right to conduct assessments. The examples that Dr Broad referred to are exactly the same examples that I have been concerned about for many months.

I put it to the Labor Party to please reconsider your position on this clause. This clause will do exactly what we are seeking to do and that is to ensure that those people who are obstructing a road such as Helilog Road will have a higher deterrent from that interference. That is a good example where this bill, if it were passed, would have a significant impact. I put it to the members of the Labor Party that is exactly what the Tasmanian community wants. They are jack of it and have had enough of it.

In the Helilog Road example, there were people throwing themselves in front of trucks moving at speed on a wet gravel road, causing stress and psychological injury to those truck drivers, not to mention others around. I have talked to them, met with them and they are upset and stressed. I stand up for them on behalf of this Government and on their behalf because they have had enough. This clause would address that problem. I ask the Labor Party to think carefully about that overnight and to consider that particular matter. This is the reason we want this particular amendment passed.

Regarding clause 14B, the member for Bass queried whether 'aircraft' and 'vessel' had been added to section 14B(1). The answer is no. These terms are currently in section 14B(1). The amendments to section 14B(1) clarify that trespass includes moving into or onto property and becoming attached to property such as structures or vehicles.

We have had debate about forestry, mining, agriculture, fishing and salmon and the salmon industry.

Ms O'Connor - It is the workplace protection for corporations bill.

Mr BARNETT - They support this because we do not want interference in the workplace, whether it is on land or on structures at sea. The Labor Party says it supports a sustainable salmon industry. This is your opportunity.

The member proposes a union carve out in relation to the aggravated penalties. The Government sees no reason to distinguish between different categories of people who might commit the offence of obstruction and trespass and will not be supporting a specific exemption for unions. We want all citizens to be treated equally under the law. I draw this to the attention of all members of the parliament, but particularly the Opposition.

I appreciate the feedback, but we cannot support the amendment that has been proposed. From the Government's position we cannot provide an exception for union-related activity. Under the federal Fair Work Act protected industrial action provides an immunity from prosecution. There is no change to that. Regarding creating a loophole or an exemption, all Tasmanians should be treated equally.

If your amendment was to be acceptable, I bet that in a very short time the Bob Brown Foundation would have set up its own union and would also be exempted. The other conservation organisations would all be wanting to establish their own unions.

The message I have received from the Labor Party is that the intent is not to stop someone being charged with a trespass offence as currently stands but only to prevent the application of the higher penalty. We do not support that. The law should be equal to everybody. Everyone is equal under the law. Surely the Opposition is not suggesting there are reasons union and industrial activity is somehow justified as not being subject to the law, just that the law is broken, and should be treated differently to everyone else, and the penalty applied would be lesser than would be applied to everybody else. It is incongruous and ridiculous.

The trespass offence already provides for the safeguard that a person with reasonable or lawful excuse may still enter land, buildings and vehicles. Anything a union or union member is reasonably or lawfully excused of doing today can be done under this bill. There is already a comprehensive system in place for union activity at the state and federal levels, including general rights under work health and safety legislation in addition to reasonable and lawful excuses. The activity of protected industrial action also has an immunity from prosecution under the provisions of the Fair Work Act, which is a federal law.

We have considered the Unions Tasmania submission. Given obstructing a public street and trespass are already offences under existing legislation, it is not considered appropriate or desirable for the inclusion of a specific exemption. What a union has the right to do today, it will still have the right to do once this legislation has passed.

The primary changes implemented by the bill related to penalties. The Government sees no reason to distinguish between different categories of people who might commit the offence of trespass. Having said that, the Commonwealth Fair Work Act provides immunities for certain offences under state law.

People participating in protected industrial action cannot be prosecuted for trespassing, unless what they are doing is likely to cause damage to a person or property. We cannot have one law for some Tasmanians and another law for other Tasmanians

I would like to clarify for the member for Bass the Government's response to the Police Association Tasmania submission. Proposed clause 14B(7) has been amended and a new clause 14B(8) added, in part due to the submission of the Police Association of Tasmania, and

the Department of Police Fire and Emergency Management. I thank them both for their submissions.

The provision in the bill before the House is simpler and easier to understand than the version in the consultation draft. It clarifies when a police officer may take a mining tenement holder to be the person in charge of the land so that person may withdraw consent, such that the persons on the land must leave or be subject to the law of trespassing. Consideration was given to instead proceeding by inserting powers of arrest into existing offences in the Minerals Resources Development Act 1995. However, the act is about obstructing mining activities generally while the Police Offences Act offence is about clarifying the law of trespass. It is more consistent to deal with trespass on mining land in this bill where the trespass is so closely related to the mining operations that the tenement holder can reasonably be considered in charge of that part of the land.

This was referred to by Dr Broad and certainly provided considerable support for that part of the bill, which I appreciate.

The member also asked about amendments to the second reading speech between tabling of the bill and delivery of the speech. The second reading speech was made available online in draft form. In checking the draft speech ahead of delivery, it was recognised that it had not been updated to reflect the changes that arose from consideration of input from the Department of Police, Fire and Emergency Management and later the Police Association of Tasmania. That is, the provisions of the bill relating to mining were amended as a result of the consultation. The second reading speech was then later updated to reflect this change and also comments from the Police Association of Tasmania.

All submissions received are thoroughly considered and some led to another change to the consultation draft to clarify the Government's objective in section 13; that is, the street obstruction offence was clarified.

Let me turn to the member for Clark, Ms O'Connor's contribution. The member asserted that this bill is anti-protest. It is not. I emphasise, once again, that the bill is effectively changing penalties, not offences. Trespassing and road obstruction already attract penalties.

People wanting to make a point, political or otherwise, have always had a choice - whether to do it lawfully or unlawfully. The bill does not change that choice but it does provide appropriate maximum penalties against the most serious unlawful conduct to protect the public and to protect lawful workplace activity.

The member suggested that a protester rally recently held by the Tasmanian Aboriginal community would be targeted by the changes in this bill. This is clearly alarmist. As far as I can see, the community was expressing its view in a peaceful way that did not constitute trespass, nor constitute a public nuisance nor unreasonably obstruct the streets. That kind of protest in no way is targeted by this bill.

The bill is important. Businesses and their employees should be able to get on with their daily work without fear of intimidation or harassment. In March this year there was a workplace invasion at Sustainable Timber Tasmania's offices in Hobart by the Bob Brown Foundation protesters. I spoke with and met with Sustainable Timber Tasmania's management at the time and was told the incident was clearly distressing for many employees.

Ms O'Connor - Were they psychologically injured?

Mr BARNETT - I was there and it was distressing. I called on the Tasmanian Greens to publicly condemn that outrageous act. It was not forthcoming. Invading a workplace and harassing or intimidating employees is simply unacceptable, yet we are supposed to accept that this is the Greens movement's definition of free speech. Justice Gordon was clear in *Brown v Tasmania* that the implied freedom of political communication does not permit people to trespass on the land of others only because the person entering the land wishes to make a political point or a statement.

In relation to the proportionality of the penalties, the member said that the penalty for a trespass that causes a serious risk to safety when the person has previously been convicted of that offence carries with it a significant maximum penalty that is higher than the maximum for offences such as drugging another person or assaulting police. My response to that new law reform targets the issue at hand that causing a serious risk to safety while trespassing is a serious offence.

The penalty for drugging another person under the Police Offences Act is 100 penalty units or two years, and for assaulting a police officer, it is 100 penalty units or three years. In comparison, the first offence penalty for creating a serious risk under the bill is less than both these offences - 75 penalty units or 18 months. In this new reform we make no apologies for a higher penalty if a person commits that serious offence more than once. Yes, the penalty for a body corporate is higher as body corporates cannot be subject to imprisonment. It is typical for financial penalties to be five or 10 times higher than an individual's penalty, which the bill reflects.

I am aware of concerns that this bill may criminalise homelessness through this legislation. I can assure members that this is absolutely not correct. It is a priority of this Government to support our homeless, and address homelessness. As Minister for Housing, there is nothing more important in terms of a priority for this Government and for me as the new minister in that space to protect and support homeless and vulnerable Tasmanians. I will do everything I can to do so.

I have considered this very carefully. Following consideration of submissions received during public consultation on the draft bill, the text was changed to clarify. It required 'unreasonable' obstruction of vehicles or pedestrians, similar to other road offences. 'Obstructing' as a principle of law, requires a 'significant or substantial degree of obstruction'. It is a difficult situation in which a person sleeping on the street would be significantly or substantially obstructing the passage of pedestrians or vehicles. On the other hand, in most protest examples, it will be clear when the intention was to block the passage of vehicles and pedestrians.

I will respond to the points by the members for Franklin, Mr O'Byrne, Dr Woodruff and the Leader of the Opposition. Also, I respect the views and concerns of the members who shared some of the views in the open letter in the *Mercury* today and I will address those. The member for Clark, likewise, expressed some views in this regard.

I want to make it clear that the views in that open letter are misplaced. They do not clearly understand the effect of the bill. The views are looking for attacks on rights where none exist, and finding issues with the bill that do not exist and I will explain why. I note that I have

written a response to the open letter addressed to the Speaker dated 5 May 2022, giving an explanation to the true effect of the bill. That response addressed some of the concerns raised, and I will now further respond to the letter published today.

First, it is misleading to suggest:

People experiencing homelessness could be prosecuted for sleeping rough.

That is simply not an accurate assessment of the amendment relating to unreasonable street obstruction. The word 'obstruction' is a term that has a legal meaning. As a matter of law, 'obstructing' requires a significant or substantial degree of obstruction. That is a high threshold. The unfortunate circumstances of people sleeping rough on a footpath is nowhere near the threshold required.

I also make the point that if you are going to use extreme examples without having any regard to the discretion shown by the police officers every day, there are already offences that technically could apply to persons sleeping rough, for example, Rule 236 of the Road Rules 2019 provides:

A pedestrian must not unreasonably obstruct the path of another pedestrian.
Depending on the circumstances, committing a nuisance under section 13 applies.

I have taken advice on this, I can advise that I am not aware, and neither is my department aware, of a person sleeping rough being charged with either of those offences that I refer to. I am advised that police have a high threshold for charging homeless persons for public order offences, including sleeping rough, under section 13 today, and that remains the case under this bill. Police simply do not want to apply the general law of nuisance or obstruction to the unfortunate circumstances of the homeless. Police want to support the homeless. They want talk to them to help them move to a safer location or a place that is not blocking people's access to buildings.

Just last night, I was at the Hobart Safe Place, with the Hobart City Mission, and I thank them for their work. It is really important to provide support for them. I considered this very carefully, and I am happy to have further discussions with anybody either in or outside this Chamber at a time convenient to further explain the importance and the merit of this clause. I draw that to everybody's attention.

Perhaps if a person refuses to move, is abusing police or the public, or is otherwise very disorderly, it may be possible that the person be charged today.

In clarifying the unreasonable street obstruction offence, this bill simply does not change police discretion in this matter. I reiterate there is absolutely no intention to criminalise homelessness. Nothing is further from the truth.

Moving on to another point. There has been a suggestion that 'simply having your say would be treated the same as trespass with a gun' and the bill 'will silence communities from having their voice heard'. That is simply not true. Tasmanians rightly express their voice and opinion every day, including through public protest activity.

We see protests outside this place regularly, completely unaffected by this bill. We have large groups that obtain permits and march down city streets. The right to protest is critical to the functioning of our society, and it does not get a general immunity from the law of trespass or road obstruction. Having your say only brings a penalty under this bill if you both trespass as part of having your say, you are charged, and the court is satisfied the trespass obstructed a business or undertaking or created a serious risk.

In relation to the bill putting our rights and freedoms at risk, 'and being undemocratic', or 'silencing communities', there is no unlimited right to trespass or to obstruct streets. The bill has no impact on protests that do not involve this conduct. The bill has no impact on current penalties for trespasses unless they also obstruct business or create a serious risk.

There are existing street obstruction offences. The bill's impact in this regard is to clarify that section 13 also applies to this conduct, and increases the financial penalties from three to 10 penalty units. Again, this in no way puts rights at risk.

In relation to the claim that there are disproportionate and excessive penalties making non-violent protest equivalent to a serious criminal offence, the penalties are comparable to other jurisdictions and to existing offences. I could speak further about that if time allowed, but I can assure you it is not inconsistent with other jurisdictions.

In relation to saying that without the right to peaceful public protest there would have been no royal commission and no reforms to our best practice anti-discrimination laws, as the bill does not criminalise any currently lawful conduct, the bill has no impact on the point being made here. The bill does not deter lawful protest, which forms the vast majority of protest activity in Tasmania. It does not target the homeless.

It deters unlawful and dangerous protest action on our streets, and deters trespassing protesters who obstruct a business or create serious risk. This is a legitimate aim to protect lawful business activity - a legitimate aim, recognised by the High Court. I encourage members to not jump at shadows, and to support the bill.

Ms Johnston, member for Clark, mentioned her concern about the impacts on public space. I reassure her and members in this place that the provision is very clear. It is unreasonable obstruction on the passage of vehicles and pedestrians, which addresses the point raised by the Australian Lawyers Alliance. We read their submission and we took on board some of their views and have responded to it. I make it very clear that it does not criminalise the use of public spaces. Nothing could be further from the truth. It does not criminalise the use of public spaces, but the obstruction of streets.

I acknowledge the submissions on the consultation draft in the revised bill clearly do not criminalise the conduct of concern raised. For example, a person holding a placard on a footpath is simply not unreasonably obstructing that footpath, nor is a group of people merely making public their concerns about an issue like underpayment of wages.

There is a range of examples that I could use, and have used, and I could emphasise that even further. In the time available, I will make it clear these penalties are consistent with other jurisdictions. They are not dissimilar with regard to the offences relating to public annoyance or nuisance. Several jurisdictions have larger maximum penalties than what is being proposed in the bill, including Victoria, the Northern Territory and the ACT.

Specifically, in relation to the obstruction of roads, under the New South Wales legislation a person faces a fine of up to \$22 000 and two years' imprisonment for the offence of obstructing a major bridge, tunnel or road. In relation to trespass, under the proposed amendments it is possible for a natural person to face a penalty of 125 units or \$21 625, or up to 30 months imprisonment. And it goes on.

I could add more, but in summing up I indicate it is the intention of the Government to go into Committee tomorrow and to seek a vote on this bill tomorrow.

There were references to deferring this bill to some future time.

Ms O'Connor - You have an hour of Government business time tomorrow. Do you actually think you will get this through?

Mr BARNETT - This is on the agenda for tomorrow. That is my point. There was a suggestion that we were going to defer it for weeks or months or something. We want to progress with this bill. We will be seeking to do that as a Government. It is a priority and we want to ensure businesses have the right to operate free from interference. We want to ensure that workers likewise have the right to work free from interference.

The laws are there to reflect the wishes of the community.

Ms O'Connor - You do not speak for the community. You certainly do not speak for people in Clark or Franklin.

Mr BARNETT - It has been to three elections and we are very committed to this legislation. I appreciate the feedback from all those in the chamber. I am happy to have further discussions with other members of this chamber, either overnight or at any other time, to do whatever we can to get this legislation passed. Thank you.

Mr SPEAKER - The question is that bill be now read the second time

The House divided -

AYES 18

Mrs Alexander
Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Mrs Petrusma
Mr Rockliff
Mr Shelton

NOES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

Mr Street
Ms White
Mr Winter
Mr Wood (Teller)

Bill read the second time.

MOTION

Police Offences Act 1935 - Offence of Begging - Motion Negatived

[7.44 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, pursuant to standing order 279, I move -

That the Committee of the whole House be instructed to consider provision for the necessary amendments of the Police Offences Act 1935 in respect of matters relating to the offence of begging.

It should be self-explanatory. We had a bill go through this place; it was the will of the House that it be decriminalised. Now we have an opportunity to fix it. It was never enacted. We went to an election before it got royal assent.

Members interjecting.

Mr DEPUTY SPEAKER - Order. The question is that the motion be agreed to. The Noes have it.

Motion negatived.

ADJOURNMENT

[7.46 p.m..]

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

That the House do now adjourn.

Ms Haddad - We didn't get a call from Mr Deputy Speaker. He did not call it.

Mr DEPUTY SPEAKER - Yes, I did. I said that the 'ayes' had it.

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Ms O'Connor - Did he say the 'ayes' have it?

Members interjecting.

Ms White - On indulgence, Mr Deputy Speaker, you said that the 'ayes' had it. Could you please repeat the verdict on the vote that was cast for the benefit of the House?

Mr DEPUTY SPEAKER - I may have made a mistake but my understanding was that I said that the 'noes' have it.

Members interjecting.

Mr DEPUTY SPEAKER - Order. The House has now adjourned. We are moving on to adjournment speeches. Ms Haddad, we are on adjournment. If you want to speak, it is your opportunity.

Collinsvale Primary School

[7.46 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, This is going to seem a little irrelevant now.

A little while ago I had the great pleasure of visiting Collinsvale Primary School to meet with the students from the junior class and the middle class who had begun a campaign to improve the playground at Collinsvale at Hall Road. These young students wrote to me and all their other elected representatives who have a role in representing Collinsvale. I know they wrote to each of the members of Clark in this House and many of us have visited the school. They wrote to our upper House colleague, Josh Willie, whose seat of Elwick takes in Collinsvale. They also wrote to the Mayor of Glenorchy and the Leader of the Opposition, Rebecca White and to Premier Rockliff.

The students have conducted their campaign by focusing not only on the problems of the past but also finding solutions, coming up with innovative and creative ideas about what would make the playground more fun, more interesting and more accessible for everyone in the community. They conducted surveys, collected data from other students at their school and members of the Collinsvale community to find out what issues they had with the park so that they could consider all park users. They also considered the environment and highlighted the importance of more plants and trees for the park. They then set to work and ran a community inquiry focusing on potential future designs for the park and making sure that the community was involved with those solutions.

After this, the students all developed their own designs, reflecting the feedback that they had received before writing to all of their elected representatives, as I said, with their ideas and many of us have now had the chance to go and meet with those students.

I want to share some of these beautiful handwritten letters that the students wrote to me and all of their other elected representatives. I will just read a few parts from some of the letters. This is from Pearl. She said that she:

... would like to have stuff for babies at the park and stuff for teenagers and grownups. There is not much for grownups to do at the park either.

She said she:

... doesn't like old parks because little bits fall down. Can we please have the park looking nice? Can we also make the park look cool? It does look nice now but it's not cool and it's a bit dirty and a bit old.

Mr Deputy Speaker, Ivy said that she:

... wanted to tell us about the important reasons about the Collinsvale Park needing changes. One reason is it's very small and only about 10 people can fit in the park.

She said:

It's basically all plastic but the only things that are not made of plastic are the monkey bars and the swings. Metal is good but not as good as sticks and leaves and plants but you'd have to be careful about the sticks because they can poke kids.

She said:

People want something fascinating to look at.

And she said this lovely thing which is that:

If people are lonely and have no one around them or that they can contact, they would probably get sad and they would like to go outside and even talk to the kids in the park.

She then went on to talk about some of the ideas that they had like a dog Ferris wheel, a running track, a water slide, rock climbing - it might be a bit cold in Collinsvale for some parts of the year for a water slide but they were coming up with really great and innovative ideas.

Mr Deputy Speaker, Lucy also talked about the slide being made of metal and she would like to see one made of reusable plastics, and Aurora said that she would love to see a tree house. She said that:

... everyone loves a tree house. They would like more flowers as well and upgrades because the park is a bit too small.

These students have shown the hallmarks of good leadership. They are a great example to all of us in this place. They have consulted widely with their community, considered all potential park users and are now advocating on behalf of their community, with the council and with members of parliament. They have stood up and campaigned for something that is important to them and they have sought to make positive change within their community.

I thank those students, along with their teacher Whitney Bowerman who has helped them throughout this campaign, as well as Collinsvale Primary School and the principal for encouraging these students to advocate for their community. This grassroots community activism is really encouraging.

Ms Archer - They are only very young. They are impressive.

Ms HADDAD - Very young. It is the first school photo I have had for a while where I was not shorter than all of the kids. It is usually year 6 kids I get to speak to, so it was lovely meeting with the younger classes.

Finally, I was thrilled that at the recent federal election, my colleague the Labor candidate for Clark, Simon Davis, was able to secure funding to upgrade the playground at Collinsvale. Despite Labor not winning the federal seat, that commitment will nevertheless be delivered, because we now have a federal Labor Government led by Prime Minister Anthony Albanese, which is a very good thing indeed.

There will be \$150 000 delivered by the Albanese Government to upgrade Collinsvale playground, but the total commitment secured by Simon Davis was \$1.5 million to upgrade Collinsvale along with nine other community playgrounds. The others are Alkoo Circle Reserve, Chigwell, Booth Avenue Reserve in Glenorchy, Chandos Drive Park in Berriedale, Barossa Road Reserve in Glenorchy, Battersby Drive Reserve in Claremont, Cairnduff Reserve in Glenorchy, Coinda Park in West Moonah, Roseneath Park in Austins Ferry and Windermere Bay Playground in Claremont.

It was delightful to meet with those students. I encourage their grassroots activism. It was inspiring to all of us who had the pleasure to meet with those students. I encourage them to continue their passion for grassroots activism. Meanwhile I also very much look forward to a Labor Government delivering the \$1.5 million that Simon Davis secured to upgrade 10 playgrounds across the northern suburbs of Hobart.

Tassie Mums

[7.52 p.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, I rise on the adjournment tonight to talk about Tassie Mums, a wonderful organisation. It is a fantastic not for profit, run by passionate volunteers who help provide essential items to Tasmanian babies and children in need.

They collect donations of children and baby clothing, playmats, toys, books, cot linen, nappies and many other essential supplies that are greatly appreciated by families with babies and young children who need a little bit of help.

I had the opportunity recently to catch up with Clare and Louise from Tassie Mums and see first-hand the fantastic work they do. The dedicated group of volunteers sort the donations into packs, each containing a mix of clothing and essential items and then provide those packs to parents and families throughout a number of social service organisations, including government organisations such as child and family learning centres.

Sadly and unfortunately a lot of families are struggling with the cost of living at the moment. It is organisations with massive hearts like Tassie Mums that can make a world of difference to parents and carers of young children.

In this financial year up to March, Tassie Mums have provided 918 children with clothes, shoes, underwear and basics they desperately need. They have sent out 2679 packs and bundles, including 27 cots, 37 prams, 23 car seats and much more. The estimated value of items they provided to Tasmanian families will soon reach \$300 000.

They have 70 passionate volunteers working in their new headquarters in Kingston. It was lovely to see the environment there and the wonderful work flow to ensure they can receive the donations, then sort, organise and pack the packs that can get out across the state.

There are a number of ways that people in the community can support Tassie Mums and their cause, such as by volunteering there and helping out or simply by donating to the cause or spreading the word. I encourage people to follow the Tassie Mums Facebook page or visit their website at tassiemums.org to keep up to date with the fantastic work they do.

Congratulations to Clare and her team because they are making a massive difference to many families doing it tough across the state.

Federal Election - Election of Labor Government 2022 Tasmanian Volunteering Awards

[7.55 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, I place on the record how proud I am to be a member of the Australian Labor Party. We now have a Labor Prime Minister, Anthony Albanese, who is currently in Japan representing Australia with our new Foreign Affairs minister, Penny Wong. It makes me so proud to see that. I appreciate that the people of Australia have placed Labor back in charge of the future of our country.

I would also like to give a huge shout out to all the incredible Labor Party volunteers who gave up so much of their time over many years. People like my parents who are life members of the Australian Labor Party; the thousands of people who stood up and fought very hard for this cause. It was not an easy election; it was a very difficult election.

The day before the election I was delighted to attend the 2022 Tasmanian Volunteering Awards. The awards acknowledge the valuable contribution our volunteers make to the Tasmanian community and signify the importance of National Volunteer Week, which ran from 16 to 22 May.

Her Excellency the Honourable Barbara Baker AC, Governor of Tasmania, hosted the 30 finalists, their nominators and supporters. In the spirit of this year's National Volunteer Week theme 'Better Together' it is important to remind every volunteer that their contribution big or small is appreciated and is significant. Volunteering Tasmania CEO Dr Lisa Schimanski stated volunteering is not measured through the number of hours people give but by the impact of what they are doing. It does not matter if you are giving one hour a week, a few hours each month or more. Collectively volunteers are contributing an estimated \$4 billion to Tasmania each year and making an enormous difference. For this we thank them all.

Research from the State of Volunteering Report 2019 tells us that the volunteer sector is actually changing. We are seeing a shift in the way people want to volunteer and an increase in the need for volunteers. It is estimated by 2030 that there will be a shortfall of 40 per cent in Tasmania of volunteers. Sustaining volunteers is an issue we must address. I would like to go through the winners of the 2022 Tasmanian Volunteering Awards.

In the category of Community Care and Health Volunteer Award, which was supported by Anglicare Tasmania, Norm Hills from Launceston Benevolent Society took it out. In the

category of Education, Science and Technology, it was Steve Martin, for his work with Toast for Kids Charity, Devonport. Emergency Services Volunteer Award was taken out by Theo Vermey at the Franklin Volunteer Fire Brigade. In the category of Sport Recreation and Service Groups, which was supported by Speak Up! Stay ChatTY, Minka Woolley, took that out. In the category of Arts, Heritage, Tourism and Events, which was supported by the *Mercury* newspaper, Petr Divis, from the Theatre Council of Tasmania took that out. The category of Environment, Animal Care and Conservation was taken out by Gary Mondon from Fishcare Tasmania.

The Lifetime Achievement Volunteer Award, supported by Aurora Energy, was taken out by Trevor Snooks from Cancer Council Tasmania. The Youth Volunteer Award, which was supported by the Youth Network of Tasmania, was taken out by Ahmed Omar. Best Practice in Volunteer Management Award, which was supported by Hydro Tasmania, was taken out by Shaun Brooks of the SES. Volunteer Group or Program of the Year award, supported by Catholic Care of Tasmania, was the Story Island Project. The overall winner of the Premier's Volunteer of the Year Award was Minka Woolley of Hockey Tasmania. The work she has contributed to Hockey Tasmania has been outstanding, from grassroots right through to Olympic level.

I will also like to record the names of some of the finalists in the Tasmanian Volunteer Awards, as I will not have time to go through them all.

One of the finalists for the Community Care and Health Volunteer Award, supported by Anglicare Tasmania, was Melissa Kane of Brighton, for Single Steps Tasmania, which Melissa founded to help people affected by domestic violence following her own lived experience as a domestic abuse survivor.

Single Steps Tasmania offers victims and survivors practical support, as well as empathy and compassion. Melissa made it her life mission to give domestic abuse survivors the support that she could not access during her own abusive experiences.

Another finalist in this category was Mark Davies of Westbury, for his work with the Tasmanian Suicide Prevention Community Network.

One of the finalists in the Education, Science and Technology Volunteer Award was Rosina Gallace of the St Helens Online Access Centre. Mr Deputy Speaker, you would know Rosina quite well, as I do. She does an amazing job. She is the President of the St Helens Online Access Centre.

A finalist in the Lifetime Achievement Volunteer Award was Barry Le Fevre, from the East Coast Swans Football Club in St Helens. He has been a volunteer for decades and decades, and made a huge contribution to the St Helens community. One of the other finalists I would like to mention is the St Helens Hospital Auxiliary Recycling Shop, represented by Christine Treloggen. They raised over \$100 000 to support the fit-out of the new palliative care unit at the hospital.

Congratulations to all finalists and thank you.

School Strike 4 Climate Rally

[8.02 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I rise to pay tribute to the organisers and attendees of the School Strike 4 Climate Rally. A number of rallies were held about climate action before the federal election. There was a Vote Climate Action the week beforehand, and on the Friday before there was a School Strike 4 Climate.

Owen Fitzgerald was one of the people who spoke. He is a 16-year-old student. He told people that he spoke because he cannot vote, and so he has to rely on the choices made by others to dictate his future. He was at the rally to make his voice heard and to create change for the future. I will just quote Owen's words now:

To quote Scott Morrison, 'that is not my job'. What we are doing today is no-one's job and it should never be.

No-one should ever have to fight for their rights for their freedom or their lives. No-one should have to give up an education to fight a government that is meant to guide them.

But across the world, young people are fighting every day. In Australia, we are fighting for a liveable future. We are fighting for First Nation People's rights, to support our forests, our oceans, and have our voices heard.

As I speak, the natural world is collapsing due to government actions. Coal and gas mines are still running, and still have been approved across the country.

In Tasmania, Mr Rockliff is still allowing Forestry to log and burn thousands of hectares of old-growth forest, and for salmon farms to pollute our waterways across the state.

Our federal environment minister is lying her way out of her position in parliament by stating she now has no duty of care for young people when it comes to the climate crisis.

Our federal government has failed to protect and guide the next generation. They have been invested in themselves and power.

Well, guess what. Power does not last. What you, the government, are leaving to the future generations is a fight, a fight for us to survive, because you took no action.

Owen went on to say :

The only action that was related to the climate crisis taken by the federal government has been to deny the impact of the crisis, to fail to support people in communities when faced with nationwide fires and floods. To ignore the science, to fail a COP26 and show the world how uneducated they truly are, and to take coal into parliament.

You have shown the world and the Australian people how uneducated and greedy you are.

He finishes by saying:

We need a closer net zero target, and we need to see more government action based around the Paris agreement.

We also need a youth voice in parliament, and a government to care about our future.

We need a government to listen, we need action, and we will keep fighting for a future, to have our voices heard.

Mr Deputy Speaker, what prophetic words of Owen's and others who spoke at the Climate Rally before the election. What he was speaking about was the Youthquake, which has caused seat after seat that have been long held by the Liberal party in Australia to fall to Greens, teals and Labor members. We now have an utterly different parliament - and that is an opportunity that I am sure every Green, teal and Labor member who has stood for climate action will not let pass for even a day, because it is very clear that young people understand just how urgent the climate crisis is.

The energy and the motivation behind the election result was powered by - among other people - young people. I received an email from Declan, a 16-year-old who lives in Meanjin, Brisbane, thanking everybody involved in the School Strike 4 Climate movement - because it is a movement, Mr Speaker. It is a movement of very young people. He said:

Saturday was a tidal wave of climate concern and climate-conscious voting. The meaning was clear, the message was clear: there is a political cost in failing to step up to the climate challenge.

Well, the political cost is clear. If anyone is still in any doubt that young people will not be stopped, it was the movement of young people, the movement of environmental consciousness in this country, which has meant we now have Greens in the balance of power in senate federally. It was thanks to organisations and the sort of campaigning and peaceful protesting of School Strikes 4 Climate that mobilised thousands of people across cities and towns in Australia.

They conducted teach-ins with members of parliament and with the public, so people could actually understand the urgency of climate change. They held candidate forums, and educated and enrolled more than 5000 young people to vote, because in the snap 2019 double-dissolution Scott Morrison effectively disenfranchised young people by not allowing enough time for them to enrol, to vote, and to take up that opportunity for their democratic voice.

They also were a presence, these young people, at polling booths across key seats. They led a nationwide conversation about climate justice, climate ambition, and about the urgency for their future, the urgency for our future.

Mr Deputy Speaker, on behalf of the Greens, I give my wholehearted thanks to Owen Fitzgerald, Sam Eccleston, and all the other School Strike 4 Climate organisers who have been there over the years. We did not get the result that we needed in 2019, but here we are in 2022.

Every day matters, every tiny fraction of a degree matters, every tonne of carbon dioxide that continues to be emitted into the atmosphere matters, and the Greens will continue to back young people in their pursuit for a safe climate future.

Palliative Care Week

[8.09 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Deputy Speaker, I rise tonight to celebrate National Palliative Care Week, which is being held this week right around the country. It is a very special week to recognise the work of our palliative care professionals working across our communities, but also the importance of providing good palliative care services to Tasmanians, and I will speak on behalf of Tasmanians tonight, no matter where they live.

Palliative care really is a very special discipline that has the patient and the family as its unit of care. It provides holistic care and it is certainly a model of care that could be more widely applied across our healthcare settings across Tasmania. I put on the record tonight my thanks to Palliative Care Tasmania and to all our Palliative Care professionals working across the state, to thank them for the invaluable work that they do, and recognise that they work under incredible stress and hear very sad stories as they work at what is their most vulnerable and difficult time in many peoples' lives.

It is a special week to celebrate. There are a number of events being held by Palliative Care Tasmania across the state. I will not be able to attend any of those because I will be here, but, as a ex-palliative care nurse I am a proud and strong advocate for the importance of better access to palliative care across our communities. This week is pretty special and to those who will be celebrating, enjoy those special events, and let us work together in this place to improve access to palliative care across Tasmania.

The House adjourned at 8.11 p.m.

Appendix 1

Question No. 25 of 2022 House of Assembly

ASKED BY: Michelle O'Byrne MP

ANSWERED BY: Jeremy Rockliff MP

QUESTION:

1 Have any people received diagnostic laparoscopy in our public hospitals for the identification or treatment of endometriosis, and if so, how many during;

- a) 2019;
- b) 2020; and
- c) 20[22] to date?

2 Is there a wait time for diagnostic laparoscopy in the public health system, and if so, what is the median wait time by hospital for the financial years;

- a) 2019-20;
- b) 2020-21; and
- c) 20[22] to date?

3 Is there a wait time for diagnostic laparoscopy for the identification, or treatment of, endometriosis in the public health system, and if so, what is the wait time by hospital for the financial years;

- a) 2019-20;
- b) 2020-21; and
- c) 20[22] to date?

ANSWER:

1)

- Laparoscopies are performed in Tasmanian public hospitals, including for the identification or treatment of endometriosis, however the available data does not include a categorisation by reference to the patient's reason for requiring the procedure. Therefore, separate statistics for laparoscopy for the identification or treatment of endometriosis are not available.

2 & 3)

- The Tasmanian Elective Surgery Waiting List records patients awaiting laparoscopy but does not include a categorisation of data by reference to the patient's reason for requiring the procedure. As above, separate statistics for laparoscopy for the identification or treatment of endometriosis are not available.

 APPROVED/NOT APPROVED



Jeremy Rockliff MP
Premier
Minister for Health

Date: 8/5/22

Appendix 2

RESPONSE TO PETITION

Petition No. 21 of 2021

House of Assembly



The petitioners ask the House to:

"Consider more practical and immediate solutions to solve Hobart's traffic congestions including:

- the immediate re-design and re-construction of the intersections of the Southern Outlet, Macquarie and Davey Streets;
- the immediate commencement of more effective clearway rules for the whole of Davey and Macquarie Streets and removing the present hindrances to that;
- the immediate introduction of alternative traffic demand mitigation strategies at their disposal, noting the SOS Hobart residents group has already recommended a number of practical alternative solutions; and
- immediately cease any plans or attempts to compulsorily acquire land and homes in Dynnyrne"

GOVERNMENT POSITION:

RESPONSE:

In addressing the first two points of this petition, the Government can again confirm that as part of the advertised integrated Southern Projects, the intersection of the Southern Outlet and Macquarie and Davey Streets will be redesigned and an extra lane will be created through the intersection and into Macquarie Street through the development of a clearway.

This redesign of the intersection and establishment of clearways have always been features of the project and was detailed in the design that went out for public consultation in September 2021.

This is demonstrated from the following links to information from the State Roads website: https://www.transport.tas.gov.au/__data/assets/pdf_file/0020/306722/2021-08-SouthernProjects-ConceptDesignPlans-MacquarieDavey.pdf

CA

and

https://www.transport.tas.gov.au/__data/assets/pdf_file/0019/306721/2021-08-SouthernProjects-ConceptDesignPlans-SouthernOutlet.pdf

It is important to understand that the Southern Outlet Transit Lane is part of an integrated strategy to address the growth in private vehicle traffic between the Kingborough and the city. It is not a standalone project.

Contrary to the misinformation spread by political opponents, the Southern Outlet Transit Lane is one element of a suite of projects that will establish infrastructure and services to prioritise extra road space for vehicles with the greatest person-carrying capacity. That means buses and multiple-occupant private vehicles (three or more occupants).

Complementary initiatives under the Southern Projects include park and ride facilities at Kingborough, bus priority improvements on Macquarie and Davey Streets and a large increase in additional bus services – about 70 extra per day between Kingston and the Hobart CBD.

The Southern Outlet Transit Lane will run from Olinda Grove to Macquarie Street. In future stages, it is intended that it extend back to Kingston. That means a new, extra lane giving priority to buses and high occupancy vehicles between Kingston and the Hobart CBD.

The Southern Projects aim to make bus travel an attractive alternative to private car travel. However, commuters will only be tempted to take a bus where they see a reliable travel time saving. There is no current incentive as buses compete for space in the same lane as private vehicles. That is why an extra transit lane is needed.

The Government agrees that public transport will play an important role in reducing traffic congestion in Hobart but we are realistic that infrastructure investment is required to make it possible.

It is not correct to assert that the transit lane will funnel vehicles into gridlock at Macquarie Street. As explained earlier, the extra lane continues through the intersection. As well, there will be new and extended clearways to improve traffic flow on Macquarie Street.

Some parking will be removed or restricted to accommodate the clearways. The Department of State Growth has been engaging with affected residents, businesses and schools to develop solutions to balance their needs with those of the travelling public.

While many houses were acquired in the late 1960s to build the Southern Outlet, the Government does not take the decision to acquire property lightly and in all cases has endeavoured to minimise the impact on homes and land.

However, the Department of State Growth has been talking with as many individual property owners on Dynnyrne Road as relevant about the impact to their property and will continue to do so. The details of these conversations must remain confidential and to maintain privacy. It is currently anticipated that the number of whole properties to be

wholly acquired may be as few as four. The Government has requested the Department to approach relevant owners with a view to negotiating sale/purchase agreements.

The Government has been consistent in its objective to minimise property acquisitions for the transit lane, including where residents have requested that their properties be acquired.

The Department continues to work with engineering consultants who have provided a design that minimises the need for property acquisition, while balancing the travel needs of a growing Greater Hobart population.


The petition asks that the Government explore alternative traffic demand mitigation strategies suggested by the SOS Hobart residents' group. This work has been done. Each of the group's suggestions have either been considered and discounted, or have in fact been included in broader transport strategies and in the Southern Projects package itself.

Besides the park and ride facilities, additional bus services, clearways and removal of parking, the Department also investigated a contraflow lane on the Southern Outlet, such as used on the Tasman Bridge. This idea was discounted due to the increasing southbound traffic being reduced to a single lane. This meant a high potential of slow-moving vehicles causing traffic queuing back through central Hobart and the inability to reach breakdowns.

The SOS Hobart group suggested a ban on heavy vehicle movements during peak travel times. The government works closely with heavy vehicle operators to ensure they use our roads safely and productively. Freight transport is a key part of the Tasmanian economy and heavy vehicles provide many essential services to Tasmanians. Many heavy vehicles must operate to set schedules given the supply chain logistics involved, so a ban during morning peak hours is not possible or desirable.

The SOS Hobart group also suggested the Government require different working hours for its public servants. The Government supports flexible working arrangements, and since the global pandemic, has seen a large contingent of public servants working in different ways, including staggered hours and working from home.

The Government acknowledges that behavioural change is critical to managing congestion and population growth in the southern suburbs and will work with local government to reduce parking capacity and increase parking charges to better reflect the economic value and opportunity cost of a car space in the CBD.



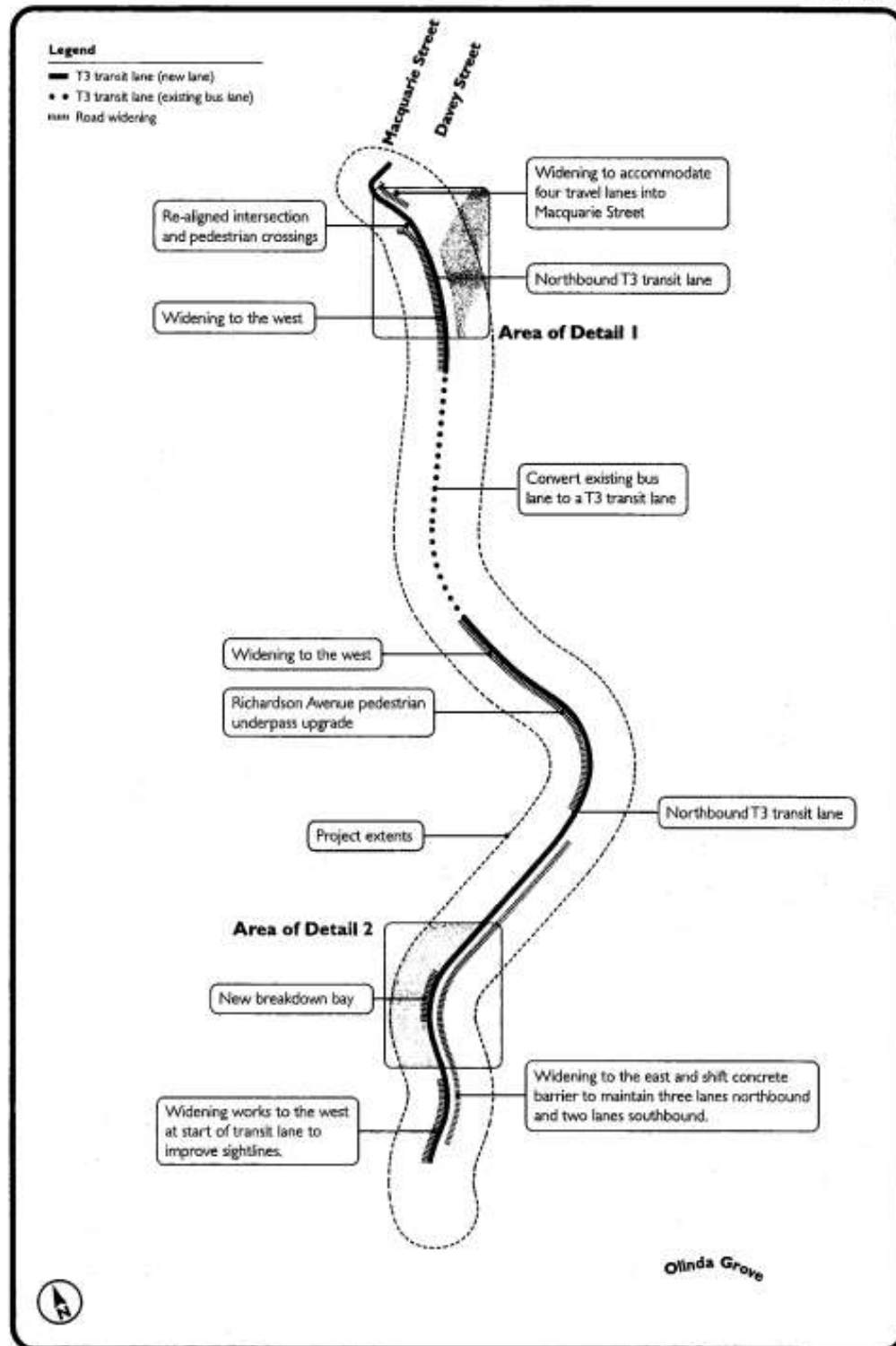
The Hon Michael Ferguson MP
Minister for Infrastructure and Transport

Date: 20/5/22

Hobart Southern Projects

Concept Design – Southern Outlet Transit lane

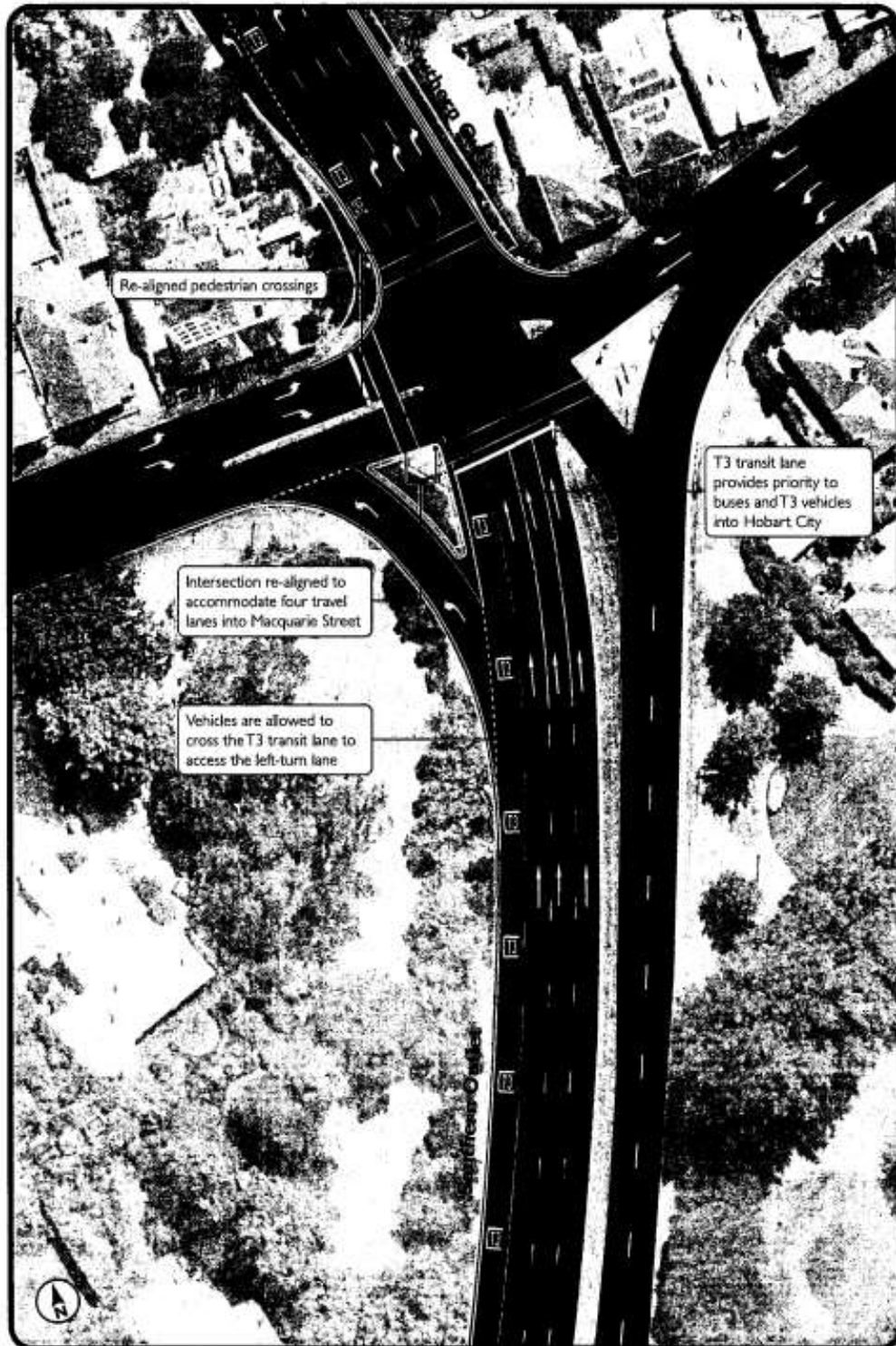
OVERVIEW



Hobart Southern Projects

Concept Design – Southern Outlet Transit lane

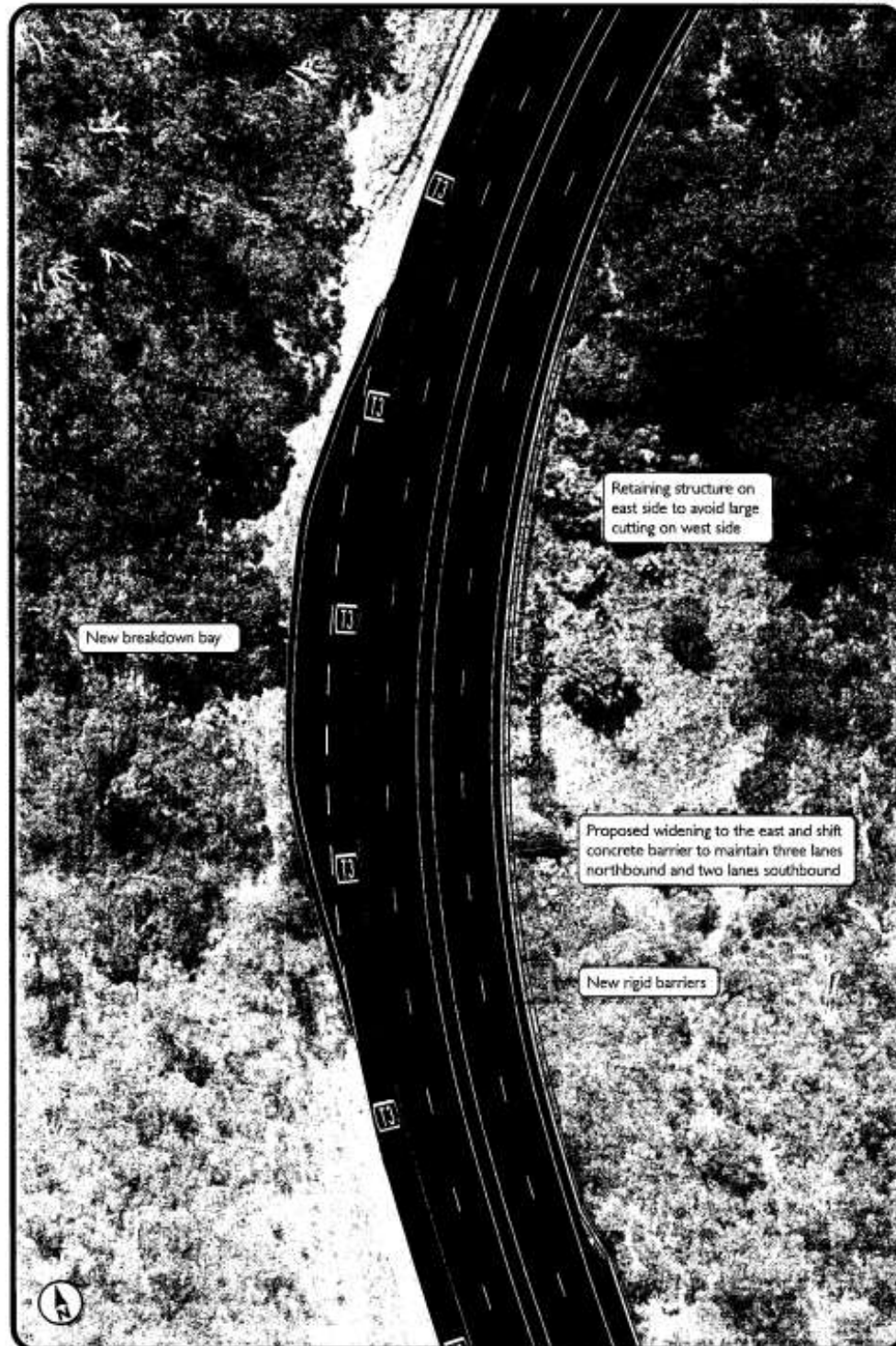
AREA OF DETAIL I



Hobart Southern Projects

Concept Design – Southern Outlet Transit lane

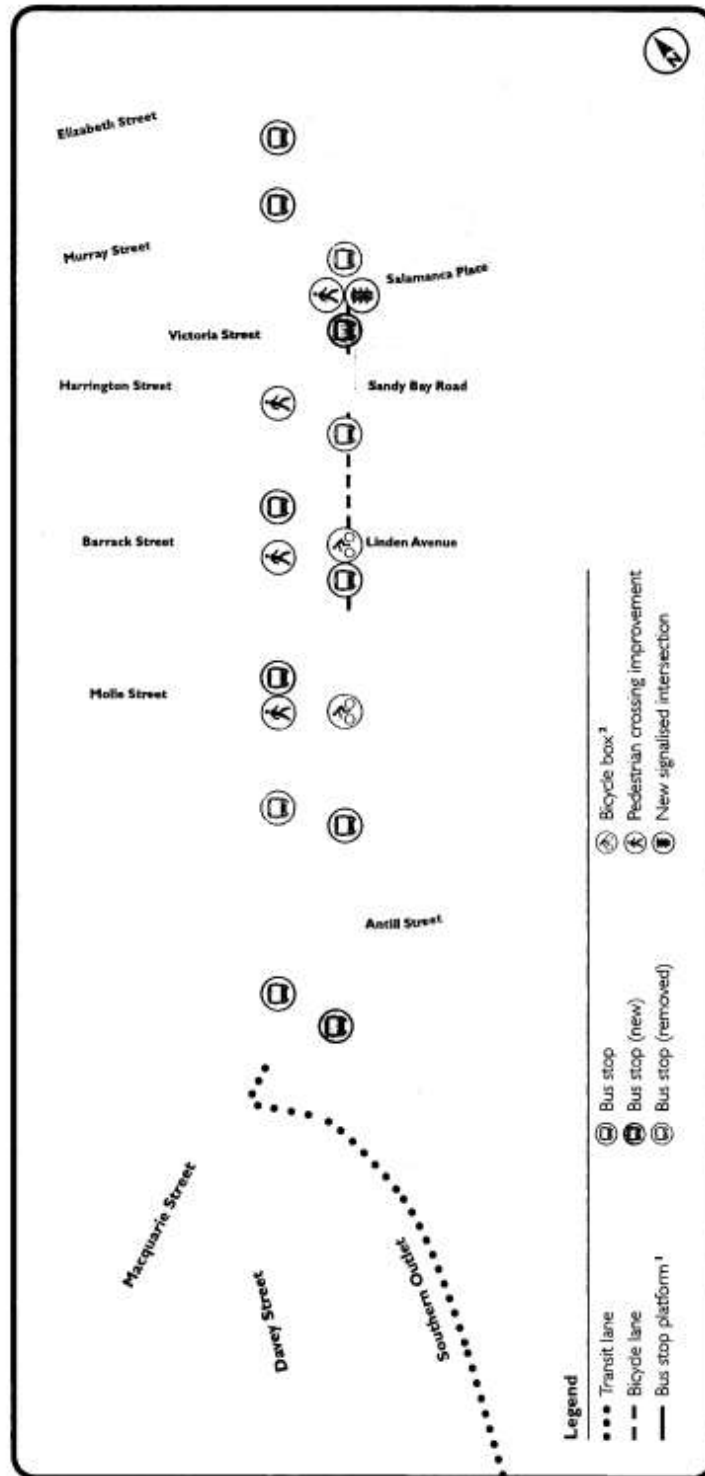
AREA OF DETAIL 2



Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

Key Features Diagram



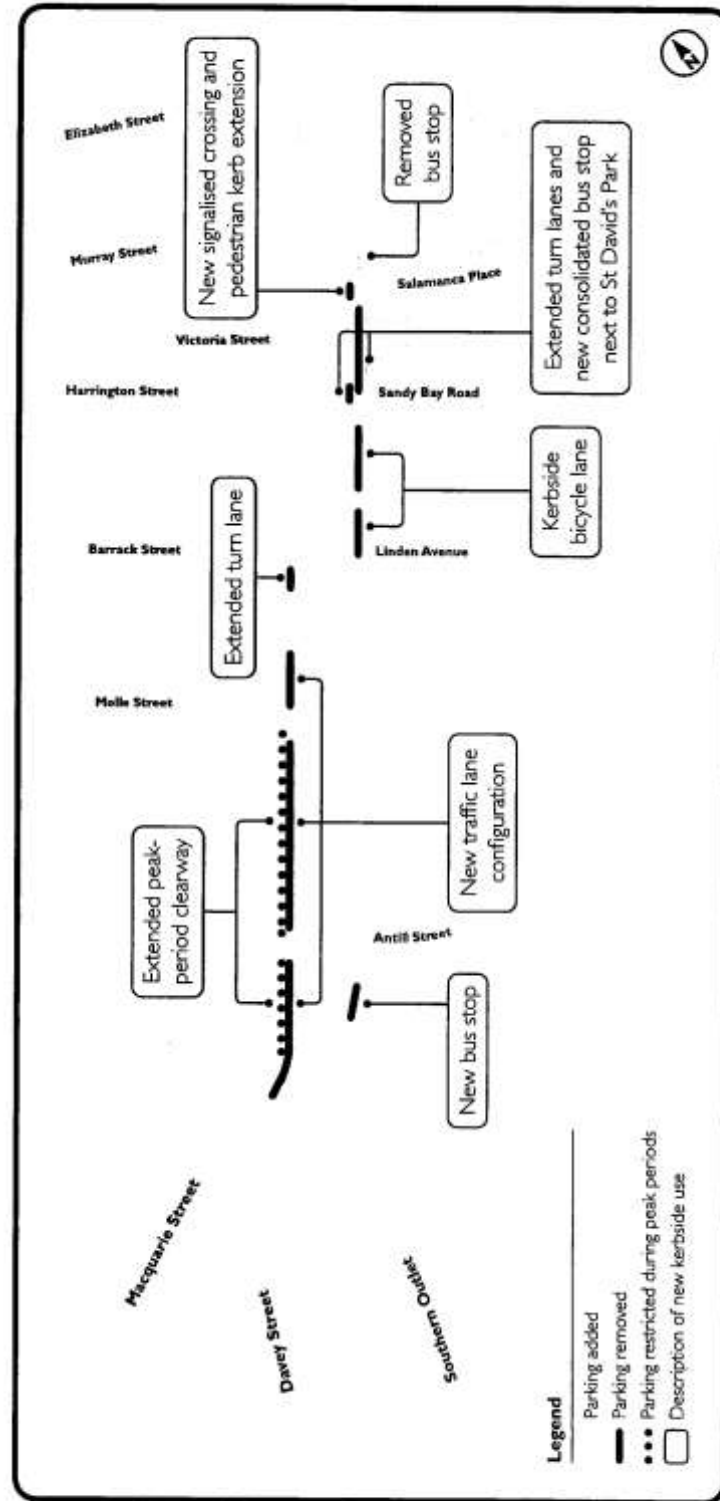
¹ A bus stop platform is where the footpath is widened at a bus stop. It provides more space for waiting passengers and allows buses to pull up to the kerb without leaving the traffic lane.
² A bicycle box is a designated area at the head of a traffic lane at a signalised intersection that allows cyclists to move ahead of traffic, improving safety and visibility.

Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

Parking Changes Diagram

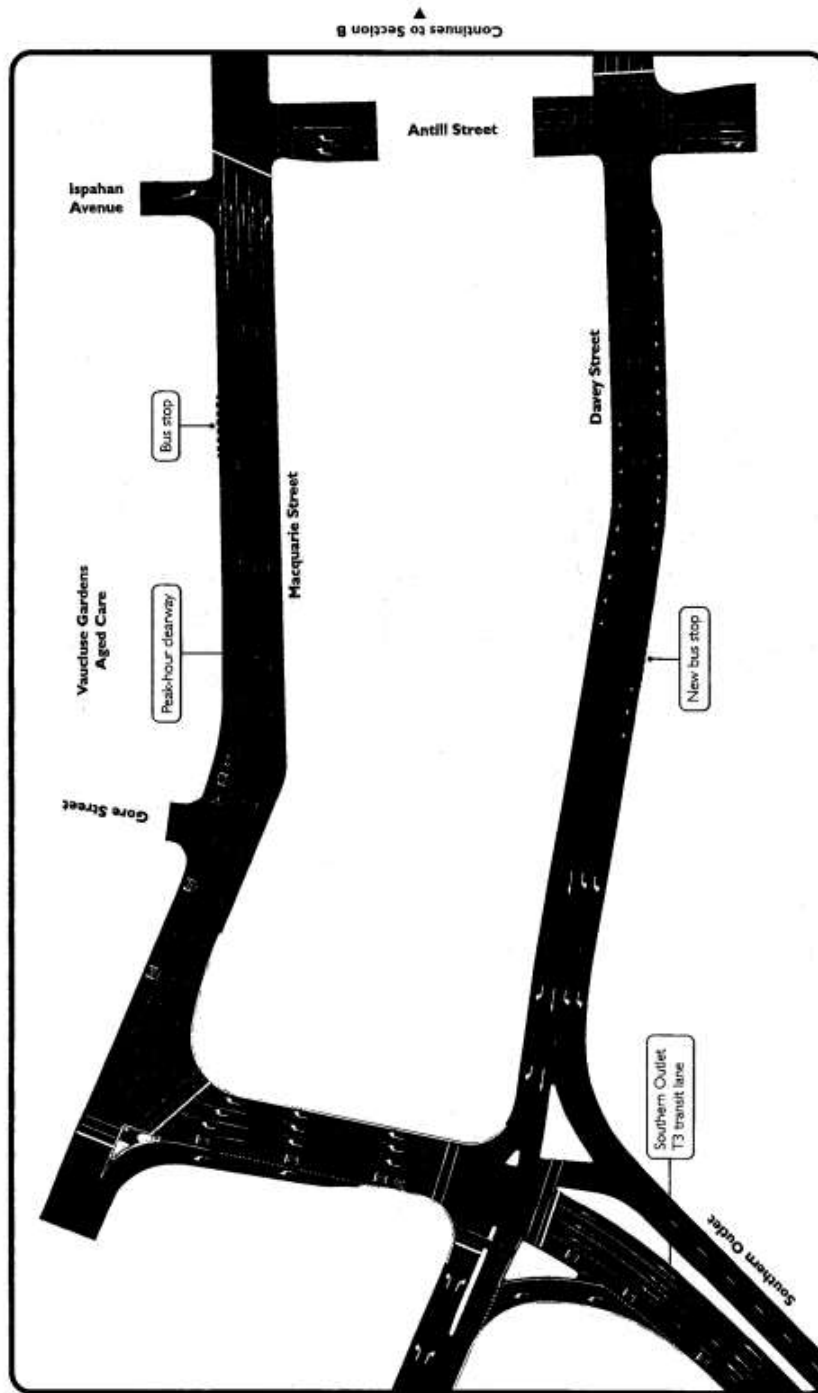
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Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

A
Southern Outlet – Antill Street

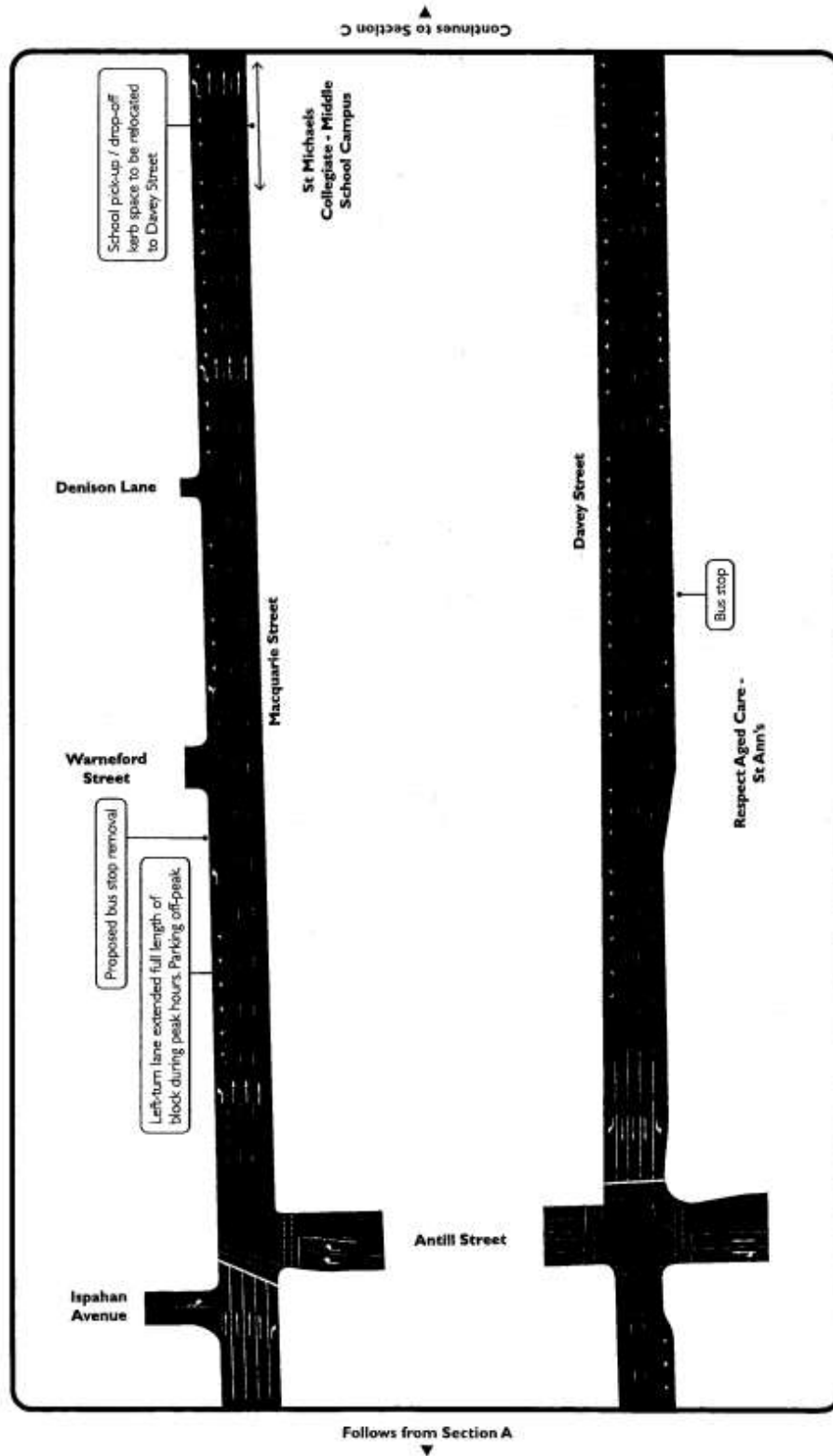


Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

Antill Street - Mollie Street approach

B

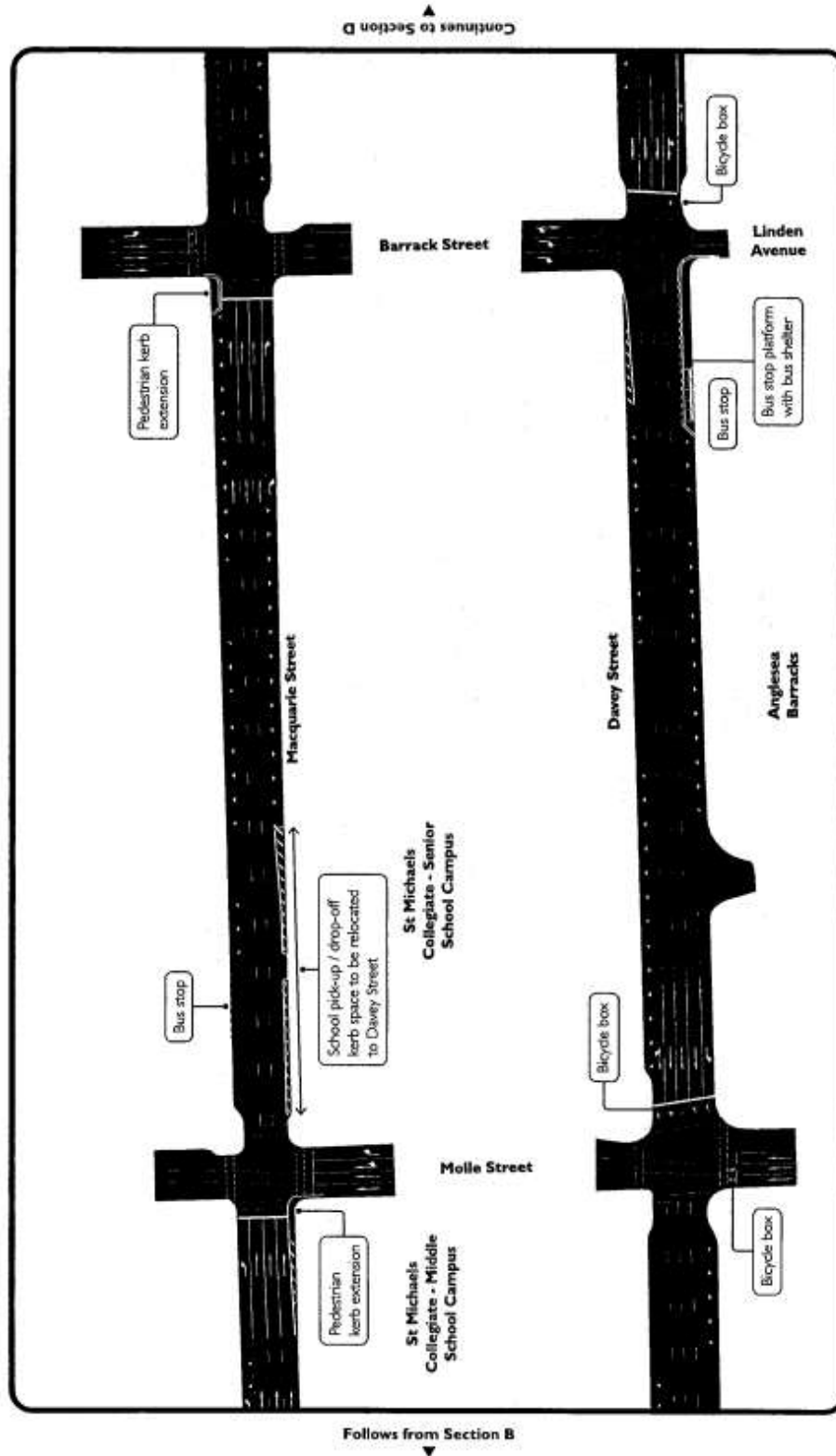


Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

(C)

Molle Street - Barrack Street / Linden Avenue

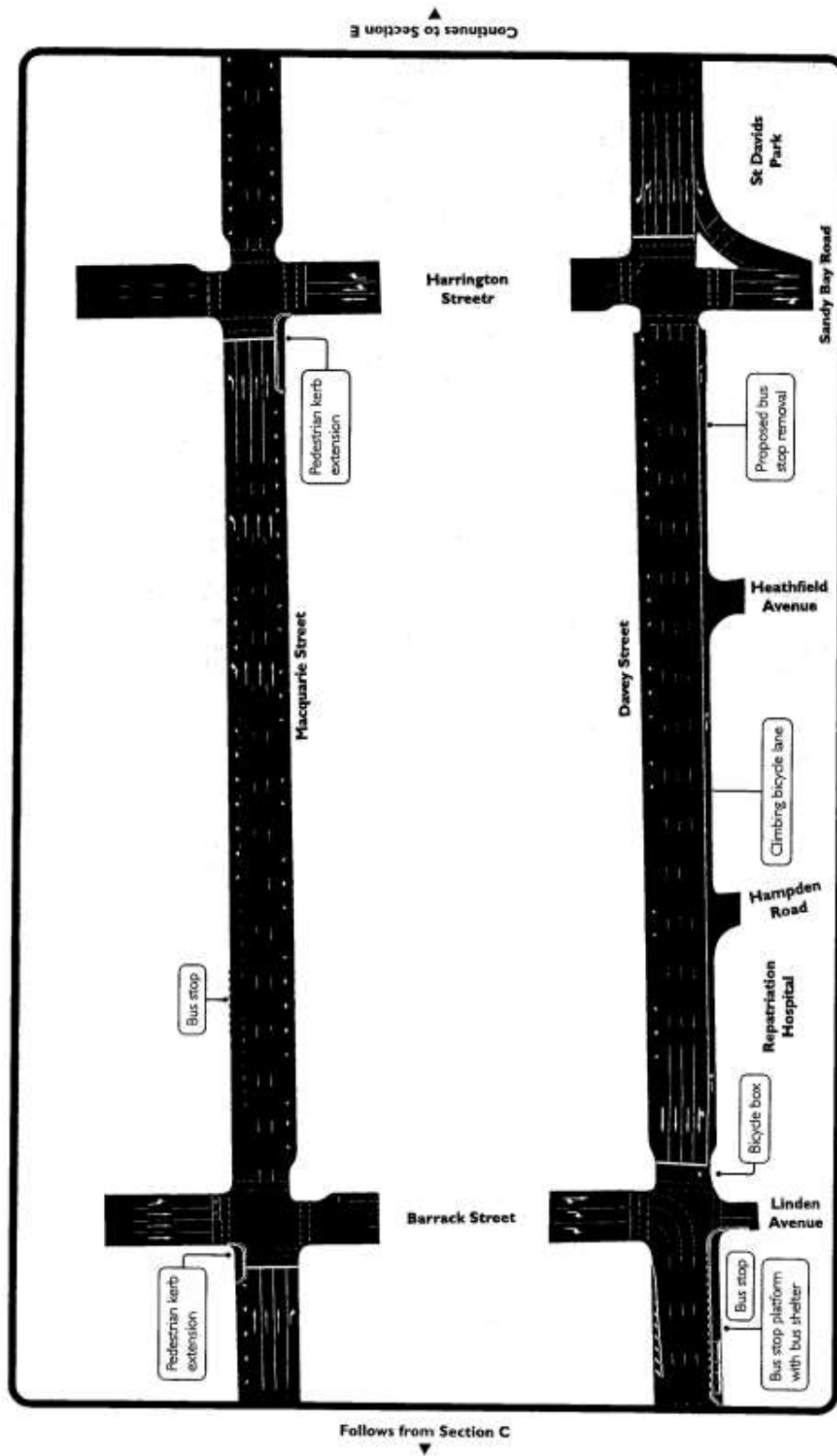


Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

Barrack Street – Harrington Street / Sandy Bay Road

(D)

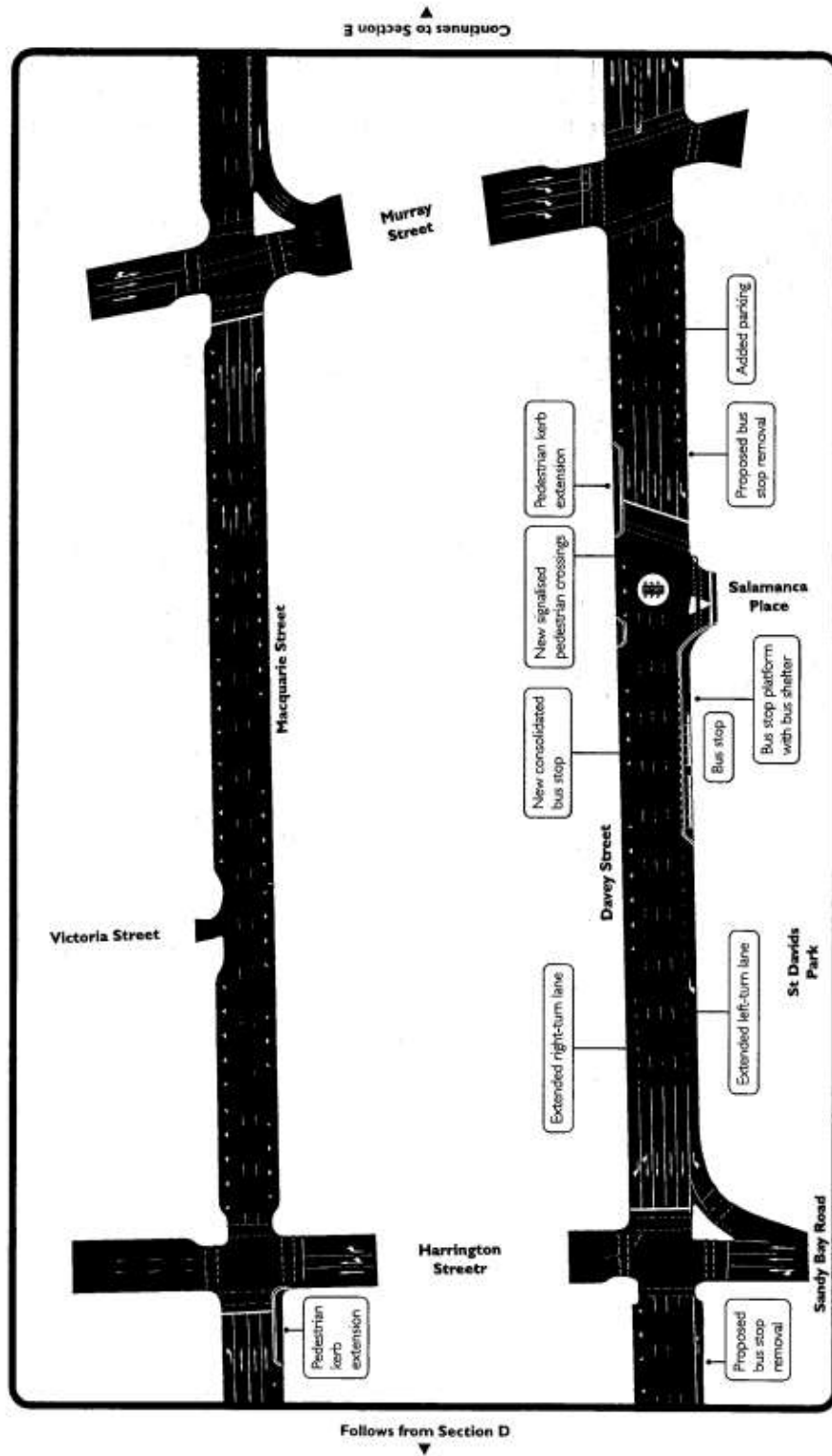


Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

Harrington Street / Sandy Bay Road - Murray Street

E



Hobart Southern Projects

Concept Design – Macquarie Street and Davey Street Bus Priority

Murray Street - Elizabeth Street
F

